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Nieman Reports

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Cub Reporter, Class of '50

"You will find," the personnel worker said to him on the day he began work, "that the old-time newspaperman is pretty-well outmoded. Things are more regular nowadays."

The personnel worker was wrong, of course. The reporter may work a 40-hour week nowadays; he has a union which has brought his pay up to the point where he earns nearly as much as the linotypist; there are Washington bureaus and foreign correspondents.

But the city reporter still has the same instincts, still feels the same impulses and reacts to the same stimuli as he is reputed to have felt and reacted in the Good Old Days.

At least that's the way the cub sees it. He also thinks, after six months' work, that it has to be this way; that if the basic urges and pleasures of the reporter had changed, there could be no newspapers.

He works a 40-hour week, to be sure. But he is still a 24-hour operative, a slave to the compulsion to stop when he sees a paddy wagon or an ambulance outside a saloon.

He still thinks enough of his job so that his wife, if she is new to the situation, soon refers to herself as a "newspaper widow" and is wont to make crass remarks to the effect that she "doesn't like being married to the Daily Bugle."

He still would rather stay in the shop from midnight until 2 a.m., some nights, instead of going home to bed.

He still thinks, world problems or no world problems, that the days when cityside gets the play story and a couple of good page one pieces are the days when the Bugle really looks good.

The cub didn't feel this way when he went to work, of course. Then the men in the Washington bureau seemed to be the scribes in the court of the Sun King, the people who really knew what was going to happen two days and

four thousand miles hence. Theirs were the daily bylines, the almost-daily play stories, the absolute wisdom that is engendered by being somewhere else where the editor cannot question sources or send one to a city directory.

But when the gloss wore off, the cub saw that the Washington men were not, indeed, in the court of the Sun King. The King himself may be in Washington, he learned, but his court was here.

And the courtiers were not the Congressman or the Generals; and the chief scribe was not the head of the Bureau. The courtiers rode the trolleys to the homes with the picture windows or drove their Fords to the suburbs; and he was one of the chief scribes, for he was reporting what they did and said.

The cub, who had fed upon New York papers (and still guessed they were probably the best), thought at first that this was wrong. Korea, surely, was more important in the Big Picture than a three-alarm fire right here.

Yet he began to realize that the three-alarm fire was as important to the trolley-riders as Korea, though perhaps for a shorter span of time. The newspaper, after all, was designed for one day and one place, and he was reporting what occurred in that day and place.

The government froze wages, and the Washington men made much of it. The cub thought the resulting small local strikes, the changing food prices in his butcher shop, were, in the end, the final test of the larger action, and so more important. Maybe the bureau was too far off to remember this, but it seemed clear as day to him.

The cub wants to go to Washington someday, to test his theory. Perhaps, when he arrives, he will change his mind about the location of the Sun King's court.

But while he is here, he is learning what "reporter" means. Perhaps, he thinks, it is possible to go to Washington and still be a reporter.

He is doubtful about this last proposition; but he looks forward to trying its worth. It would make an interesting experiment, for the proposition does not seem to have been tested up to the present time.

In the interim, he will go on meeting the mothers whose children burned up with the house last night and bracing the cops who are trying to cover up on a burglar they picked up early this morning.

For here he thinks he is meeting the absolutes of goodness and badness, of joy and sorrow. Somehow the men who cover Washington, he thinks, are in an atmosphere too rarefied for absolutes, and he had better run his gamuts while he's on general assignment.

He still makes less than a linotypist, but where else can he get underpaid for such fascinating work?

The cub reporter wants to be anonymous in his first exuberant report on newspapering as he finds it. He was an editor of his college paper last year.

WHAT'S WRONG WITH U.S. PUBLICITY ABROAD?

by Carl Larsen

ECA Information Officer in Sweden, 1949-51

A returning public relations officer tells why results of our far-flung publicity program have been disappointing and suggests ways to get more for our publicity dollars. Mr. Larsen was on leave from the Chicago Sun-Times for 18 months in Sweden. He was a Nieman Fellow in 1948.

General Eisenhower heartened all American overseas information men around the world when he closed his report to Congress with the statement:

I believe the U. S. needs a very, very much stronger information service. It is important to let the world understand what we are about and what we are. In our case I will not call it propaganda because the truth is all we need.

Here was a military man and a university president, who, after spending only a few hours in each of the capitals of the North Atlantic Treaty countries, had realized the weakness of his nation's attempt to tell the peoples of the world about her way of life, her hopes and her goals.

The general had seen and heard what most American overseas information men knew—that America had lost unrecoverable months, ironically a gift from Stalin, in which to prepare the psychological climate of Western Europe for rearmament in the North Atlantic Treaty Organization.

NATO, moving slowly within the framework of international diplomacy while Stalin's puppets disregarded such amenities, did not even begin to assess its informational task until late 1950. Junketing newspapermen, however, had correctly observed many months before that Europe's climate of opinion had to be adjusted before the full ramifications of NATO could be gained.

Any advertising man or public relations director would have planned a bold campaign using all available media—newspapers, magazines, radio, exhibits, balloons and speeches—immediately to capitalize on Stalin's mistakes. In every European street and village, the American side of the story would and should have been told within days after the advantage had been handed us.

But, because of inter-agency jurisdictional disputes and because of the cautiousness of some government officials, the ball was left on the 50-yard line. For once, the finger could not be pointed at Congress because immediately after Korea the administration asked for and received a large appropriation for State Department informational aims.

NATO, in existence, on paper at least, for nearly three years, even today does not have a truly effective organization. Each NATO country has agreed to assist in publicizing the aims of the Western Europe military pact countries. But some have been about as cooperative in this task as they have been in raising divisions.

It is here that American leadership, in the area of public information program guidance, is vitally needed. Again, the State Department has not acted forcefully and with decision.

Take one example: the Military Defense Assistance Program under which the U. S. has sent millions of dollars worth of arms to countries throughout the world, has received little publicity in Europe although American military leaders were especially anxious to get it publicized there.

It had plenty to dramatize, too—the launching of ships, the delivery of airplanes, the landing of huge tanks, etc. By directive, the job was given to the State Department public information service which lumped it into the vast pool with all of its other tasks including exchange of persons and art collection distribution. Some months ago, it is reported, a general in the European MDAP program protested that the stepped-up deliveries were not getting sufficient publicity. He threatened to set up his own publicity staff to ensure more white space. Only then did State begin to consider the assignment to each MDAP recipient country of one full-time MDAP public information officer. As yet, many MDAP countries are still without such information officers.

One reason for State's slow movement was that of differing viewpoints within the government. NATO's American public relations officers were champing at the bit to get started but received in late 1950 instructions from Washington that they were to be "inoperative" and to work only on a "liaison basis." These unrealistic instructions curtailed their efforts to prepare an aggressive and dynamic program to sell Western Europe the need for speedy rearmament.

The real limitation of the American overseas information program lies not in ideological terms, but rather operationally and administratively. The entire framework of the operational and administrative regulations used to conduct overseas information programs should be reexamined with a view to drastic liberalization. The average press attache 4,000 miles from home should be free to act intelligently on his own without waiting for long, sometimes inapplicable, directives from Washington.

I now feel qualified, after 17 months overseas as an information officer with the ECA Mission to Sweden, to discuss some of the administrative and operational problems which like my colleagues in other countries I encountered.

The first and most important administrative revision should be taken immediately—the shifting of all overseas information program activities to a coordinated bureau under the Executive Office of the President.

It is confusing for an American overseas to learn how many various agencies are conducting information programs with separate staffs. You can imagine the bewilderment of Europeans and Asians.

For instance, informational programs for the United States Government now are being carried on by the State Department, Economic Cooperation Administration, U. S. Army, U. S. Navy, U. S. Air Force and the Central Intelligence Authority.

Certainly, if it makes sense to coordinate the nation's armed forces under one civilian chief, then it must be equally intelligent to put all the nation's overseas information efforts under one boss.

There is a corollary move that also should be taken at the same time the Washington agencies are centralized and coordinated. The field operation should be streamlined and decentralized—for example, the ranking information officer in each country should be given greater autonomy. He should not have to operate under the handicaps of scores of monthly reports, burdensome regulations, daily directives from Washington—many of which are not even applicable in his area—and short staffing.

The Public Affairs Officer, as the State Department calls its ranking information officer in each large country, usually is deskbound. So are most of his key assistant. Why? Scores of reports—budgetary, physical property, Congressional liaison, political, media rating, etc.—are required of them bi-monthly. "There's too much of a tendency to accumulate reports on the past rather than to think about the future," complained one ranking PAO. Ideally, the PAO and his staff should seek to travel as much as possible in their assigned country. But the travel budgets for most overseas informational offices are very small. So are the representation budgets and it is obvious that a public relations man must entertain newspaper, radio and movie

men as well as propaganda channel leaders. Summed up, it's this way: overseas information men are forced to spend too much time in their offices rather than out in the field where they belong. Clerks should be hired to handle all the minor paper work.

The American military has set the precedent, in war, of allowing a field commander to be in charge of tactical operations.

It seems logical then that U. S. Information officers, in peacetime, should be permitted the same degree of *laissez-faire*. The State Department movie which will be a box office success in Scandinavia might not draw any crowds in Italy; visual media might be a success in Indo-China, while pamphlets would be more popular in literary Iceland. Each information officer should be free to operate according to the traditions, likes and dislikes of his assigned area. There appear to be few, if any, broad operational tactics that apply to a world-wide information program.

Naturally, many of these administrative and operational difficulties stem from the very nature of big government itself. In some cases, the General Accounting Office—which checks all expenditures—and the Budget Bureau—which analyzes and approves appropriation requests before they are sent to Congress—have become so powerful in their technician-like manner that they inadvertently can dictate the policy of an agency by determining the character and framework of its operations.

Suppose it is desirable to publish immediately a 500,000 copy booklet to answer certain Russian charges. Under government regulations, the average information officer could not dare to take such prompt action. He would have to draw up lengthy specifications of his requirements, get bids from three printers and then clear all copy with several higher headquarters before the presses could even begin to roll. Obviously, the value of the reply would diminish with each lost day.

A well directed advertising campaign for say, Lux toilet soap, would include the intelligent use of all types of media, press, radio, television, pamphlets, store displays, etc. Not until recently—and even today only in a small way—has the American overseas information effort adopted the use of multi-means to get the story to the public. The most recent State Department information budget disclosed that more than two-thirds of the total appropriation went to a single medium—the Voice of America.

In the minds of many overseas information experts, the Voice of America is an important but over-rated factor in the overall public relations program. But the Voice of America itself does not even begin to approximate the overall circulation which one would expect to acquire from such disproportionate use of a single medium. Some of its

programs are very good; others are mediocre and poor. Most VOA broadcasts are beamed only via shortwave and then only for short periods daily in any single language. The VOA's strong signal sometimes is inaudible because of relay and atmosphere difficulties. Programwise, the "dull" BBC and the Defense Department's American Forces Network are much better, and more appealing to Europeans.

The Voice's news broadcasts in Europe are inferior to those of AFN in Germany. AFN has an excellent nightly English language pickup of its correspondents in Frankfurt, Munich, Bremerhaven, Berlin and Vienna and sometimes makes pickups in London, Paris, Rome and Copenhagen. Too much VOA material comes directly from the United States. It could still be the Voice of America by using more "local angle" broadcasts from Europe such as interviews with ranking American officials in Germany, pickups of American entertainers appearing in Paris and London.

Within State's own information setup, there have been many voices crying for decentralization. One psychological difficulty in achieving this possibly stems from the usual pressures to centralize, rather than to decentralize, any agency as it grows.

One success in decentralization has been recorded in recent months by U. S. information men in Europe. It was done by ECA with the establishment of the Scandinavian Information Service Center in Copenhagen, in the summer of 1950. American and foreign experts in various media—radio, pamphlets, public relations and visual arts—were gathered in Copenhagen to service the ECA Information officers stationed in Norway, Sweden and Denmark. SISC, as it became known, worked like an advertising agency fulfilling the specific requests for various types of informational projects from Oslo, Copenhagen and Stockholm.

There were several distinct advantages in locating SISC in Copenhagen:

1. Danish media arts have reached a high state of development. This ensured good printing—and excellent translations—as well as speedy delivery on projects.

2. The U. S. government had on deposit as of November 30, 1950, in Denmark a total of \$7,555,000 as America's portion of the European counterpart funds under the Marshall Plan act. This financial reserve represented a broad base on which to operate a regional information headquarters.

3. A group of media specialists and red-tape cutters was assigned to SISC to assure completion of schedule dates on projects such as industrial fair exhibits, pamphlets, photographic displays, calendars, press junkets, etc.

Previously, the various Scandinavian missions had re-

ceived much of their informational material either from headquarters in Paris or from Washington. In many cases, there were printing errors and, even worse, poor translations. Sometimes thousands of booklets had to be junked because they would have had a negative effect if distributed.

A brief explanation of the counterpart fund operation is in order, since it has played an important fiscal lower case role in the Overseas info effort in the last two years. It appears, also, that it is destined to become increasingly important in financing informational projects under military assistance and other foreign aid programs.

ECA provides assistance to countries participating in the European Recovery Program in the form of grants, loans and conditional aid. Each country receiving grants has agreed to deposit in a special account its own local currency in an amount commensurate with the dollar cost of the grant aid received. These deposits are called "counterpart funds."

Not less than five per cent of the local currency deposited is reserved for use by the United States and is placed in a separate account under the control of U. S. disbursing officers. The U. S. portion is used principally to defray ECA administrative expenses payable in local currencies, to purchase or develop the production of strategic materials, and to disseminate information on the Marshall Plan. Funds not required by ECA are transferred to the U. S. Treasury for use by other United States Government agencies.

The remaining 95 per cent of the counterpart funds belongs to the depositing country, but can be withdrawn only after ECA has agreed to their proposed use.

As of November 30, 1950, the U. S. 5 per cent portion of the European counterpart funds was \$326,198,000 in local currencies in the following countries: France, United Kingdom, Western Germany, the Netherlands, Italy, Greece, Austria, Norway, Denmark, Turkey, Trieste, Portugal, Belgium-Luxembourg, Iceland and Ireland. A considerable amount will be used for information purposes but much also has been allocated for the purchase of strategic materials from these countries or their colonies. This vast store of 5 per cent counterpart funds has given ECA information officers a wider latitude in their operations including the liberalization of the U. S. General Accounting Office regulations on the contract and payment provisions for informational projects financed with counterpart funds. This has permitted ECA information officers to operate with a much freer reign than their State Department colleagues.

American free enterprise mass communications achievements have given the U. S. a great advantage over the Russians in the world-wide information field. For this reason, man-for-man and dollar-for-dollar comparisons of

the respective informational efforts by the U. S. and the USSR are misleading. The Russians have a greater army of paid and voluntary workers in the information field, including the fanatical members of the Communist Party, etc. America, on the other hand, has the following advantages:

1) Most Western European newspapers and radio stations draw much, if not all, of their news from the leading American agencies—Associated Press, United Press and the International News Service. In Sweden, for example, *Dagen's Nyheter*, Stockholm's leading daily with a circulation of 270,000, subscribes to and plays up the Associated Press and United Press reports, as well as New York *Herald Tribune* special coverage. The same is true for scores of newspapers in Rome, Paris, the Hague, London, Frankfurt, Vienna, Berlin, Hongkong and Lisbon. Only one other world-wide news exchange, Britain's Reuters, can even compare with this penetration in news distribution.

Imagine if Tass were in the same economical and strategic position.

2) Three out of five motion pictures shown in Western European theaters originate in Hollywood. Some argue this is bad because of the alleged deterioration of American productions, but Hollywood's worst is sometimes much better than the best produced in Moscow, Warsaw and Prague.

3) British and American books now represent the majority of foreign literary works found in the book stores of Western Europe. Hundreds of American books also are being translated each year into various languages of Europe and Asia. Not the least important of these are the excellent scientific and technical books coming from the USA which have done much to raise our prestige in academic circles around the world. Such magazines as *Time*, *Newsweek*, *Reader's Digest*, *Life*, *Harper's*, *Atlantic Monthly* and the international editions of the New York *Times*, and the Paris edition of the New York *Herald Tribune* can be purchased in railroad stations and magazine shops from Turkey to Finland.

Nearly every dance orchestra in Europe bases its repertoire on George Gershwin, Irving Berlin and Cole Porter. In some cases, American folk dances, such as the square dance, have been initiated among the rural groups which represent a most fertile field for information activities.

Those who want to send an army of information men overseas should consider the proven fact that European audiences will more readily accept that knowledge about America they receive through independent, non-Governmental sources than through an official State Department agency.

There appears to be one truism about propaganda—the recipient has a better regard for that information which

he has acquired by paying for a book or magazine or through his own individual initiative. If he received a government-produced book free, he is likely to regard it as "just propaganda." But, if he reads it in a French magazine which cost him 100 francs, then he will tend to be more hospitable to its story.

The Communists apparently have recognized this psychological point. Ironically, the Communists have become capitalistic-like business men in setting up large publishing houses to get out their propaganda. The Stalinists have sold millions of copies of Marxist literature at low prices—prices low enough so that the working man can afford to pay but high enough so that he will regard the booklet as an investment.

One costly mistake of the American information service recently has been that it *directly* gives away too many books and pamphlets published *directly* by the American government. It would be much better to get friendly organizations in the various European capitals to publish these booklets with United States support. Then, they would get a much more welcome entre in the homes and factories.

The job of the information services headquarters should be more like a circulation department than an editorial or production unit. (In fact, the circulation manager of the New York *Daily News* might be a good information officer because he would know how to get the story to the most people.)

In Sweden, I found that one of my most successful informational projects was the free daily distribution to 900 opinion leaders of the International Edition of the New York *Times* and the Paris edition of the New York *Herald Tribune*. These newspapers came directly from their printing plants in Paris with only a small legend on the envelope: "Compliments of the U. S. Government." Here was free, objective news about America and the world which these people otherwise might not have had. It came to them through a private source rather than as a U. S. government handout. When the subscriptions began to run out, many pleaded for their continuance.

American information officers at home should spend much of their time facilitating the distribution throughout the world of American books and magazines. Here again, American private enterprise can be given the opportunity to give a hand in the information program. Under the Marshall Plan, informational media guaranties were set up to enable American publishers to convert their weak European currency earnings into dollars. These should be continued.

Cheap rental libraries, set up with the aid of governmental subsidies, should be opened in European cities to get wide distribution of such powerful books as George Orwell's *1984* and Arthur Koestler's *Darkness at Noon*.

U. S. Information Service libraries in many cases now are located in the most fashionable quarters of European and Asian capital cities. To get a wider audience branches should be set up in the workers' area. Here is where Communism ceaselessly labors, and where the Communist lies must be most effectively answered.

Now we come to the personnel aspects of the information task. The program is only as good as the men who execute it.

What type of background develops the best type of overseas information officer? Some say the erudite political science professor or an anthropologist; others vote for newspaper and radio men.

The realistic answer seems to be that there just isn't any way of telling which profession develops the best type of men for this governmental assignment. Newspapermen, generally, have been selected to fill vacancies in the expanding information program because of some traditional view that they are sophisticated, progressive and intelligent enough.

One new school of information administrator argues that newspapermen don't necessarily make good information officers because they have never acquired administrative ability. They say that writing press releases and conducting press conferences are only two minor chores of the active information officer. Just because a man is a bricklayer, it does not mean that he is a good architect.

The balanced information officer is a schizophrenic-like individual who is at once a good newspaperman, teacher, magazine editor, pamphleteer, radio producer, movie script writer, and most important of all—an administrator.

The information business is largely managing employees and administering large contracts with advertising agencies, publishers, movie firms, etc. To administer an information program intelligently, the balanced information officer should have a wide experience in at least one or two major means of mass communication.

The conservative State Department salary scale for information officers presents a problem in the acquisition of good personnel. In some countries, information officers are drawing as little as \$5,000 per year. State is finally beginning to realize that "good money must be paid to get good men."

Some weeks ago, U. S. Senator William Benton, formerly the State Department Assistant Secretary for Public Affairs, pointed out that Paul Hoffman, as ECA administrator, had procured top rate men to serve as information officers in ECA Missions. Marshall Plan salaries generally were \$2,000 and \$3,000 per year above those of State Department counterparts. Ironically, State has recently been adding new men to its information payroll at salary rates higher than those paid veteran staffers with broad bases of foreign experience. This, of course, has not helped morale.

The average information officer has a two-fold job within the Government. His most important task, of course, is telling the people of the land in which he is working about the U. S. and its foreign policy. To do this job adequately, he must have the full cooperation of his Embassy or Legation. This he does not always obtain because many Government officials still do not recognize the role of public relations in their jobs. As a result, many information officers must also conduct a sort of informal public relations campaign within the Mission to educate foreign service officers.

In many countries it is easier to see the Prime Minister or the Foreign Minister, than it is to see the American Ambassador. In some countries the American Ambassador rides in a chauffeured Cadillac while the Prime Minister pedals around on a bicycle. This is not to be taken as advocacy that all American Ambassadors should pedal bicycles but merely to point out that they should try to get down to the democratic common denominator. After all, American Ministers and Ambassadors are, by law, "reporters" for the President of the United States. How can they be good reporters if they do not know the temper or the mood of the country in which they are working? It might be appropriate to suggest that the State Department set up an Institute of Public Relations for all men and women who are selected to be Ambassadors and Ministers, Consulars and First Secretaries.

Large staffs of Americans are not necessary to work in most countries. Instead, it would be much better for a group of four or five Americans—each an expert in a separate media or field—to develop with the aid of qualified native help an information program. A case in point might be that of the ECA staff in the Netherlands which includes only four Americans and 13 native Dutch men and women.

Think of the problem this way: suppose you were a French public relations man assigned to develop an information program within the U. S. for France. What would you do? Would you carry it out along the normal ways which you would employ in Paris, or would you change your tactics by employing Americans to help you put across your point of view? It seems self-evident that an American is most successful in selling an American, a European in selling a European.

One of the psychological difficulties facing the information man overseas is the traditional view that Americans know all there is to know about mass media communications. Governmental agencies have sent a number of mass media consultants to Europe and Asia from the U. S. This is another indication of the centralized bureaucratic view with which some people look upon the information problem.

A much more intelligent move would be the establishment of small advisory councils, working on a free basis,

in the respective capitals of Europe. The ranking U. S. information officer in each country could select four or five top flight advertising, newspaper, radio, mass media experts as consultants to consider how to put across the main points America wishes to emphasize in that country. These consultants, all local citizens, should have shown some interest, regard, and sympathy for the American position before being placed on these advisory councils. These men would have the advantage of knowing their country and the type of information palatable to the public, but they should not be permitted to foster only traditional methods. It should be a progressive group open to new ideas with only the power of suggestion and no specific authority.

In conclusion, here are some recommendations which American overseas information chiefs should consider in their operational and administrative tactics:

1) An immediate move for decentralization with the establishment of regional headquarters in Europe, South America, Asia and the Middle East. The European head-

quarters might be set up near Paris and the ranking information officer in each European country should be given a clear channel of communications. Sub-regional offices also might be set up in Copenhagen and Rome.

2) Re-examination of informational targets with the aim of getting more information to lower income groups, where the Communist mass movement is concentrated, rather than among intellectuals. As a Chicago politician would say: How many votes have the intellectuals?

3) Liberalization of operating regulations so that the individual information officer can move more quickly, more aggressively and more imaginatively.

4) Education of ranking American representatives overseas to realize that they must get busy with the shirt-sleeve job of public relations by giving speeches and assisting their press attaches as well as being involved in stratospheric strategy. The success of many policies advocated by these diplomats depends, of course, on their ability to sell it to the local government and people.

BACKGROUND FOR NEWS

by William F. Swindler

Journalism is the technique of transmitting, promptly and accurately, the news of the world and its affairs to masses of readers. Journalism education is predicated upon the assumption that this work is important and requires a special degree of training. When journalism curricula appeared in American universities, the emphasis at the beginning was on technical preparation. But in the past quarter-century it has gravitated instead toward a system based upon a broad humanitarian background and aimed at turning out graduates who might at last boast the *Weltanschauung* of which the philosophers dreamed—a kaleidoscopic understanding of the callings of all branches of society.

In a number of journalism schools, the educational program has now proved sound enough to win the respect of colleagues in older disciplines and to give the lie to die-hard critics. Thoughtful persons in the schools and in the practicing profession, however, realize that journalism education has not, any more than liberal arts education itself, succeeded very generally in implanting the broad view. College seniors still approach commencement with only the haziest notions of what constitutes most fields of knowledge, especially those which form the basis for other professional and technological callings. Throughout a four-year acquaintance with students and faculty in medicine, law, engineering, agriculture, and various sciences, they have acquired little or no idea of these multifarious activities which nevertheless make up the world they are to report.

Dr. John Finley, late distinguished editor of the *New York Times*, made the oft-quoted remark that the ideal reporter would be one whose intellectual interests ranged from quadratic equations to baseball returns, from archaeology to the intricate details of practical politics. One of our own recent graduates, now with the AP in Europe, wrote back wonderingly of the exhaustive knowledge expected of students in some Continental universities, whose final examinations might regularly feature questions such as this: "Consider a steel mill as an exponent of the national economy, tracing the history of steel making in this country and throughout the world, describing the metallurgical principles of ore refinement and related technical processes, and discussing fully the political, economic and sociological implications of the mill's personnel policies, marketing activities and business management methods."

This is no particular brief for the German educational ideal of *multum in parvo*, but it is submitted that higher education in this country is still falling considerably short of the goal which is described in a nice phrase as "educating the whole man." Conscientious journalists find this a matter of concern not only because it produces an imperfectly equipped reading public but also because the personnel for professional journalism itself is likewise imperfectly equipped.

The ancient theory of higher education, epitomized in the very word, commencement, was that university study was only a preparation for lifelong independent learning.

Largely because of the development of mass education and the American concept of free schooling for all—whatever you may think of the report of President Truman's committee on education—the theory has become submerged and forgotten.

"General education"—another well-meant phrase—is still only a partial answer because, on the one hand, too few institutions undertake to apply it, and on the other, it usually takes the form of a few survey courses required of freshmen and sophomores and thereafter never referred to in the pent-up rush of upperclass specialization.

There is, as a matter of fact, probably no single answer to the problem. The better journalism schools have sought to meet it by reducing the number of their own courses, requiring a higher number of courses in social sciences and humanities, and spreading the journalism work throughout the four-year program so as to use it as an integrating factor in the background subject-matter. In another area the Nieman Foundation offers, on a year-long basis and for a small selected group of practicing newspaper people, an invaluable supplementary educational service. And in an experiment with a senior seminar which the faculty of the University of Nebraska tried last year, we believe we are on the trail of yet another useful procedure. The seminar is called *Investigative Methods in Editing*, and we frankly confess that we "lifted" the title from a course so successfully developed at the University of Oregon School of Journalism by the late Dean Eric W. Allen. Our adaptation is, however, unique so far as we have been able to learn.

Dean Allen believed that a journalism student about to be graduated needed some last-minute training, as it were, in the collecting and evaluating of information which would provide background to subjects of continuing news importance. He hoped that his senior training would do two things—develop a facility for systematic and complete investigation of background data, and impress upon the student that further study and reading was the responsibility of the college graduate far more than of the college student.

To this idea, of course, we at Nebraska subscribe, but our method of application is adjusted to the needs of a post-war generation of youngsters in whose extremely brief experience even the events of the nineteen forties are beginning to seem like academic history. If the rest of us, older by a few years or many, tend to forget that fact, it is brought home during the first two meetings of the course in which we undertake to acquaint these students with the achievements of such contemporary figures as Bertrand Russell, Julian and Aldous Huxley, Sir James Jeans, Reinhold Niebuhr, Paul Elmer More, Robert Millikan, John Maynard Keynes, Lorado Taft and a long list of others. To most reasonably well-informed newspapermen each of these names connotes some contribution, some movement in

twentieth century civilization—or am I being overly optimistic? They mean nothing, at any rate, to most of our seniors—and the seminar is made up of a select group whose liberal education background is broader than that of almost any other students in the institution.

The course, then, begins with a survey of individuals whose names have come to be associated with significant achievement in many fields. There is manifestly no time to fill in the full story of each—the function of these opening seminar sessions is to brief the student on the nature of these many fields in terms of persons who have recently influenced them. If the student is impressed with the completeness of his own lack of knowledge on the subject, perhaps we have thereby tapped the impulse to pursue this and other subjects after leaving the campus.

Thereafter, the seminar is turned over on successive weeks to representatives of many fields—engineering, medicine, education, agriculture, social work, basic sciences. The well-known social sciences and literatures were omitted because the whole undergraduate journalism program is based on these subjects and presumably the student has already become oriented in them; the purpose of the seminar is to demonstrate to him that there is much left to be done after the A.B., particularly as relates to these other fields.

Each seminar guest speaker is asked to sketch the basic content of his curriculum, the highlights of the past century of development in his subject, and the current objectives of research or professional programs. The discussions in each field then conclude with a commentary on significant books which the intelligent laymen might consult—again in the hope that this may impel individual students to pursue the investigation through years after commencement.

There is no examination for seminar participants. We feel that what little an examination might show them to have picked up would manifestly be superficial and tentative. The test of their learning, as well as the proof of the worth of the course, will depend on their behavior in subsequent years—to a far greater degree than in other courses. Rather, the course itself is an outgrowth of examinations which we of the faculty administered to ourselves, involving questions such as these:

A careful reporter may be able to give an accurate, factual story on atomic energy—but can he impart any real enlightenment in his writing if he has never heard of the quantum theory and has no idea of what has been done by Einstein, Fermi, Bohr, Eddington and their predecessors and contemporaries?

Is there any excuse for an intelligent layman not knowing something about T. S. Eliot or Soren Kierkegaard, Oswald Spengler or Everett Dean Martin, Josiah Royce or Vernon Louis Parrington?

Can even the most intelligent person be entrusted to write about the world around him if he understands none of the processes by which we have arrived at our present state of development in law, medicine, economic philosophy and artistic standards?

The late Justice Oliver Wendell Holmes once remarked that no man is truly educated until he has read in the original Thucydides' *History of the Peloponnesian War*. That is perhaps even more than a Robert Maynard Hutchins would ask of this generation. But it underlines the fundamental importance of the goals of broad understanding toward which we are still trying to make our slow headway.

We at Nebraska feel we have uncovered nothing startlingly new in revealing the minuteness of knowledge among college seniors—too many other surveys, involving students in all parts of the country and in all phases of educational activity, have already shown much the same thing. The enthusiastic appreciation of most of the seniors who took the seminar has encouraged us greatly; we feel that we are on the right track, but we are now trying to decide in what direction we are headed. We are debating (1) whether the

seminar might not be more effective if spread over a longer period, and (2) whether in extending the period we could carry it beyond commencement, to the graduate on the job, to keep nurturing the idea of post-academic study and learning until the idea is strong enough to sustain itself.

Probably the shortcomings of higher education in this regard up to now have been due at least in part to our taking too much for granted the individual's impulse to seek out basic knowledge. It is said that when Abelard came to the University of Paris in the twelfth century, he had first to prove his right to receive knowledge from the doctors there. But the modern system advertises that a student may get a degree by passing a prescribed set of courses—and if higher education is to affect him beyond commencement it must find some means of keeping up the stimulus he may have received in school. The Nieman idea is one way—to give the individual another chance after experience in the field has made him aware of what further information he needs. The Nebraska senior seminar is an experiment with a different method of moving closer to the same goal.

Dr. William F. Swindler is Director of the School of Journalism of the University of Nebraska.

Associate Nieman Fellowships Opened to Dominions Newspapermen

Carnegie Corporation Will Finance Three From Canada, Australia, and New Zealand This Year

Under an arrangement by Harvard University and the Carnegie Corporation of New York, three fellowships are to be offered this year to British Dominions newspapermen for a year of residence at Harvard in association with the Nieman Fellows selected from U. S. newspapers.

Committees of newspapermen to nominate Fellows to the Carnegie Corporation have been set up in Canada and New Zealand, and one is being organized in Australia. The Carnegie Corporation will finance the Dominions Fellowships to be awarded by the Harvard Corporation. The Dominions Fellows will be designated as Associate Nieman Fellows. They will have the same opportunity as the Nieman Fellows for one academic year of residence for studies of their own choice to strengthen their background for newspaper work. It is expected that a Canadian, a New Zealand and an Australian Fellow will be appointed, probably at the same time as the Nieman Fellows from U. S. papers, in June, for the college year opening in September. Like the Nieman Fellows, the Dominions newspapermen

will come to Harvard on leave of absence from their newspapers for the academic year.

For Canada the nomination of a Fellow will be made to the Carnegie Corporation by a committee of the Canadian Managing Editors Conference, with these members: R. A. Farquharson, managing editor of the *Toronto Globe and Mail*; Charles Peters, editor of the *Montreal Gazette*; David B. Rogers, editor of the *Regina Leader-Post*; Robert Southam, assistant publisher of the *Ottawa Citizen*; and Alex C. Givens, executive administrator of the Atkinson Charitable Foundation of Toronto.

The Carnegie Corporation will grant each Dominions Fellow a stipend related to individual circumstances, based on his newspaper salary, with consideration of cost of living in Cambridge for nine months. It will cover also the Harvard tuition, travel to and from Cambridge and approximately one month of travel for professional purposes in the U. S. during or following the year at Harvard.

HOW MUCH NEWS ON TELEVISION?

by Alan Pritchard

Newsmen all over the country have been giving dubious eye and ear to a new and lustily yelling medium—television. You can hear it, you can see it. Often you can smell it. But then it is relatively immature and should be pardoned for its occasional social offenses.

Television is the result of mating radio and the motion picture right on your living room floor. As entertainment it carries hereditary traces of the legitimate theater, B movies, burlesque, carnival pitchmen, the old-time medicine show and a three-ring circus. In the news presentation field TV presents a combination of the virtues and advices of newspapers, radio, newsreels and grandmother's old postcard projector.

According to figures of the National Association of Educational Broadcasters, television newscasts take up five per cent of viewing time. A station that is on the air for 15 hours a day, then, will present a total of 45 minutes of news if the formula holds good. Whether this is an adequate ratio is a moot point. The same survey cited commercials as taking up 10 per cent of television time, and drama (including crime and cowboy programs) 25 per cent.

The best of the television newscasts are aired in a hurly-burly of concentrated effort that outdoes a tense city room sitting on a big story at deadline. The pressure is terrific and inexorable. Seconds are precious little jewels that must be matched up with story and picture if the program is to end on schedule.

Take a look at "Three City Final," a 15-minute television newscast originating at station WLW-T in Cincinnati. It is telecast simultaneously over WLW-D in Dayton and WLW-C in Columbus, all subsidiaries of the Crosley corporation. Here is the time schedule in minutes and seconds for their February 12 program:

		<i>elapsed time</i>
1. Opening	0.30	0.30
2. Headlines	0.30	1.00
3. Commercial	1.00	2.00
4. Korean Report	1.40	3.40
5. Korean Film	1.00	4.40
6. National News	1.30	6.10
7. Lincoln with film	0.30	6.40
8. Civil Defense	3.10	9.50
9. Sports	1.00	10.50
10. Local News	1.00	11.50
11. Commercial	1.00	12.50
12. Weather	0.40	13.30
13. Closing	0.40	14.10

It is apparent from the tight schedule that the newscaster can only hit the highlights of the news. In 30 seconds he hit aspects of four top news stories in choppy, headline-type sentences. In the one minute and 30 seconds devoted to national news he covered eight stories.

To put "Three City Final" on the screen in the three cities requires exactly 32 people, most of them highly skilled technicians. Not all are busy every second but they must be ever alert for cues to maintain the exquisite timing necessary to coordinate the show. A similar radio program could be handled by 10 people with much less effort all around.

In addition to the news commentator, some five other persons appear on the screen during the program. A Far Eastern expert gives the Korean Report. The civil defense story and the sports news originated from Dayton, requiring separate commentators. The weather story was also given by a special reporter. In addition each of the three stations on the hook-up cut out for one minute to give local news of interest to viewers in their immediate areas.

Actually "Three City Final" is an unusual non-network news show. The three stations carrying it claim a potential audience of 1,600,000, an attractive plum for a sponsor. It is patterned closely after NBC's network show, "Camel News Caravan," top-rated television news show of them all. Of course the WLW news program operates on a much lower budget than the network program. But its backing is much more substantial than run-of-the-mill local news shows.

Few small stations have found the formula for a successful local TV news program. This is the opinion of the members of the National Association of Radio News Directors who add that "too many aren't making any effort to find it."

In addition to cost, simple elements of time and geography are high hurdles for the television news program. According to Harry Bannister, general manager of WWJ-TV, Detroit:

"It is doubtful whether television can ever equal radio in respect to the time element, or the newspaper in respect to detailed coverage. A television news presentation is a 'production' requiring visual factors. Consequently, a last-minute news story can never be featured as it can in the other two media."

Time and geography raise hob with television news movies, too. Under the most favorable conditions it takes three days for shots taken in Korea, for example, to clear the editing and processing steps in New York. Processing time

even on local shots may take several hours. WHAS-TV in Louisville claims they have put an edited film on home screens an hour and 15 minutes from the time of shooting. It requires high-speed developing equipment and expert skill that is not always available around the small studio.

The cost of locally shot movies runs rather high for small budgets. Commercial companies ask upwards of \$35 to cover spot news assignments with 16mm movies. After editing, the finished print might appear for less than a minute in the course of the show.

Commercial television newsreels also come high. Tele-news Productions sells to CBS and 30 independent stations. Their daily 10 minute reels cost from \$150 to \$1000 a week, price varying with the size of the audience. According to the company, films for television must be shot especially for that medium. They require more close-ups, more direct quotes and flatter lighting than theater-type newsreels.

Mobile TV camera units are seldom used to cover spot news assignments. A special crew is required, for one thing. Special power sources must be available. The "remote" spot must be within microwave range of the studio tower with no obstructions in between. Then, too, station time must be clear for the live broadcast. Even with all facilities available at a fixed remote point, such as a football stadium, it requires an hour and a half to set up for operations. Spot news doesn't always hold still that long.

Some TV news editors look forward to technical gadgets they hope will someday whip their problems.

"We just don't have the prescription yet," said one Cincinnati TV news director, a former newspaperman. "Someday somebody is going to come along with an idea that will set us all back on our heels. Maybe it will be something like facsimilie, I don't know."

Others talk about a new electronic camera now reported in the works. This Buck Rogers device will use no film, but will record an image on something like a magnetic tape. Pictures taken at the scene of a spot news story could be put on the air as soon as the camera crew returned to the studio.

To beat the high cost of motion picture films a number of TV newsmen fall back on good old still pictures. Some stations are serviced by Associated Press or Acme and pick up local pictures from newspaper tie-ins.

In a typical newscast of this sort some 16 to 25 pictures may be used in connection with commentary on news highlights. Some stations make slides from the original photos; others use a mirror gadget that works on the same principle as grandmother's old postcard projector.

For the most part this type of program is the familiar radio newscast with the still picture gimmick thrown in. The script, for the most part, is taken off the United Press radio wire. One Cincinnati station uses Acme photos, the commentator reading off the captions as each picture is flashed on the screen. He also skims the headlines from UP radio as time allows. On a few stations the commentator just sits down in front of a camera and starts reading.

In a small station, like a small newspaper, one man may have several jobs. One newscaster has been occasionally televised filling in at the piano on variety programs. A newscaster at a Cincinnati station is featured on an early morning show as a broad comedy character. It is difficult to determine where some find the time adequately to prepare a news program.

Some newscasters read off the commercials, plunging from the state of war in Korea right into the merits of the sponsor's beer or neckties. This program shocks the newspaperman more than anything else on television today, including Dagmar.

In a survey of television station news rooms in the Dayton-Cincinnati area it was found that most newscasters were graduates of radio. Two were former newspapermen, one being the news director of a station and the other a script writer for the aforementioned "Three City Final" news show.

Both of the newspapermen admitted that they leaned heavily on newspapers in shaping up their programs. When they thought there might be something new on a local story they checked friends on the city runs. Both said they also used the dailies as a guide in determining play to give national and international stories.

In the entertainment field television is a bit of parlor magic that is difficult to beat. There is no doubt it is using up a big slice of the leisure time of the average newspaper reader, and it is biting down on the advertising dollar.

But it is in the straight news field that the newspapers can hit back, and hit back hard. Television news can only hit the highlights in its few precious seconds on the air. The television newsreel camera can only show what happened while the cameras were turning.

Newspapers must supply the "why" that the cameras can never show. The television screen will undoubtedly stimulate interest in the events of the world. It is up to the newspapers to fill in the details.

Alan Pritchard is on the copy desk of the Dayton *Daily News*.

RESULTS OF A SURVEY

by Harry Press

In a unique project, Stanford University's Institute for Journalistic Studies scored the performance of representative California newspapers in the coverage of the Nixon-Douglas senatorial campaign of last November. The score found that most of the dozen papers had weighted their news stories quite heavily for Nixon, against Mrs. Douglas. The announcement of the results in a press release went almost wholly unreported in these newspapers. But several papers in unduly complacent editorials, claimed results to suit themselves. Harry Press viewed the situation from the rewrite desk of the San Francisco News, whose own score for objective coverage was excellent.

Most California newspapers believe the purity or impurity of their political news coverage doesn't have the slightest interest for their readers.

There also undoubtedly is an underlying feeling of editors that they are strongly against exposing any faults on the part of their newspapers to public view—or the faults of any other papers.

These conclusions are the major ones which can be drawn, now that all returns are in on Stanford University's content analysis study of 12 California dailies in their news coverage of last fall's Senatorial campaign between Richard Nixon and Mrs. Helen Douglas.

Stanford's Institute for Journalistic Studies conducted the survey on a \$1000 research grant given it by the American Newspaper Guild and its California locals. The Guild did so because (1) the campaign would provide a perfect opportunity to further the Guild's emphatic interest in press performance, since (2) there was a belief current in Democratic circles in California that Mrs. Douglas would be subject to a "news blackout." The Guild's Constitution says that its purpose shall be "to guarantee, as far as it is able, constant honesty in the news, to raise the standards of journalism and ethics of the industry."

The survey was completed, and on January 26 Stanford issued the results in a news release so objective it was almost sterile. The fact that it drew no conclusions, thus forcing the editors to draw their own, may be another reason it was almost completely ignored, so far as bringing it to public attention was concerned.

Here is the way California's 119 daily editors publicized the report, so far as could be ascertained through a clipping service and other sources:

News story carried: Los Angeles *Times*, Marysville *Appeal-Democrat*, San Jose *News*, San Jose *Mercury-Herald*.

Editorial carried: Los Angeles *Times*, San Rafael *Independent-Journal*, San Diego *Union*, Ventura *Star Free Press*.

(The *Independent-Journal* reprinted the *Times'* editorial, and a weekly in Ventura reprinted the editorial which appeared in the daily there.)

There also was a paragraph in Arthur Caylor's column in the *San Francisco News*, on one small point covered in the survey; a lengthy article in *Fortnight*, a California news-magazine, noting the lack of news stories in the dailies; and a story in *Point*, a San Diego newsweekly.

The survey showed that contrary to Democratic fears, there was no "news blackout." Mrs. Douglas, in fact, received a few more mentions than Nixon. The survey showed, however, a considerable bias in the news coverage, in favor of Nixon. This fact may have had something to do with the lack of stories about the survey in the papers involved, but it fails to explain why those papers which were shown by the survey to be objective didn't take the opportunity to tell their readers about it.

In the survey every word which appeared in the news columns of the 12 dailies from Sept. 1 to Nov. 7 relative to the Nixon-Douglas campaign was scientifically analyzed. The papers represented 45.5% of the daily and Sunday circulation of all California papers, daily circulation being weighted on a six-day basis.

All this news was broken down into statements, then rated as neutral, favorable or unfavorable. This then was indexed, and a score of 0.0 would mean that the news presentation of the paper had not given an advantage to either candidate. For example, if a paper had a net favorable score of 10.0 for each candidacy, the difference between these scores would be 0.0. Thus, the "favored index" score is a relative measure of comparison, showing how far the news presentation of each paper deviated from "equal presentation" of the two candidates and which candidacy had the advantage.

In the entire sample, the statements came out this way about each candidate:

	Douglas	Nixon
Neutral	32.4%	37.4%
Favorable	35.0	47.1
Unfavorable	32.6	15.5

That gives Mrs. Douglas a net favorable index of 2.4 (32.6 subtracted from 35.0), and Nixon a net favorable index of 31.6. Thus, the net result of the whole sample gave Nixon a 29.2 favorable score.

The survey also showed that while the number of favorable statements was fairly close, 54.8% for Nixon, and 45.2% for Mrs. Douglas, the unfavorable statements overwhelmingly were aimed at Mrs. Douglas. She got 69.9% of them compared to 30.1% for Nixon.

This is the way the papers scored, by "favored index":

NEWSPAPER	CONTENT INDEX FAVORED SCORE	
<i>Supporting Douglas:</i>		
Ventura <i>Star Free Press</i>	Douglas	63.1
Los Angeles <i>News</i>	Douglas	75.7
<i>Supporting Neither:</i>		
Sacramento <i>Bee</i>	Douglas	7.9
<i>Supporting Nixon:</i>		
Marysville <i>Appeal-Democrat</i>	Nixon	1.6
San Francisco <i>News</i>	Douglas	2.0
Bakersfield <i>Californian</i>	Douglas	5.5
San Diego <i>Union</i>	Nixon	16.9
Sacramento <i>Union</i>	Nixon	27.8
San Francisco <i>Chronicle</i>	Nixon	68.4
Los Angeles <i>Times</i>	Nixon	93.5
San Francisco <i>Call-Bulletin</i>	Nixon	96.2
Los Angeles <i>Examiner</i>	Nixon	118.9

That table is self-indicative as to which papers might want to do a little back-patting about the objectivity of their news columns in a political campaign. But this is all that happened on the release of the survey:

The Marysville *Appeal-Democrat* proudly published a story on page one telling of its score. (D. R. Segal, the editor, wrote me later that "we do not particularly endorse the value or method of the survey; nor do we think universities are capable of evaluating newspapers, their content, their operations, their effects. The announcement of the result of the survey, incidentally, was rescued from the wastebasket—unopened—by an office boy. We customarily toss university handouts in File 13 and this one might not have been known to us at all if the young man hadn't been attracted by the bulk of the thing.")

The Ventura *Star Free Press* printed only an editorial, in which it reported the survey's index results and concluded

that "News is too little amenable to being reduced to statistics to deduce any very firm conclusions from such an index."

The Los Angeles *Times* ran a news story which was fairly complete. But it also ran an editorial in which it bragged that, although Mrs. Douglas had been worried that the *Times* would not give her a break, "The *Times* made more references to Mrs. Douglas during the campaign than to Sen. Nixon, whom the *Times* supported. Of the total references Mrs. Douglas had 52.6%, Sen. Nixon 47.4."

The *Times'* editorial ignored the fact that the "total references" it quoted were for all 12 papers, not just the *Times*, as was implied. It also ignored the survey's analysis of those references, or statements, which appeared in the *Times*:

	Douglas	Nixon
Neutral	17.9%	32.2%
Favorable	22.8	62.4
Unfavorable	59.3	5.4

This editorial, which contrasted completely with the *Times'* straight news story, was picked up by the San Rafael *Independent-Journal*, a strong Nixon supporter which carried no news story on the survey's results. Readers of both papers called the editorial's omissions and false implications to the editor's attention. A writer to the *Times* said "To be a subscriber to the *Times* is not prima facie evidence that one can read—one might take it to look at the pictures—but neither is it prima facie evidence of being a moron."

Another editorial of undue self-satisfaction with the survey appeared in the San Diego *Union*:

The 'Prejudiced' Press

"A bitter complaint of a defeated candidate for public office usually indicts the "prejudice" of the press. Such a complaint has no validity in the case of Helen Gahagan Douglas, defeated in her campaign for senator by Richard Nixon.

"An impartial survey of newspaper news and comment in the Douglas-Nixon campaign, conducted under the sponsorship of the Stanford Institute of Journalistic Studies, shows that Mrs. Douglas shared pretty evenly in the news and comment columns of the California press.

"Of local interest may be the analysis of space devoted to Mrs. Douglas and her opponent in the San Diego *Union*. It shows that the losing candidate received as much favorable attention in the news and editorial columns as her opponent, Nixon. No other newspaper in the state gave Mrs. Douglas comparable treatment.

"The San Diego *Union* espouses causes which it believes to be right and in the public interest. But it never uses its news columns to favor or disfavor a cause or a candidate."

The statement that "no other newspaper gave Mrs. Douglas comparable treatment" has no basis in the survey, which showed that many papers gave her more objective treatment.

The *Union's* actual score was:

	Douglas	Nixon
Neutral	45.7%	38.6%
Favorable	29.5	41.5
Unfavorable	24.8	19.9

The *Christian Science Monitor*, the *New York Times*, and *Editor & Publisher* also carried news stories on the survey.

Stanford University, in a news release issued last fall, said "One of the purposes of the study is to ascertain to what degree, if any, the political bias of a newspaper is reflected in handling the news during a tense political campaign."

But the survey carefully drew no conclusions, leaving the reader to dredge his own way through the mass of statistics. Indeed, the survey included this paragraph:

"This index is not a measure of 'bias' if 'bias' implies a deliberate intent to favor one candidate as against the other. While 'bias' may have contributed to the 'favored index' in some instances, some of the following considerations may also explain the scores: the relative efficiency of the candidates' news bureaus, the relative size of the newspapers' newsholes, and various editorial, mechanical, and business considerations involved in the replating of pages."

Apparently *E & P's* editor didn't go through the statistics in his magazine's own news story, because he decided, in an editorial, that since neither Stanford nor the Guild drew any conclusion from the survey, the summary "revealed a pretty clean record for the newspapers in general."

Both the *New York Times* and the *Monitor*, in their news stories, had no trouble finding the Nixon bias in the statistics.

Labor papers which carried stories on the survey (the *Guild Reporter*; the *Bay Guildsman*, published by the San Francisco-Oakland Newspaper Guild; the *CIO News*; the *AFL's League Reporter*; and the *East Bay Labor Journal*, AFL paper published in Oakland, Calif.) complained about what they called glaring deficiencies in the report as follows:

1. The survey failed to show comparative circulations, or, apparently, to take them into account. Mrs. Douglas' support came from papers with a total circulation of 265,397, none of it on Sunday. Nixon's support totaled 1,149,183. Furthermore, he had a Sunday circulation of 2,106,084 all

to himself. Papers which gave neutral treatment totaled 284, 759 circulation.

(Dr. Chilton R. Bush, director of Stanford's Institute for Journalistic Studies, said a table showing comparative circulations was supposed to be in the survey, but inadvertently was omitted. The papers were selected, he said, "to represent size of community, nominal political affiliation, regions of the State, type of ownership (i.e., chain or independent), and Sunday and daily publication.")

2. The survey failed to weight the play of the story. (Queried on this, Dr. Bush replied: "Only 9.9% of the news stories were on page one. The crudest weighting index we have is the percentage of page traffic stops reported in the 138 Continuing Studies. However, this includes ads, and is not a true measure of news alone. The point is that people seek out and read subject-matter they are interested in regardless of where it appears in the paper.")

3. The survey gave equal weight, in measuring statements, to ideas of unequal emotional appeal. For instance, complained the *CIO News*, if a story about Mrs. Douglas said she was attractive but also said she was pro-Communist, the researchers simply chalked one up on each side of her "score."

All but one of the labor papers were critical; only the *East Bay Labor Journal* took the space to note that not all papers had bad ratings, and it gave credit to the *San Francisco News* for its objectivity.

Stanford had its reasons for not drawing any conclusions. As the survey's news release said, "One reason the Institute for Journalistic Studies made this study was to demonstrate to California editors the method of content analysis. The method can be used by newspapers in several ways; for example, to test the efficiency of legislative reporting." Dr. Bush added later, "We want this study to stand up. Therefore, we make no interpretation that cannot be based on an objective finding."

Nieman Institute

An institute on the press and the world crisis will be held at Harvard June 13-14-15. Former Nieman Fellows and regional editors will be invited for the three-day program. A Nieman reunion dinner will be held on June 15.

Article 14 of the Covenant on Human Rights: *Is It Constitutional?*

by Malcolm Bauer

Newspapermen have expressed concern in recent weeks over the possible implications of the freedom of the press provisions (Article 14) in the 1950 draft of the United Nations' Covenant on Human Rights.

Cranston Williams, general manager of the American Newspaper Publishers Association, has circulated a letter warning editors that, under the draft Covenant

" . . . legislatures would be free to fetter the press in any manner and by any method they chose upon a mere declaration of policy that the fetters were imposed for the protection of national security rights, freedoms and reputations of others or any of such reasons."

The national journalism fraternity, Sigma Delta Chi, in national convention in Florida in November, voted disapproval of the draft Covenant expressing much the same horror at its provisions.

Both actions stemmed from the report of a committee of the American Bar Association, which for three years has studied closely the evolution of the Covenant on Human Rights. The A.B.A. representatives are opposed to the Covenant in no uncertain terms. And the House of Delegates of the Association approved the committee's report and urged rejection by the United States of the draft Covenant.

It is timely, therefore, that newspapermen and all others interested in freedom of opinion, of speech and of the press give consideration to the Constitutional implications of Article 14. Inevitable in such consideration will be the question of the Constitutionality of the Covenant itself.

The 1950 draft of the Covenant, completed by the United Nations' Commission on Human Rights last May, is the product of more than three years of effort to draw from the more general International Declaration of Human Rights a body of definite provisions that could be made binding on signatories as a treaty. But in November the General Assembly returned the document to the Human Rights Commission for a complete redrafting prior to submission to the General Assembly again late this year. The Assembly ruled that the revised draft should include economic, social and cultural rights in addition to human rights and should provide that complaints may be initiated by individual and group petition as well as by governments.

Article 14 in the 1950 draft reads:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of ex-

pression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The right to seek, receive and impart information and ideas carries with it special duties and responsibilities and may therefore be subject to certain penalties, liabilities, and restrictions, but these shall be such only as are provided by law and are necessary for the protection of national security, public order, safety, health or morals, or of the rights, freedoms or reputations of others.

It was agreed among the drafters that, in using the phrase "regardless of frontiers," it was not contemplated that the Article would nullify immigration laws.

Earlier drafts had set forth a number of specific limitations on freedom of expression, but the Commission rejected these proposals and followed U. S. suggestions that the limitations be phrased broadly as in paragraph 3.

The Covenant provides that, upon ratification by 20 nations, it will become binding upon the signatories. Should the United States be one of this number, the effect of the Covenant upon state and federal laws would differ in many respects from its effect upon the laws of any other signatory nation. It is this circumstance that has given rise in the United States to the principal objections to the Covenant.

In the United States a treaty is the "supreme law of the land," and is normally self-executing; i.e. no supplementary act of Congress is required to make the treaty provisions the law of the land. As such, treaties have been held by the Supreme Court to invalidate any contrary state laws, whether the state legislation antedated or followed ratification of the treaty. And, the Supreme Court has held, Congress has power to legislate under treaties that it may not have otherwise under the Constitution. But the treaty-making power cannot go so far as to abrogate any provision of the federal Constitution. It is also entirely possible for Congress to annul any treaty or a part thereof by subsequent legislation. In short, a treaty has the effect of a law of Congress, but Congress can legislate by treaty in many fields that would not be open to it otherwise.

The expressed fear of the opponents of the Covenant is, therefore, that, in accepting the Covenant as a treaty, the

federal government will be legislating matters that should Constitutionally be the exclusive concern of the individual states.

The objections of Mr. Williams, cited above, are directed at paragraph 3 in Article 14. It is his belief that the general restrictions there set forth would endanger the current Constitutional bases of freedom of the press.

Objection to these limitations is understandable and valid on the ground that they leave the way open for erection of barriers against American newsmen by other governments. But there can be no real danger that the provision will alter the domestic interpretation of press freedom.

These freedoms are delineated, as of current interpretation, in the "clear and present danger" opinions. Nor can there be prior censorship of the press. But there are acknowledged fields of limitation, such as those involving obscenity, fraud, libel, infringement of copyright.

Would the provisions of the Covenant, as law of the land, alter that Constitutional pattern?

The drafters of the Covenant deny any such intention. Article 18 (2) reads:

2. Nothing in this Covenant may be interpreted as limiting or derogating from any of the rights and freedoms which may be guaranteed under the laws of any Contracting State or any conventions to which it is a party.

The A.B.A. committee does not accept this as an effective saving clause, arguing that "free speech and a free press are not in express terms guaranteed by our Constitution. It is only provided that Congress and the states may not pass laws impairing those rights; there is no similar express restriction on the Senate and the President in making, ratifying and approving treaties."

But the general restrictions in paragraph 3 of Article 14 are permissive only. The contracting states "may" impose restrictions upon the freedoms for the purposes specified. But, should any specific restriction be adopted by Congress under the authority of this paragraph it would be subject to the same Constitutional interpretations as now prevail. There can be no question of a treaty provision having the same status as a Constitutional provision or of contravening any prohibitory words to be found in the Constitution.

Hence, the adoption of the Article in its present form could have no positive effect in altering the present guarantees of freedom of the press and of opinion.

What would appear to be a more serious matter is not touched upon by the A.B.A. committee: There is no bar in the draft article to application of the guarantees to relations between private individuals.

Freedom of the press has traditionally been a subject for protection from government action. Our Constitutional guarantees now contemplate the safeguarding of rights

against official, not private, encroachment.

An early draft of the Covenant recognized this traditional interpretation and the Article then read:

Every person shall have the right to freedom of thought and expression *without interference by governmental action*

But the underlined phrase was eliminated in the 1950 draft.

That leaves a logical question: Could the provisions of the Covenant be enforced against a private publisher who would deny to an employee the "right" to publish an editorial opinion at variance with the publisher's view? Could not Russia complain to the U.N. on behalf of a party-line letter writer who wished to exercise his "right" to publish his views in any U.S. paper of his choosing?

Certainly such an application of Article 14 would put it outside the recognized Constitutional limits in the United States.

The bulk of the Constitutional questions raised pertain not only to Article 14 but to the Covenant as a whole.

The most serious of these include:

1. Does the Covenant concern a proper subject for negotiation?
2. Are the reserve powers of the states unconstitutionally invaded by the treaty-making power of the federal government?
3. Would implementation of the Covenant involve the trial of American citizens in an international tribunal and, therefore, outside the sheltering safeguards of the Constitution?

1. *Does the Covenant concern a proper subject for negotiation?*

This question was raised by Chief Justice Hughes in an address before the American Society of International Law in 1929, and has often been quoted in recent months by the American Bar Association Journal in articles and editorials questioning the Constitutionality of the Covenant. Hughes said:

. . . . the nation has power to make any agreement whatever in a Constitutional manner that relates to the conduct of our international relations, unless there can be found some express prohibition in the Constitution. . . . But if we attempted to use the treaty-making power to deal with matters which did not pertain to our external relations but to control matters which normally and appropriately were within the local jurisdictions of the States, then there might be ground for implying a limitation upon the treaty-making power that it is intended for the purpose of having treaties made relating to foreign affairs and not to make laws for

the people of the United States in their internal concerns . . .

But, whatever early tradition, freedom of the press and other human rights have, in recent years, become common subjects of international negotiation. The United States itself has challenged before the United Nations Bulgarian and Hungarian attacks on church leaders, basing the action upon provisions of peace treaties by which those nations assumed specific obligations to secure human rights in their own domestic administration.

Manley O. Hudson, in 1948, told the American Society for International Law:

It (the U.N. Charter) supplies clear recognition of limits on the old concept of domestic jurisdiction. Certain subjects covered by the charter were not previously covered by international legislation, but one can no longer contend that they fall within the range of merely domestic jurisdiction. The principal of those subjects is that of human rights.

Nor are the federal government's treaty-making powers limited to those specifically enumerated. Justice Sutherland, speaking for the Court in *U. S. v. Curtiss-Wright Corp.* in 1936, said:

A political society cannot endure without a supreme will somewhere. Sovereignty is never held in suspense. When, therefore, the external sovereignty of Great Britain in respect to the colonies ceased, it immediately passed to the Union . . .

It results that the investment of the federal government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution. The powers to declare and wage war, to conclude peace, to make treaties, to maintain diplomatic relations with other sovereignties, if they had never been mentioned in the Constitution, would have vested in the federal government as a necessary concomitant of nationality.

2. *Are the reserve powers of the states unconstitutionally invaded?*

As has been remarked above, a number of Supreme Court rulings have made clear the federal government's dominant position in the treaty-making field.

In the leading case, *Missouri v. Holland*, the high court upheld a Congressional act implementing a treaty of 1916 between the United States and Canada and providing for the reciprocal protection of migratory birds in the face of the conceded proposition that authority for such protection previously lay exclusively with the several states.

A recognized authority on the Constitution, Edward S. Corwin, after examining the Supreme Court's action on the subject, concludes: "(The reserved powers of the states)

do not limit *in any way* the power of the national government in treaty-making."

The American Bar Association sees an ominous trend in even more recent lower court decisions which bear out this same liberal interpretation of the federal power. In *Fujii v. California* a 3-judge District Court of Appeals in California ruled that the United Nations Charter, as a treaty, rendered invalid that state's law restricting ownership of land by aliens. And in 1948 the Supreme Court of California rested its decision outlawing California's miscegenation statute, in part on the United Nations Charter. Citing these cases, the editor of the American Bar Association Journal warns:

. . . under the treaty power by concurrence of 'two-thirds of the senators present,' without the approval of the House, and without any Constitutional amendment ratified by three-fourths of the states, the Constitutional character of our government could be visibly changed, and the balance between state and federal power in this country completely upset.

The American Bar Association committee studying the Covenant believes that its provisions may open the way to abrogation of immigration laws, real-estate exclusion pacts, laws banning miscegenation, etc.

Without debating the merits it may be noted that the committee is solicitous of much state legislation concerning what are not properly "rights" or "freedoms" at all, but on the contrary could be classified as "rights or freedoms to deny rights and freedoms to others."

The committee also deplores the absence in the Covenant of a guarantee of the right to own property. This is a matter that might properly be included as an "economic right" in the redraft of the Covenant.

In discussions within the Commission on Human Rights, the United States delegates sought to include in the draft Covenant a provision that would safeguard the sovereignty of the states in application of the Covenant. Action has been postponed on this provision (Article 43). It reads:

In the case of a Federal State, the following provisions shall apply:

(a) With respect to any articles of this Covenant which are determined in accordance with the Constitutional processes of that State to be appropriate in whole or in part for federal action, the obligations of the federal government shall to this extent be the same as those of parties which are not Federal States;

(b) With respect to articles which are determined in accordance with the Constitutional processes of that State to be appropriate in whole or in part for action by the constituent states, provinces or cantons, the federal government shall bring such articles, with favor-

able recommendation, to the notice of the appropriate authorities of the states, provinces or cantons at the earliest possible moment.

But the A.B.A. committee argues that this article affords no adequate protection to the states, in part because the discretion is left in the hands of the federal government.

3. *Would implementation of the Covenant involve unconstitutional trial of United States citizens?*

The 1950 draft of the Covenant confined its machinery for implementation to the organization of an international committee of seven to investigate and report upon complaints filed by signatory nations.

Such action, under the 1950 draft, could be initiated by a signatory state only. The General Assembly has instructed the Commission, however, to prepare a new draft permitting petition by private individuals or organizations, a procedure that has been opposed by the United States.

The committee of seven would have no powers of enforcement beyond making public its report after investigation.

There is much reason to doubt the effectiveness of such machinery. It would be a rare instance indeed in which a nation would give much thought to an admonition from the committee should it be made the subject of a complaint against its conduct in the field of human rights. How would Congress react, for example, to a Russian-sponsored complaint against treatment of Negroes in the South? Or can it be expected that the Soviet government would act to correct conditions in its slave labor camps on the basis of charges originating in the western world? In fact, the Soviet bloc has consistently opposed the inclusion of any provisions of implementation on the grounds that even an investigation would be a violation of sovereignty.

Under the current provisions of the Covenant, therefore, there is no possibility that an American could be haled before an international tribunal without recourse to the courts of the United States. In fact, the specific provisions of Article III and of the 5th and 6th Amendments to the Constitution would seem effectively to preclude the implementation of the Covenant so far as to deny Constitutional guarantees as to trial.

That is where a real Constitutional objection to an *effective* Covenant may lie.

Is the Covenant self-executing?

That is an important question in the United States.

In general, it has been ruled by the Supreme Court that a treaty has the force of law in this country without supplementary action by Congress. Chief Justice Marshall so recognized the treaty-making power as early as 1833.

On the contrary, other powers consider treaties as merely obligations to legislate, and provisions of the treaty do

not become effective prior to implementation by the national law-making body.

If the Covenant were to be self-executing in the United States, it might have the effect of throwing into confusion a great body of federal and state law not in conformity with the treaty provisions. Congressional and state legislative consideration of implementing legislation, however, would give opportunity for orderly compliance with the terms of the Covenant.

Both friends and critics of the Covenant seem to agree that the United States should be on the same footing as other signatory nations in which the Covenant would not be self-executing. A provision of the 1950 draft is designed to that end. It reads:

2. Where not already provided for by existing legislative or other measures, each State undertakes to take the necessary steps, in accordance with its Constitutional processes and with the provisions of the Covenant, to adopt within a reasonable time such legislative or other measures as may be necessary to give effect to the rights recognized in this Covenant.

Harvard University Professor Zechariah Chafee Jr., who played an important part in preparing earlier drafts of the Covenant, and who is cognizant of the dangers inherent in a self-executing Covenant, feels that such language solves the problem. And he cites many instances in which treaties of the United States have been rendered non-self-executing.

But Jacob D. Hyman, Professor of Law at the Buffalo School of Law, considers it "perverse" to read the article as preventing the Covenant from being self-executing. The supremacy clause in the Constitution, he feels, is the necessary implementing "measure."

The House of Delegates of the American Bar Association, while rejecting the 1950 draft of the Covenant, voted to include the following language, intended to render the Covenant non-self-executing as well as to spell out restrictions against interference with the reserve powers of the states:

It is expressly stipulated (1) that none of the provisions of this instrument shall be regarded as a part of the domestic law of any of the contracting parties by virtue of the coming into force of this instrument as an international agreement and (2) that the respective Constitutional powers of the state and federal authorities in federal states shall not be deemed to have been affected in any way by the coming into force of this instrument as an international agreement.

But the most sweeping recommendations of the A.B.A. committee had to do with proposals to amend the Constitution of the United States along these lines:

(1) That the Constitution shall be amended so as to provide that a treaty shall not become the supreme

law of the land upon ratification except to the extent that it shall thereafter be made so by act of Congress;

(2) That the Constitution shall be amended so as to provide that in legislating to give effect to treaties Congress shall make no law not otherwise authorized by the Constitution; and

(3) That the Constitution shall be amended so as to provide that the basic structure of the United States Government as now embodied in the Constitution, the express limitations of the Constitution on the powers of Congress, the protections of rights and freedoms contained in the Constitution and the Bill of Rights, and the powers reserved to the states and to the people, shall not be abolished nor altered by any treaty or executive agreement, nor otherwise than by Constitutional amendment.

It must be clear from these proposals that the severest critics of the Covenant of Human Rights do not merely question the content of the 1950 draft of the Covenant. Nor do they question its Constitutionality. They challenge the basic idea of a Covenant of Human Rights of any kind, and, by amendment to the Constitution (paragraph No. 2 immediately above) they would deny to the United States government the authority to enter into any such a binding international compact respecting human rights and freedoms.

And that brings us to another question from that pre-

eminent Constitutional scholar, Edward S. Corwin:

... The United States is today a member of the Family of Nations sustaining a closeness of relationship with the other members thereof that had not been dreamed of a quarter-century ago. From year to year, too, the concept of international obligation grows apace, a development to the forwarding of which, in the interest of peace, the United States has in the past made notable efforts. But the United States cannot, on one hand, stand in the foreground of those who promote friendship, good faith and reciprocity among the nations of the world, and on the other hand, reserve to itself the right to recede from its stipulated covenants on the ground that, after all, it is not a real nation. This were humiliation and imbecility indeed.

Those words were written not in 1951, but in 1913, long before the League of Nations made its feeble and ineffectual steps toward world organization, more than 30 years before the birth of the United Nations. How much greater the "humiliation and imbecility" to argue today that the United States should be so lacking in sovereignty that it cannot join with other nations in a Covenant of Human Rights!

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THE PRESS VERSUS THE PUBLICIST

by Scott M. Cutlip

As was to be expected, Will Lindley's piece, "A Newspaperman's Impressions of P. R. Men," in the October issue of *Nieman Reports* brought great perturbation to the slowly-emerging profession of public relations. *The Public Relations Journal*, editorial spokesman of those trying to bring decency and competence to public relations, charges that Lindley's article "carries the same old outdated misconceptions, the same lack of comprehension we have been suffering for lo these many patient years." Then the *Journal* whacks Lindley for assuming "that public relations is just a nice-nelly, somewhat hypocritical synonym for press agency."

It seems to me that Lindley, who was more temperate than most critics of PR, did miss his mark with several loose generalizations and by a failure to see the whole picture. On the other hand, I think that the *PR Journal* is fighting a futile and foolish point in trying to separate public relations from press relations. Press relations constitutes an integral, though not all important, part of the public relations process.

[60]

I thought it might be helpful to add a few footnotes on this running battle of the press versus the publicist, of which this is the latest skirmish. Having worked the newspaper side of the street as a reporter and copy editor and the public relations side for two universities and a large state highway department, I would like to get my chips in the pot. (Professors, you know, fancy themselves as detached, objective viewers of the whirling controversies in the public marketplace.)

For years newspapermen, individually and collectively, have made lambasting public relations and publicity men a popular pastime. Hardly a convention of newspaper people passes without a heated discussion of the "space stealers" and "the free advertising menace." Editors, when suffering a mild form of Afghanistanism, find publicists an easy target for their editorial guns. Resolutions passed by press associations against "the publicity racket" would fill several large volumes. And where government informational work is concerned, publicity-hungry legislators love to get in on the act. Despite all this sound and fury, newspapers go

right on needing, demanding, and getting the services of an increasing number of honest, ethical and competent public relations men and women. Happily, the working relationships are much closer and more amicable than this public debate would make them appear.

This whole business has been emotionalized beyond all proportion with a lot of loose talk on both sides. The merits and faults are about evenly distributed, it seems to me. The irritation of the newspaperman is understandable when you realize that he continues to be flooded with large batches of stuff of little or no news value and to be pestered by cry babies pleading for special favors. And, of course, more so when he encounters press release curtains tightly drawn by a shortsighted public relations man.

On the other hand the newspaperman should understand the impatience of the public relations man who realizes that his work is to fill the void in constructive, comprehensive news coverage that has been left by the failure of the press to do its complete job. Also the PR man has a justifiable gripe with the newspaperman who fails to realize that public relations is striving to grow up and put its house in order. And the fact that public relations is coming to be a lot, lot more than press relations—a fact only a few newspapermen appear to understand. Public relations is, essentially, the adjustment of an institution or industry to its community. This involves fact-finding, policy-making, and public contacts. The first two are assuming more and more importance, the last less and less in the working definition of the trade. A growing body of public relations practitioners are concerned more with *what kind* of news their client gets rather than with *how much* news he gets in the press. And they realize the *what* must be defined by the acts and policies of the institution itself. In this concept there is no place for shoddy press-agentry.

The basic conflict between the press and publicist lies in the never-ending struggle of the press to keep clear water flowing in its stream of news and money coming into its cash register on one hand, and the effort of newsworthy institutions and industries to get their story told accurately and completely on the other. It might be helpful to list the grievances on both sides of the fence.

These are the complaints most often heard from the newspaperman:

1. Constant attempts by public relations workers to color and check the free flow of legitimate news.
2. Space grabbing, with consequent loss of revenue and crowding out of more newsworthy material.
3. Trickery and deceit practiced in diminishing degree by shysters in the public relations field.
4. Attempted "influence" and pressure methods of getting into news columns; indirect and sometimes direct bribery of reporters.

5. Gross ignorance of newspapers' editorial requirements; no conception of what news is or how it should be written.
6. Robbing editorial staffs of experienced men with the lure of higher salaries, more rewarding opportunities.

Counter-charges which can be listed by the publicist include these points:

1. Failure of the press to do its whole job; failure to increase its reportorial staff in proportion to the expanding list of socially-significant activities requiring news coverage. (e.g. industry, economics, education, medicine, etc.)
2. The press' hidebound, slowly changing definition of news with the emphasis on conflict and controversy and consequent neglect of socially constructive affairs.
3. Failure to treat news as news regardless of the source.
4. That the attacks on publicity are only lip-service to rationalize a basic money motive.
5. Increasing dependence of the press on the functions it so heartily condemns.
6. Failure to discriminate between the honest, helpful public relations worker and the shyster and the incompetent which blights every calling.

There is much talk in the press about the hand-out and the public relations man who puts out his hand. But this is not a one-sided proposition either. You may laugh off the weekly newspaper editor in North Carolina who wrote Lee Meyers, New York public relations man, as follows:

I have been making use of all your releases for a long, long time and expect to continue to do so.

Am planning a short vacation shortly and a check for say \$10 or \$15 or more from your publicity department would enable me to enjoy the event more thoroughly. . . .

But what about this letter that follows? This letter came, not from a struggling small daily or financially insecure weekly, but from a departmental editor on one of Ohio's major metropolitan newspapers whose editors do a good bit of talking about a free press. The writer uncovered this letter in the course of a study he was making in the Wisconsin Conservation Commission last year. The letter, in part, reads as follows:

It is good of —— to interest himself in a possible trip of Mrs. —— and myself in Wisconsin to obtain material for Sunday stories in the——.

Here are examples of the way trips are worked out.

Six weeks in Superior National Forest, Minnesota, under auspices state Public Relations Department (Verne Joslin). Six weeks in Maine, visiting four back-in camps in various districts by air, auspices

Maine Development Commission, (Earle Ducette). These were two and three years ago. . . .

If it should be your desire that we spend a few weeks at one camp I would get material for stories of course, but Wisconsin would not get the general coverage of resorts that would be possible in a several week stay.

I do not ask that everything be free. But I do expect camp operators to consider the fact they are getting a great deal of advertising of the kind that cannot be purchased. The ——— has close to a half million Sunday readers, as you know, and that is the only time these articles appear. . . .

When you have worked things out a bit more in detail, I'll be glad to hear from you.

There is a lot of this under-the-table, "I'll scratch your back and you scratch mine," business in this press-publicist relationship. Too much of it for the good of both. The only point I wish to make is that it is not a one-sided proposition. Who can throw the first stone?

And then the effort to guard the purity of the news stream can be carried to the other silly extreme. Every once in a while some editor will get himself a lot of free publicity in the trade press by proudly announcing he will never use another handout. Which is a rather dumb way of saying he doesn't know his job, that he is unable to distinguish between what is news and what is pap. *Editor and Publisher*, which editorially contributes much heat and little light to this debate from time to time, actually applauded the *Sumter County Times*, a weekly in Bushnell, Fla., for announcing a boycott of all state agency handouts. That this paper's readers would be deprived of much valuable news of their state government thereby seemed not to bother *E & P* a whit.

The most ridiculous example of this fetish against "free advertising" I have seen in a long time was found in the *Detroit News* in September, 1949. The Federal Department Stores opened a new unit in Detroit. The *News* gave the event the eight-column head on its women's page, used pictures, etc. But it would not defile itself by using the store's name. No siree. It was "A new store that will be opened tomorrow" etc. Elsewhere in the paper Federal had a four-page ad fanfare so I suppose the readers were able to put two and two together and get four.

One could ramble on for pages showing abuses and aberrations on both sides but space does not permit that. This is not a plea to end the conflict. Such would be fatal both to the press and to public relations. Rather it is a plea to bring the differences down to a level of hard-headed common sense and to do away with emotional generalities. The public relations man fills a definite need—a need created by our increasingly complex society but too often ignored by the press. Let him fill that need competently, honestly. The need is obvious when a few studies I have

made show that in today's newspaper from 20 to 35 per cent of the editorial content comes from public relations sources, directly or indirectly through the wire and feature services. Let each recognize the problems and responsibilities of the other.

The formula for solution of this problem was laid down 25 years ago by John W. Cunliffe, who wrote:

The publicity agencies are here to stay—not merely because they are in a well-established and profitable business, but because they are an inevitable outcome of the complexity of modern life. A great industrial, philanthropic or education organization will not be content to rely on the haphazard relations to newspapers which formerly prevailed. The organization may not desire free advertising or publicity, but it does desire that its operation not be misunderstood and misrepresented. . . . How to guard against the many abuses of this practice is a problem which can only be solved by the combined efforts of the publicity agents and the newspaper men. . . . The regular relations between the publicity agent and the newspaper man must be established on a basis of mutual understanding and respect. The place of the publicity man in the machinery of news gathering should be acknowledged. Kept in its place, it would be not merely legitimate but helpful. It is in this direction that the solution is to be found.

The sanest expression of a newspaperman's point of view I have found is in the dictum laid down by J. Russell Wiggins, now managing editor of the *Washington Post*, in the stylebook of the *St. Paul Pioneer Press and Dispatch*. He advised his staffs on this matter thusly:

FREE PUBLICITY—

Is it news?

This is the test to apply to material which originates in the office of the newspaper or that which originates in the typewriter of a public relations representative. And this is the only safe test. Because a story will do good for some commercial agency or institution in business or in a profession is no reason it should not be printed, whoever wrote it, if it is news. Nor is it any reason it should be printed, if it isn't news. An institution or an event cannot claim newspaper space by being simply worthy. It must be "newsworthy" too.

That, happily, is the growing realization of both newspapermen and public relations practitioners so that the conflict is not quite as bombastic as it would seem in the journals of the trade. Professor Cunliffe and Russ Wiggins have pointed the way to a sane, sound relationship. Let us move in that direction.

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THE FREE MAN'S COLOR

On the Conscience of the Editorial Page in Time of Crisis

by Robert H. Estabrook

I want to discuss the role of the press, particularly the editorial page, in the national emergency that lies ahead of us. This emergency, I feel, is going to be with us many years, perhaps a good part of our lifetime. We shall prevail only if we succeed in keeping our eyes on the ball. There is a considerable danger, on the one hand, that our national preparations may beget the feeling that we are all dressed up with no place to go, and on the other hand that we may defeat or dull our own purposes by quarreling among ourselves. It is particularly the job of the Nation's newspapers to bring the sort of cool, analytical discussion of the issues that keeps people's eyes on the ball.

Let me be the last to deny the drastic need for vigorous, clear and simple language on editorial pages. Likewise, without inviting typography even the best editorial will fall short of its potential. But the most that the physical attractiveness of an editorial page can do is lure readers to browse around. It cannot by itself hold their interest any more than a grocery store with a shiny new front can induce customers to come in more than once if the quality of its merchandise is poor.

What I'm talking about is the superficial assumption, encouraged by misinterpretations of readership studies, that because editorials on light and inconsequential subjects sometimes get high readership they are the major things that an editorial page needs to discuss. It is always possible for a speaker to gain a certain fleeting popularity merely by telling jokes—but jokes alone, unfortunately, don't make a good speech. Most children prefer ice cream to cereal—even Wheaties—but we still don't give them a diet entirely of ice cream. No newspaper is doing its job if it panders merely to the dessert tastes of its readers.

For the job of the editorial page first of all is to understand the primary issues of our day, whether they be local, national or worldwide in scope, and then, by use of its skill, to convey that understanding to its readers. There probably never was a time when those issues were more complex, or when the task of educating and persuading readers presented a greater challenge. It is not enough for an editorial page to be, as the Senator was in the motion picture, "against inflation, against deflation but *for* flation." One way to make an editorial page important is to make its subject matter important.

One of the great curses of the editorial page in my

opinion, at least on daily papers, is that they try to be too topical. This is part of the whole exaggerated emphasis that is placed on the "beat" or "scoop". It of course sometimes is both possible and desirable for the editorial page to be right on top of the news on a subject that the writer knows. But too often it is obvious that the news is as mystifying to the editorial writer as it is to his readers. Unless he can contribute some enlightenment, he would better wait a day or so.

As a matter of fact, this business of the two-minute "beat" seems to me to be getting out of hand. What does two minutes, or even an hour, really matter? Not long ago Secretary of State Acheson held a press conference which he opened by reading a matter-of-fact release which would have been made available to papers in routine fashion anyhow. He had planned to devote the remainder of an hour to answering questions, but before he even got started a reporter with a deadline to meet piped up "Thank you, Mr. Secretary," and the conference was over. All the reporters had was a morsel of news that could have been released by any press agent. Fortunately, one reporter had enough sagacity to protest the premature closure, and a number of the correspondents were called back. Mr. Acheson then spent a long period talking about the North Atlantic Treaty and his assurances to Congress at the time it was ratified respecting troops—material that made both top news and good background which the reporters are still using. Yet because of the pressure of a deadline that really didn't mean much, this opportunity was almost lost.

Let me take another example from Washington. President Truman recently complained that the press had misquoted him respecting his intention to consult with Congress on the sending of troops to Europe. Mr. Truman, I felt, was off base in this instance. His replies to questions asked him by the press are not always models of perception and clarity. But in one previous instance I am convinced that he had a justifiable grievance. That was on the question of whether the atom bomb should be used against China—the question over which the initial headlines caused a great deal of consternation in Europe and brought Prime Minister Attlee hopping across the Atlantic. No one reading the full account of the President's remarks could reasonably have given them the same interpretation some headlines placed upon them. As a matter of fact one newspaper, the Christian Science Monitor, refused to print a press association account because it did not believe it. A sub-

sequent story by its own correspondent proved that the editors were right.

I mention these points because I think that you as editors ought to be aware of what the pressure for speed can do in distorting the news. I say this not out of criticism of the reporters on the firing line, most of whom do a conscientious job under incredible handicaps. But I do think it important to recognize that an effort to be overly topical on the editorial page may lead even more to misunderstanding instead of understanding.

There is another example, even worse, of how the news can be distorted. I refer to the case of Senator McCarthy, and the part the press has had in building him up. To be sure, some newspapers have done a magnificent job editorially of analyzing the issue raised by Senator McCarthy. But their news pages have contributed at the same time to the very things they were deploring editorially.

When Senator McCarthy began his attacks on the State Department, he promised to disclose the names of a great number of Communists in the department. The number varied considerably from speech to speech, but he promised categorically to reveal his proof. He also asserted that he would say nothing on the floor of the Senate—where congressional immunity from libel obtains—that he would not say off the floor. He has never, to my knowledge, met either promise. In other words, he has not produced his evidence, and he has not accepted the many challenges to speak where he would be responsible for his words.

Here was the real news about McCarthy—that he utterly failed to deliver on his promises. Yet how many newspapers played the news accordingly? How many dug into his background to point out that he was the man who stirred up the fuss about alleged brutal treatment by the Americans of the German prisoners who perpetrated the infamous Malmedy massacre? How many managed to give their readers other facts with which to evaluate McCarthy—the fact, for instance, that even now he is in litigation with the State of Wisconsin over back income taxes, or the fact that his performance as a judge brought one of the most severe reprimands the Wisconsin Supreme Court has ever delivered?

No, much of the press has been suckered into pyramiding McCarthy's charges—though most other public figures who had failed to show proof for their charges would long since have been relegated to the back pages or out of the paper entirely. Senator McCarthy has been adroit in managing his publicity. Wire service friends tell me that he is always good for a new quote for the "overnight"—which is the rehash of the day's stories sent out with a new lead. Incidentally, this is a technique known and used by other publicity-minded legislators.

What is the upshot of all this? Not that Senator Mc-

Carthy gets merely objective news treatment. Actually two managing editors brought pressure on the Associated Press, claiming that its accounts were biased against McCarthy. Thus Senator McCarthy probably will continue to receive AP notice no matter what he says. McCarthy, incidentally, is not above retaliation against the press. One of the persons on whom he has sought to pin the Communist tag is the editor of the editorial page of the *Milwaukee Journal*, an independent newspaper of conservative leanings which has been the most forthright voice against McCarthy in Wisconsin.

Now why is it that the McCarthy phenomenon has been allowed to happen, that it has been built up far beyond anything conceivably justified by its news value? One reason, as I have suggested, is that newspapers have been suckered in a confidence game. They have been used to further a sickening decline in public morality. Beyond this, however, Senator McCarthy has been astute enough to play on a deeply ingrained suspicion that all is not right in Washington, that somebody is to blame for the totalitarian menace we face. How many times have I heard the explanation: "McCarthy has gone too far, but where there's so much smoke there must be some fire." A cartoonist of my acquaintance passed this one off with "Where there's so much smoke there may be a smudge pot."

A good many sincere persons undoubtedly believe that Senator McCarthy actually is catching Communists—that he is a sort of Sir Galahad or at least Don Quixote on a noble crusade. That view is understandable, at a time when people are sorely worried about a menace they do not fully comprehend. But it is a naive view, I submit, and one which betrays considerable confusion over what is the basic issue. I fear that newspaper editorials in some instances have contributed to this confusion.

Now I do not suggest that the Communists in this country—the real ones, I mean—do not present a problem. I believe with Norman Thomas that there are times when there must be realistic adjustment of civil liberties to the paramount needs of national security. But I believe that the FBI knows where most of the real dangers are and is fully competent to cope with them if the need should arise. Meanwhile, I am afraid that much of the preoccupation of persons such as Senator McCarthy with who might have been a Communist in 1937 or whether or not a certain policy is orthodox by their standards—that this furor is diverting us from the main issue. It is not making us stronger to grapple with imperialist aggression or to evangelize our ideas of freedom. Instead, it is setting American against American, pillorying innocent people with the guilty, dividing instead of unifying us, feeding a fire of suspicion that will take years to quell. That is why it is so dismaying to see a segment of the Republican Party making attacks on the State Department—instead

of on aggressors—apparently a major part of its program. Those tactics are undeniably politically effective, but they may also be national suicide.

It would be folly to suggest, of course, that every editor of every daily or weekly newspaper ought to give all his attention to the world problem. That would be as monotonous as the broken record that plays in a certain tower on North Michigan Avenue in Chicago. But certainly the basic philosophical justification for the editorial page is to help newspaper readers better to understand the world they live in. This world starts at home, and that is where the first newspaper responsibility lies, but today it also extends to the farthest corners of the earth. What I'm pleading for is not Afghanistanism—which is the temptation to give Stalin hell instead of prodding the local council—but for a realistic concept of the struggle that is likely to dominate our lives for a long time to come.

We hear a lot of talk today about unity, and unity before the enemy is good policy in a military effort or any kind of struggle. But it is possible to pay too high a price for unity—too high a price in the way of concessions to the smokescreens raised by those who for one reason or another would distract us from our fundamental purpose. The first step in a unity that means something is a common understanding of that purpose. That's where the editorial page comes in. My version of unity does not imply a lack of criticism—constructive criticism, that is.

Plenty of mistakes are being made, and there are many issues before us that need to be settled in the crucible of intelligent debate. The press ought to speak up, as a good

portion of it is doing. But it ought to speak out of conviction as to the fundamental aim, not out of bewilderment—and it ought also to speak out against those false prophets whose effect is to confuse rather than to clarify the basic problem.

If I had to set down one single criterion for an educated man, I would say that it is the recognition that there is no such thing as a simple solution. A Canadian editor, Bruce Hutchison, made the point effectively in what he calls "the lie of black and white." "We ignore the clearest lesson of our history," he says, "that in a free society nothing is ever black or white. Gray is the free man's color." Few problems that confront us today are susceptible of a pat answer, and the person who has only a pat answer to offer usually is someone who either hasn't thought much about the issues or who is trying to find a scapegoat. It is incumbent on the critic to come up with some alternative—and the failure to do so I classify as one of the deadly sins of the editorial page. Scapegoats may save someone's ego, but they are a form of self-delusion that doesn't make the way ahead any easier. It seems to me particularly the job of the editorial page both to avoid scapegoating on its own part and to recognize and expose the tactic when others resort to it. In this time of crisis, merely to put forward scapegoats for the mess we're in leaves us still in the mess.

Robert Estabrook, editorial writer on the *Washington Post*, is president of the National Editorial Writers Conference. This is from an address to the Virginia Press Association February 17.

INVITATION TO AUTHORSHIP

There Are Great Gaps in the Literature of Journalism

by Roland E. Wolsely

In his review of John J. Scanlon's book on the Springfield *Republican* (NIEMAN REPORTS, January, 1951), the editor of this magazine observes:

These circumstances give us a more strategic study into the vital journalistic issues of our times than any done, so far as I know, by all the Schools of Journalism since Sherman Bowles began to exercise his fateful custody over the Springfield *Republican* in 1915.

Note two phrases: *these circumstances* and *all the Schools of Journalism*. What are the circumstances? They are that Amherst College saw fit to publish a book on newspaper economics. The Alumni Visiting Committee of the Economics departments arranged for publication. Would that all college departments had such alumni! Especially the departments of schools of journalism.

It is beside the point that Editor Lyons is unfamiliar with the published work in this field of a companion in editing a periodical about journalism: Dr. Raymond M. Nixon, editor of *Journalism Quarterly* and director of the division of journalism at Emory, or of the unpublished doctor's dissertation completed at Columbia last year by my colleague at Syracuse, Dr. Royal M. Ray.

What is *not* beside the point is that there are good reasons why the schools of journalism have been responsible for so little published work along the lines Mr. Lyons desires. These reasons are part of the shortcomings of American book publishing.

The main reason is suggested by an occurrence that took place during the same week I was reading the NIEMAN REPORTS review of Scanlon's book. I had been sent a brand new text in journalism for criticism in one of the scholastic publications. It comes from one of the oldest and most distinguished book publishing firms in the world. But on reading it I was not long in discovering that it was as unnecessary a book as could be imagined. Its author cited no reason for bringing out another text in a field which already has more than a dozen in current use, at least half of them with recent dates. Eight or nine of these are, in my opinion, superior to this new one. The author did nothing important not done elsewhere and in some instances did it worse, instead of better. Publisher X is the only major house with a journalism list that lacked a recent book on the particular subject of this book. This reason appears to be the main excuse for publishing the book.

Another firm, of less literary distinction but of just as much eagerness for business, last year was in search of an author. But it wanted him to produce a quickie, a text to

add to its list to offset a certain competing book. The quickie was not needed for any but competitive purposes.

Despite this there are great gaps in the literature of U.S. journalism. Let Nieman Fellows who yearn to have their names on book covers take note. Here are only a few of the more obvious lacunae: newspaper circulation, magazine production, newspaper classified advertising, magazine promotion, labor journalism, country newspapers in general, magazine management, college journalism, magazine editing, magazine circulation, magazine advertising, industrial journalism, community journalism, small city newspaper management, a Who's Who in journalism, an encyclopedia of journalism, and scores of volumes on certain important newspapers, magazines, publishers, editors, business managers, and social aspects of journalism.

The schools of journalism and the places of employment of other potential writers on the press have some share of the blame for the lack of which Mr. Lyons rightly complains. We may not be capable enough, we teachers. We may not be productive enough, also.

But the main reason suggested by the needless book mentioned earlier is that the book publishing industry, like all others, must make money to survive and as times now are, is less and less disposed to publish books at a loss for the sake of service or prestige. Certain houses continue to do so, but the majority cannot or will not. Fortunately some of this good will publishing has been undertaken by the university presses, which make available every year dozens of highly specialized books that never will pay for themselves or may break even only in many years.

But there enters another factor that affects journalism peculiarly. Journalism has to do with writers and writing, yet books on the subject have limited sales possibilities even in the areas where there are the largest classes: reporting, feature writing, and short story writing, for example. Sales of journalism texts are small potatoes compared with the sales of texts in accounting and freshman English. This fact depresses the market for the highly specialized study, such as Mr. Lyons appreciates. It means that special books must be subsidized. Often the subsidy, as many a Ph.D. knows, must come out of his pocket.

Groups like that Amherst committee need to be encouraged, if those of us interested in journalism scholarship are to obtain the publications needed. But are there any groups like it in the journalistic world? Scarcely any.

Sigma Delta Chi encourages scholarship and research

in journalism with an annual award, but it does no publishing. The national professional groups, like NEA, ANPA, NAMP, ASNE, and SNPA publish their proceedings, sometimes as books, but do not bring out regular volumes otherwise. Nor would these partisan groups be sufficiently free or objective as publishers of the works of scholars to provide the best sponsorship.

Almost twenty years ago *Editor & Publisher* began a library of journalism, in which the first and only publication to appear was a very inadequate biography of Carr Van Anda. Quill and Scroll Foundation publishes bibliographies and monographs, chiefly about high school journalism and valuable material of their type. Only one other significant and consistent publisher of specialized journalism materials now functions: the National Council on Research of the Association for Education in Journalism, which issues its Journalism Monographs through the Louisiana State University Press. It, too, must show some concern for sales, but it has brought out four volumes of value that other publishers would ignore because they are

short and limited in sales possibilities.

Furthermore, staff members of schools of journalism pay taxes like everyone else and pay just as much as others for food and clothing. Like other teachers, they often are over-burdened and have little spare time. Books can be produced by most of us only by applying more self-discipline and capacity than is easy to muster. If the chances of publishing a highly specialized work are almost nil we cannot be blamed too severely for not going ahead with it.

The conclusion is obvious. Two books already have been issued under the aegis of the Nieman Foundation, reporting on the work of the Fellows or what they think of certain modern journalistic problems; others have been inspired by the Fellows. What can be done to encourage the Foundation to go on publishing, giving us additional studies of the calibre of Scanlon's and of certain of the Quill and Scroll Foundation and AEJ monographs?

Prof. Wolsley is at Syracuse School of Journalism and is author of a good shelf of books on journalism.

Book Reviews Morrison As Lyrical Poet

THE DREAM of ALCESTIS. By Theodore Morrison. Viking. \$3.

Most Nieman Fellows know Theodore Morrison as a gifted editor of all kinds of copy who has been unstinting of his time with group after group of Niemans. Some know him as a creative critic of creative writing. Readers of *Nieman Reports* know him as the man who stimulated last year's Fellows into examining and reporting their well-received conclusions on the problems of newspaper writing.

But too few know him as the first-rate poet he has again proved himself in *The Dream of Alcestis*, a narrative poem that is profound, provocative and lyrical.

Morrison's theme is the legend of Alcestis and Admetus. According to it, Admetus, king of Thessaly, fell seriously ill and the Delphic oracle decreed that he could be spared only if another offered to die in his place. When no one in the kingdom stepped forward, Alcestis offered herself, died and was brought back from Hades by Hercules.

Out of the thin stuff of the myth, Morrison has created a substantial study of the man of reason in his eternal struggle with priests of the world and their superstitious followers.

In his interpretation, Admetus is more than just a Greek king: he is the spokesman for the intellectuals of the world, holding in contempt the priests and their "religious barbecues" and seeking to free his people from the fear and ignorance in which the priesthood has them snared.

Alcestis is all women. She neither believes nor disbelieves, she cannot argue metaphysics with her husband and his priests, but because

"I am a woman

And do as I am moved to do,"
she offers herself as a sacrifice.

As a foil for these two, Hercules (a remarkably well-rounded character) serves both as the brute force and the instrument of blind chance that govern men.

The rescue of Alcestis, in Morrison's version, is not a literal rescue but a feverish, Freudian, and at times cynical dream from which she is jerked back to the living world by a drunken bellow of Hercules, reaching her at the moment of her crisis.

Morrison makes no attempt to answer, either for his characters or for the reader, the God-man questions raised by the poem. The answer, to him, seems to lie in the premise of Admetus, stated early in the poem,

"We float on mystery,
And the wise man knows it better than the fool.
But having said as much, most men forget
What they have said, forget that mystery
Is just what they have called it. They go on
When they have granted the unfathomable,
To pitch their petty plumbines overboard
And fathom it. They fathom it with gods
And demigods and ghosts and what you will . . ."

But if there is no answer to the broader questions, Morrison implies at least a partial answer to the narrower question of the individual's relationship to himself and his immediate world, in Admetus' query:

"Have I hacked out in the tangle of superstition
A tiny clearing where I may stand up,
Though few should join me there . . ."

Or will you have me,
Have me for what I am, for what I must be?"

And Alcestis answers:

"Why else did I come back from death?"

—Wm. M. Stucky

Review ---

LOYALTY OR CONFORMITY?

by Bob Eddy

THE LOYALTY OF FREE MEN. By Alan Barth. (With a foreword by Zechariah Chafee, Jr.) Viking Press, New York. \$3.00. 240 pp.

There's a new way of spelling "loyalty" these days, and it makes a lot of difference to a lot of people who think themselves loyal American citizens. The new spelling is c-o-n-f-o-r-m-i-t-y, writes Alan Barth, and some of the best minds in the United States can't spell "loyalty" that way when facing such noted quizmasters as Joe McCarthy, John S. Wood, or J. Parnell Thomas under klieg lights.

Barth's book shows the effects of this new concept of loyalty, developed by frightened, unreasoning Americans seeking security. What disturbs him is the fact that the spectacle of congressional investigations, loyalty programs, and teachers' oaths actually amounts to a "paradox of security frustrated in the name of security." And it disturbs the reader, too, as Barth piles up a frightening selection of evidence to support his point.

You read how a loyalty board condemned a scientist to suffer the stigma of a disloyalty label because he believed in free speech for Communists in their private lives even though he didn't believe in communism; how an accused person before the House Committee on Un-American Activities has his choice of four distasteful courses of action; how the FBI resorted to wiretapping and then "to something very like perjury" in an attempt to conceal the act from a U. S. court.

You read, too, how a government official accused of being a security risk floundered blindly when trying to clear himself from an unspecified suspicion about his past life brought by an anonymous informer; how FBI dossiers were gathered on Fredric March and his actress-wife Florence Eldridge although neither was seeking a government job or violating a federal law; how secrecy threatens security in connection with the atomic energy program; how compulsory loyalty oaths affect a large university.

These are some of the many blows Barth

strikes as he hammers away at the four main purposes of his book. His purposes, he says, are to show: (1) that we have accepted without full awareness encroachments on personal freedom that threaten to corrupt our richest inheritance; (2) the acceptance has been due largely to groundless and neurotic fears; (3) that these encroachments operate to impair the security they're intended to protect, and (4) that individual liberty serves vital, practical purposes and is a source of strength.

He has collected strong evidence to support his points, and his arguments are likely even to evoke soul-searching on the part of honest disbelievers. In some respects, however, it would seem unfortunate that he has assigned an "unreasoning demand for security" as the dominant cause for these encroachments on the rights of individuals. In three recent cases, it appears personal animosity or political motives have played at least an equal role with the desire-for-security factor in attempts to smear the victims and deprive them of their means of livelihood. These cases were the McCarthy attempt to silence Drew Pearson, the Browder-Tydings composite photograph used to defeat Tydings last November, and the accusations made against Anna Rosenberg at her hearing.

Barth doesn't poo-hoo the need for a security program. He recognizes the dangers of soft-headed or indiscreet government officials and totalitarian agents. But he insists that America's institutions "are threatened most of all . . . by well-meaning and patriotic but frightened Americans, who have come to think of liberty as a liability rather than an asset." He uses this approach in what seems an extremely enlightened chapter on "The Communist Problem."

Barth even offers a solution to the thorny problem of hiring able but loyal government employees. His plan seems foredoomed, however; it's unorthodox and lacks drama. He'd search for "affirmative, desired qualities rather than in terms of a negative policy of exclusion." He'd utilize interviews, past performance records, tests,

and estimates from responsible persons who have been in a position to evaluate the applicant. "Such opinions," Barth notes, "are very different from gossip picked up at random by police investigators." He holds that the present program deters able men from taking a government job for fear of "disloyal" tags, that it breeds bad morale among employees, and that it puts a premium on conformity—applying "a kind of intellectual means test under which only the indigent in ideas can qualify."

He freely admits his proposed program won't eliminate all errors of judgment, but he points out that the present program doesn't, either. And here he hits upon what is perhaps the overriding theme of his book—that safeguarding individual liberty, while it imposes risks, is the only true way to maintain America's moral fiber and real strength, and will be far and away the wise long-run choice.

Barth develops this idea in fine sentences throughout his book and in his final chapter. You can't compel men to be loyal in a free society, he argues: "The loyalty of free men must be freely given. . . . Loyalty in a free society depends on the toleration of disloyalty. . . . To forbid disloyalty is to let it triumph." The Communists and those in this nation who would spell "loyalty" as c-o-n-f-o-r-m-i-t-y are frighteningly similar, he feels, both believing in the suppression and punishment of dissent. On the other hand: "The government of a free people must take certain chances for the sake of maintaining freedom which the government of a police state avoids because it holds freedom to be of no value. . . . Freedom gives a release to the human spirit, provides the indispensable condition for the realization of its limitless possibilities."

Professor Chafee quotes those last two sentences in his 23-page foreword to Barth's book. Chafee adds pointed comment on three topics—congressional investigations, loyalty and security-risk programs, and teacher-loyalty campaigns. To all familiar with Chafee's qualifications as an authority

on personal rights and his insight into the problems involved, it's unnecessary to urge a reading of this section; for those who aren't and who tend to skip fore-words, here's a tip not to do so.

The Harvard law professor's evaluation of congressional committee investigations is especially noteworthy. He shows their inherent injustice, bringing out clearly how adding the element of political distortion to ignorance of, and disregard for, individual rights works hardships on some committee victims. "Congress should be ashamed to let this go on any longer," Chafee states. "The Eighty-second Congress ought to give us a decent procedure for this new device for punishing an individual in its committee rooms."

Barth's book would seem worth reading by most newsmen, particularly reporters who might be called on to cover a local loyalty-compelling program of some sort,

and by those on the editing side who wield the scissors and govern news play. Newspapers, incidentally, escape this book with only a glancing, Barthian shot as the hatchet men who "execute the sentences passed by congressional committees"; Barth says the role of the press on the big issue is too complex for the scope of this volume.

Editorial writers probably know Barth as their counterpart on the Washington *Post*, where, as Chafee puts it, he's "a sort of war correspondent at the heart of the battle in Washington." Guildsmen, too, will recognize his name as that of the writer of the *Guild Reporter's* back-page editorial column, for which Barth was awarded a Heywood Broun award. Barth was a 1948-49 Nieman Fellow.

Bob Eddy is telegraph editor of the St. Paul Pioneer Press, now on a Nieman Fellowship.

Trend Backwards

To the Editor:

This is to acknowledge and thank you for the copy of *Nieman Reports* for October, 1950, containing the article, "The Right to News," by J. Russell Wiggins.

I have read the article with interest and advantage. One thing in it disturbs me—what seems to be a growing tendency among editors to accept the trend backward to the old English view that the guarantee of freedom of the press operates only against infringement of the "right to print the news without prior restraint."

What took the First Amendment into the Constitution was not fear of governmental interference with printing the news, whether before or after publication—interference which the men of 1791 were not experiencing—but fear of taxation, which they were experiencing. The First Amendment operates on infringing taxation, punishment after publication and many other forms of restraint besides prior censorship.

I just mention this in passing, not to quarrel with Mr. Wiggin's fine, idealistic discussion.

Harold L. Cross
Skowhegan, Me.

What He Asked For

To the Editor:

I want to send *Nieman Reports* to a young friend who has just entered service. Will you tell me the cost of a subscription, as I do not know anything about the *Report* except that when I asked him what I could get him as a token of my good wishes for him he asked for the *Reports*. When I find out his address from camp, and the cost, I will mail a check with his address.

Mrs. B. N. Beaumont
211 Spencer Place
Ridgewood, N. J.

Finest Publication

Please renew my subscription to *Nieman Reports*. I think it is the finest publication of its type I've ever seen.

Albert Pinsky,
Elkart, Ind.

Letters

A Forum Suggestion

I'd like to suggest for serious consideration a regular column or forum in *Nieman Reports* that would serve as an exchange for newspapermen of methods, approaches and practices that have been found to work successfully in getting the kind of stories that are often most difficult to get.

For instance, I have had one reporter assigned to nothing but our local reform school here for the past month. That may sound routine to a big-paper man, but on papers our size it means a lot of doubling up. If we had had for reference the past experience of another paper or reporter who had had to crack a state reform school system (and, believe me, they make it tough to get information you can use), we would have been a lot better off at the start.

Another instance: we have a bad situation here in Lexington and in many circuit courts in Kentucky. Grand jurors turn in their indictments only in written form and the statutory provision that they be made 'in open court' is by-passed. As a result, often a man indicted has word of it a day before the paper can get it from a privileged source. We are solving this with the help of Jimmie Pope, who

heads the ASNE's Committee on Freedom of Information. The point is that other papers' experience in handling a similar problem would have been a lot of help to us in tackling this one.

Another instance: we here think we have done a good job on occasion in forcing candidates for office to put themselves on record on specific local questions in black and white and then following them up periodically to see how they were living up to promises. We've learned a couple of pitfalls in doing it. There are undoubtedly a number of papers that could use the same methods we used and do a real public service.

I think sometimes we're inclined to get off in the rarefied atmosphere of high-echelon journalism and gloss over too much the problems and importance of papers this size, which, in the majority of cases, are the public watchdogs on the local scene—from which come, in the final analysis, your governors and U. S. representatives. For my money, the present Congress is in a real sense a condemnation of journalism.

William M. Stucky
City Editor, Lexington (Ky.) *Leader*

NEWSPAPER-RADIO JOINT OWNERSHIP: UNBLEST BE THE TIE THAT BINDS* A Case Study.

by Howard N. Gilbert

(Reprinted from *Yale Law Journal*, June, 1950)

Common ownership of two or more sources of mass information¹ has been accelerating in recent years through acquisitions by newspapers of local radio stations.² This development is particularly disturbing since overall competition in the distribution of news and opinion has been suffering from creeping atrophy.

Contemporary surveys indicate that of the 1394 communities with daily newspapers,³ only 117 have two or more competing.⁴ And except for the nation's twenty-four largest cities, there has been a tendency to eliminate competition completely.⁵ A compensating trend in radio has failed to develop—out of 1300 cities with radio stations, only 30 per cent have competing outlets.⁶ Viewing both media together, more than 70 per cent of the communities with dailies also have at least one radio station.⁷ But 407 of the radio stations are affiliated with local newspapers,⁸ and there are 170 "one-to-one" cities where the only radio station is affiliated with the only newspaper.⁹ With such a limited number of mass media, these markets bear scant resemblance to the ideal of "the widest possible dissemination of information from diverse and antagonistic sources" within a community.¹⁰

Application of the antitrust laws by the Department of Justice is one possible remedy for the restrictions imposed by cross-channel ownership.¹¹ Antitrust law would compel divestiture if absorption of a radio station was the result of coercive tactics on the part of a newspaper, or if joint ownership was used to exclude disfavored advertisers or to sell them time and space only at unduly high rates.¹² Generally speaking, divestiture is also in order where joint ownership carries with it the power to exclude actual or potential competitors, or where its dominance is such as to deprive consumers of any real alternatives.¹³ But it is at least doubtful that mere common ownership of a radio station and newspaper in a single town would violate the antitrust laws.¹⁴ It is even more doubtful that common ownership of two out of three or four media would constitute a

violation, even though the public interest in diversity of news sources is to a considerable extent compromised.

Practical considerations also weigh heavily against undue reliance on this means of enforcement. The funds available to the Antitrust Division are likely to remain meagre in relation to the job assigned to it.¹⁵ Except where national monopoly is involved, the Division necessarily tends to tackle only selected offenders rather than an entire industry.¹⁶ It would be virtually impossible to effect a uniform policy on cross-channel ownership by such procedures. Moreover, it seems undesirable to divert the energies of the Antitrust Division from the vast unregulated areas of the economy into a field already subject to supervision by another federal administrative agency.

Administration action by the Federal Communications Commission, therefore, is a more promising answer to the problems presented by newspaper-radio mergers. The FCC is empowered to grant, renew or revoke broadcasting licenses.¹⁷ In exercising that power, it is confined by a statutory guide no less broad than the "public interest."¹⁸ And ever since the *National Broadcasting Company* case,¹⁹ the term "public interest" has included the policies of the antitrust laws.²⁰

In a recent case, *Mansfield Journal v. FCC*,²¹ the Commission has for the first time denied a broadcasting license to a newspaper on antitrust grounds. Upon investigation and hearing, the Commission found that the *Journal*, Mansfield's only newspaper, had sought to suppress competition in the dissemination of news and to achieve an advertising monopoly by attempting to drive out the only other local mass medium—radio station WMAN. Because these past practices presaged future abuse, the *Journal's* application was denied.²² On appeal, the Court of Appeals for the District of Columbia approved both the ruling and the grounds on which the ruling was made.²³

But more important, the court indicated

that the Commission in the exercise of its licensing power could look to a much broader range of considerations than the unseemly behavior apparently indulged in by the applicant in the *Mansfield* case. The decision not only implied that a license could be denied if the grant would help achieve a monopoly;²⁴ it also sustained the Commission's power to consider monopolistic practices of the applicant whether or not they would constitute violations of the antitrust laws.²⁵ It seems probable, therefore, that where appropriate the Commission can deny or revoke a license on a showing, without more, that common ownership will operate or has operated to reduce the diversity of news sources which "public interest" requires.

So far, the power has not become a practice,²⁶ though in recent competitive hearings the FCC has favored non-newspaper applicants.²⁷ Rather, analysis of cases since the *Stamford* decision²⁸ of 1945 indicates that the Commission's primary considerations in licensing are the degree of identification of the applicant with the community to be served; the probability that those in control will devote their full efforts to the station; the extent of previous experience in radio, particularly within the community involved; and the scope of the proposed service.²⁹ Apparently the issue of joint ownership is controlling only when scrutiny of these factors has failed to produce a decision.³⁰

Since its power to incorporate the spirit as well as the letter of antitrust law into its regulation is now firmly established, the Commission should turn the *Mansfield* approach into a continuing policy. Wise administration might call initially for a rule which would in substance forbid newspaper ownership of radio stations where the effect would be to create a monopoly or substantially to lessen competition in the mass of dissemination of news.³¹ The rule would serve principally as a mere statement of policy,³² since the FCC must grant a hearing before denying a license.³³ But past experience proves that

an indication of policy often has a prophylactic effect.³⁴

With or without a rule, however, effective enforcement of the policy will depend on regular scrutiny of the non-competitive aspects of cross-channel ownership in all licensing hearings. Depending on the status of the newspaper applicant, the power may be exercised through original denial of a license, or through revocation or refusal to renew. Depending on the case, withholdings of a license may be based on one of three grounds. First, monopolistic practices engaged in by the applicant in the past may be chalked up

as a poor character qualification.³⁵ Second, the Commission may find that cross-channel ownership has violated or is likely to violate the antitrust prohibition against monopoly power. Third, the Commission may find that such ownership, while not violating antitrust law, is nevertheless inconsistent with the "public interest" in getting as much diversity as is possible.³⁶

In some cases, joint ownership of a newspaper and radio station will not be contrary to the public interest. Small communities, where the need to promote diversity may be the greatest, often possess

insufficient resources to support competing information outlets.³⁷ Enforcing competition here, without regard to economic consequences, might only destroy one or both media.³⁸ And perhaps in some large cities sources of information may be so numerous that the effect of occasional cross-channel ownership may be inconsequential.

A thorough but flexible application of the *Mansfield* doctrine would contribute substantially to the public's interest in widely diversified control over the instruments of mass communication.³⁹

NOTES

**Mansfield Journal v. FCC*, 180 F.2d (D. C. Cir. 1950).

1. The owner of a news distributing medium places the imprint of his predispositions upon the news by virtue of his selection of the news events to be featured and the manner of their presentation. By extending his control to other media, he extends the scope of a single partisan selection, thereby excluding other, different ideas from the arena of public opinion. See Judge Learned Hand in *United States v. Associated Press*, 52 F. Supp. 362, 372 (S.D.N.Y. 1943), *aff'd*, *Associated Press v. United States*, 326 U.S. 1 (1945).

Consequently, the FCC position in the *Mayflower* case, 8 FCC 333 (1941)—the broadcaster must be impartial in his overall presentation of public issues—is extremely difficult to carry out. See *Your Newspaper* 25 (Svirsky ed. 1947). That this is recognized by the FCC may be inferred from its attempts to allocate broadcast licenses to different persons within a community. See, e.g., *Easton Publishing Co.*, 4 Pike & Fischer Radio Reg. 176 (1948) *rev'd and remanded on other grounds*, 175 F.2d 344 (1949); *James A. Noe*, 3 Pike & Fischer Radio Reg. 1821 (1949). Cf. *Midland Broadcasting Co.*, 3 Pike & Fischer Radio Reg. 1961 (1948). For a discussion of present patterns of broadcaster evasion of the unreal "fairness" formula of the *Mayflower* doctrine, see Note, *The Mayflower Doctrine Scuttled*, 59 Yale L.J. 759, 767 (1950); Note, *Radio Editorials and the Mayflower Doctrine*, 48 Col. L. Rev. 785, 792 (1948).

While the Commission on the Freedom of the Press felt that diversity of outlook was important, it thought diversity did not necessarily depend upon facts of ownership. Nevertheless, in one situation—cross-channel ownership within a community—the Commission concluded that diversity would be seriously curtailed. Chafee, 2 Government and Mass Communications 623, 655 (1947). See also the testimony before the Press Commission of the Nieman Fellows, *id.* at 520; Fly, *Freedom of Speech and the Press*, in *Safe-guarding Civil Liberties Today* 61, 68 (Sa-

bine ed. 1945). The newspaper industry's leading spokesman has concurred with this position. Editor & Publisher, Dec. 31, 1938, p. 20. This problem was explored during the newspaper-radio investigation conducted during 1941-42. See Hearings before the FCC *in re: Orders 79 and 79-A*, Docket 6051, Exs. 397-9, 416-18.

2. The problem has been important for some time. See Shapiro, *The Press, the Radio and the Law*, 6 Air L. Rev. 128, 153 (1935). In 1934, many independent station owners feared that the entire industry might be taken over by the newspaper industry. *Newsweek* June 16, 1934, p. 28. By 1937, the FCC was seriously concerned. Opinion of FCC General Counsel Gary, February 13, 1937 reported in Warner, *Radio and Television Law* 207 n.3 (1948). Four years later, the Commission began a full scale investigation. See note 26 *infra*. For a study of the increase in newspaper-owned stations, see notes 8 and 9 *infra*.

3. The census defines a community as an incorporated place with a population of 2500 or more. Each community, whether or not it comprises part of a metropolitan area, is treated as an entity. There were 3,459 communities in the United States in 1940. *XVIIth Census of the United States—1940*, 1 Population 25 (1942). Since then, 67 new communities have come into existence. Communication to the Yale Law Journal from T. J. Slowie, Secretary, FCC dated December 7, 1949, in Yale Law Library.

These communities have 1770 newspapers. Nixon, *The Problem of Newspaper Monopoly* in Mass Communications 158 (Schramm ed. 1949). Today, there are 830 less newspapers in the United States than in the peak year of 1909 when 2600 were published. Although the number of cities with newspapers has increased since that time, the ratio between newspapers and communities has steadily decreased. It was 3.4 in 1910; 2.6 in 1920; and 1.7 in 1930. Lee, *The Daily Newspaper in America* 65-6 (1937).

4. Another 174 cities have two or more newspapers, either jointly owned or managed in such a way as to potentially eliminate competition. Of these, 161 are single owner

cities. In the other 13, the two existing dailies have entered into partial combinations which place their business offices on a non-competitive basis. Nixon, *Concentration and Absenteeism in Newspaper Ownership*, 22 Journalism Quarterly 97, 101 (1945).

There are only 1300 newspaper owners. And 91.6 per cent of the 1394 daily newspaper cities had a single publisher. Nonetheless, 58.8 per cent of the total circulation is competitive, for most of the daily circulation is in the larger communities where competition still exists and probably will continue to thrive. Nixon, *The Problem of Newspaper Monopoly* in Mass Communications 158 (Schramm ed. 1949).

5. This trend works to eliminate all but one newspaper in towns of less than 50,000 population, to combine two papers under one publisher in cities of 50,000 to 400,000 and to maintain competition only in cities of more than 400,000 population. *Ibid.*

The distribution of daily newspaper competition by cities as of January 1, 1948 was:

Size of City	Total Cities With Dailies	Competitive Cities
Less than 10,000	547	14
10,000-50,000	656	37
50,000-100,000	94	15
100,000-200,000	51	20
200,000-300,000	17	6
300,000-400,000	12	8
400,000 or over	17	17

Communication to the Yale Law Journal from Prof. R. B. Nixon, Professor of Journalism, Emory University, dated December 4, 1949, in Yale Law Library.

6. In 1949, 378 of the 1,311 communities possessing broadcasting facilities had competing stations. Communication to the Yale Law Journal from T. J. Slowie, Secretary, FCC, dated December 7, 1949 in Yale Law Library. These communities had 2,179 standard (AM) stations and 865 frequency modulations (FM) stations. The overwhelming majority of commercial FM stations were authorized to AM licensees and were jointly operated, so that programs broadcast over the AM stations were transmitted simultaneously by the FM station. 15 FCC Ann. Rep. 40, 53 (1950).

In 1948, 356 communities had competing stations. Of these, 156 had two stations, 87 had three and 133 had four or more. *In the Matter of Editorializing By Broadcast Licensees*, Official Report of the Proceedings Before the Federal Communications Commission Docket No. 8516, Exhibit 26 (1948).

7. At least one newspaper and one radio station exist in 989 communities. Data compiled from Broadcasting Magazine Yearbook 69-325 (1950) and Ayer & Son's Directory of Newspapers and Periodicals 1165-88 (1950):

8. The figures for previous years are as follows:

Year	Affiliated Stations	Total Stations	Per cent Affiliated
1931	55	612	9.0
1935	104	605	17.2
1939	184	764	24.1
1941	211	801	26.4

Based on statistics presented in Hearings before the FCC in re: Orders 79 and 79-A, Docket No. 6051, Exs. 1, 3.

9. This represents a substantial increase over the number of local communications monopolies existing in 1941. At that time, 351 of the 801 stations were located in "one-to-one" communities. In 111 of these, the only radio station was owned by the local newspaper, and in three cities the only two radio stations were owned by the only local newspaper. Hearings before the FCC in re: Orders 79 and 79-A, Docket No. 6051, Ex. 8, Table Ia. Today, 623 of the 1,311 cities have only one radio station and one newspaper; in 170 of these cities, they are jointly owned. In 75 other communities, the single newspaper owns one of the two radio stations. Statistics on the contemporary situation are compiled from Broadcasting Magazine Yearbook 521-26 (1950) and Ayer & Son's Directory of Newspapers and Periodicals 1165-88 (1950).

10. *Associated Press v. United States*, 326 U.S. 1, 20 (1945).

It has been said that the paucity of local media is overcome by the number of available outside media: stations located in nearby towns; regional and clear-channel stations; and newspapers. But these media do not fulfill the same function as local media. Since each community has peculiar local problems which are of little concern to outside media, there must be diversification on the local level just as there must be diversity on the regional and national level. See dissent in *Stephen R. Rintoul*, 3 Pike & Fischer Radio Reg. 96, 99 (1945) (Commission approved transfer of only local radio station to only local daily where the community was serviced by a number of media originating in an out-of-state metropolitan area). See also *Editor & Publisher*, Dec. 31, 1938, p. 20. Cf. *Plains Radio Broadcasting Co. v. FCC*, 175 F.2d 359 (D.C. Cir. 1949). The Commission has taken this factor into account. See *Communications Act of 1934* § 307 (b), 48 Stat. 1083 (1934), as amended, 50 Stat. 189 (1937), 47 U.S.C. § 307 (b) (1946) (hereinafter cited as the

Communications Act), which was controlling in *Samuel R. Sague*, 3 Pike & Fischer Radio Reg. 694 (1947). *Accord*, *Huntington Broadcasting Co.*, 5 Pike & Fischer Radio Reg. 721 (1950).

11. The *Communications Act* specifically provides that the granting of a license shall not estop the United States from proceeding against licensee for violation of the anti-trust laws. *Communications Act* § 311.

12. *United States v. Crescent Amusement Co.*, 323 U.S. 173, 189 (1944); *Schine Chain Theatres v. United States*, 334 U.S. 110, 128 (1948).

13. See *United States v. Paramount Pictures*, 334 U.S. 131 (1948) (monopoly power, whether lawfully acquired or not, may violate Section 2 of the Sherman Act); *United States v. Griffith*, 334 U.S. 100 (1948) (monopoly even though no showing of intent to establish a monopoly where the monopoly results as a consequence of buying power); *Rostow, Monopoly under the Sherman Act: Power or Purpose?*, 43 Ill. L. Rev. 745 (1949).

Hence, the data prepared by the Office of Radio Research to indicate that there was very little difference between associated and non-associated stations in the number of news programs, their distribution through the day or in general program structure may be irrelevant. Hearings before the FCC in re: Orders 79 and 79-A, Docket No. 6051, Exs. 385-7. But see note 14 *infra*.

14. The Supreme Court has defined the area of the market wherein control is alleged as the zone of immediate competition for the product. See *Mandeville Island Farms v. American Crystal Sugar Co.*, 334 U.S. 219 (1948) (market for sugar beets in a small area in northern California); *United States v. Columbia Steel Co.*, 334 U.S. 495 (1948) (market for rolled steel in an eleven-state area); *United States v. Yellow Cab Co.*, 332 U.S. 218 (1947) (taxi-cab market in Chicago).

It might be argued that in the communication field the product is local news and the market is the community. But compare the following statement: "Anyone who owns and operates the single theater in a town, or acquires the exclusive right to exhibit a film, has a monopoly in the popular sense. But he usually does not violate § 2 of the Sherman Act unless he has acquired or maintained his strategic position, or sought to expand his monopoly or expanded it by means of those restraints of trade which are cognizable under § 1." *United States v. Griffith*, 334 U.S. 100, 106 (1948).

15. The Antitrust Division of the Department of Justice has never been equal to the task of policing the entire economy. Before 1939, its staff never included more than 60 lawyers; today, it has no more than 200. And not until 1940 did it ever receive an appropriation of \$1,000,000. Limitations of personnel alone have made it impossible to continue beyond the investigation stage every inquiry disclosing practices which are questionable under the federal antitrust laws. A

careful process of selection forces the Division to consider the advantage that will be secured if the action is successful and the effect of such action on future antitrust law enforcement. See *Walton Hamilton*, *Patterns of Competition* 59 (1940); *Berge, Some Problems in the Enforcement of Antitrust Law*, 38 Mich. L. Rev. 462, 475 (1940); *Fowler Hamilton*, *The Selection of Cases for Major Investigation*, 7 Law & Contemporary Problems 95, 96 (1940).

16. See, for example, the Antitrust Division's pattern of attack on the movie industry. It moved against all major producers and distributors, *United States v. Paramount Pictures*, 334 U.S. 131 (1948), but only against selected chain exhibitors. No attempt has been made to deal with the problem of local monopolies. But see the civil antitrust suit instituted against the *Lorain Journal Co.* in the United States Court for the Northern District of Ohio. *United States v. Lorain Journal Co.*, Civil Action No. 26823 (filed September 22, 1949) (attempt to monopolize the sale of mass advertising in the Lorain-Elyria area).

17. *Communications Act* §§ 307, 309 (a), 312 (a). The FCC can exercise broad discretion in determining whether grant of a license will be in the public interest. See, e.g., *FCC v. WOKO*, 329 U.S. 223 (1946). The Commission can engage in widespread investigations to secure the necessary information for a proper discharge of its functions. *Stahlman v. FCC*, 126 F.2d 124, (D.C. Cir. 1942); *FCC, Public Service Responsibility of Broadcast Licensees* 54 (1946). Renewal applications are to be governed by the same considerations as applications for new licenses. *Communications Act* § 307 (d). The grant of a license to a broadcaster gives him no property right in the allocated channel. See *Trinity Methodist Church v. FCC*, 62 F.2d 850, 853 (D.C. Cir. 1932); *Yankee Network v. FCC*, 107 F.2d 212, 215 (D.C. Cir. 1939). While this power cannot be exercised without reason, the Commission can refuse to extend the franchise when the operation of the station is not in the public interest. *Evangelical Lutheran Synod of Missouri v. FCC*, 105 F.2d 793, 795 (1939).

Renewal proceedings furnish the FCC with an opportunity to submit the licensee's operation of the station to a comprehensive evaluation. In the case of AM stations, this opportunity occurs once every three years. 47 Code Fed. Reg. § 3.34 (1949). FM licenses are granted for a lesser period. *Id.*, § 3.218. While the Commission can terminate the franchise in the use of this power, having utilized at any time during its life, it has been used only twice in 23 years. *Station WSAL*, 8 FCC 34 (1940); *Station KPAB*, 5 Pike & Fischer Radio Reg. 1297 (1950). See Note, 15 Geo. Wash. L. Rev. 425, 429 (1940). The major difference between denial and revocation proceedings lies in the placing of the burden of proof that station operation will be in the public interest. In the latter, unlike refusals to renew, the Commission must show that operation is not in the public interest. See

Warner, Radio and Television Law § 12 (g), (1948).

18 Communications Act §§ 151, 301. See *Yankee Network v. FCC*, 107 F.2d 212, 222 (D.C. Cir. 1939). See also Sen. Rep. No. 772, 69th Cong., 1st Sess. (1926) (statement of the objectives of the Radio Act of 1927, precursor of the present act). Congress imposed upon the Commission the duty of protecting the public interest in the use of the common property—the broadcast channels Communications Act § 301.

Abandonment of the principle of restraining government action in matters involving the press resulted from the singular nature of the broadcasting medium. Only in radio is the number of available channels subject to physical limitation. Even today, despite the three-fold increase in commercial broadcasting stations since 1945, the number of qualified applicants exceeds the number of available franchises. 15 FCC Ann. Rep. 36 (1950).

19. *National Broadcasting Co. v. United States*, 319 U. S. 190 (1943).

20. "A licensee charged with practices in contravention of this standard cannot continue to hold his license merely because his conduct is also in violation of the antitrust laws and he has not yet been proceeded against and convicted. By clarifying in Section 311 the scope of the Commission's authority in dealing with persons convicted of violating the antitrust laws, Congress can hardly be deemed to have limited the concept of 'public interest' so as to exclude all considerations relating to monopoly and unreasonable restraints upon commerce. Nothing in the provisions or history of the Act lends support to the inference that the Commission was denied the power to refuse a license to a station not operating in the public interest merely because its misconduct happened to be an unconvicted violation of the antitrust laws." *National Broadcasting Co. v. United States*, 319 U.S. 190, 223 (1943).

Earlier, the Commission, relying upon Section 313, had said "The prohibitions of the Sherman Act apply to broadcasting. This Commission, although not charged with the duty of enforcing that law should administer its regulatory powers with respect to broadcasting in the light of the purposes which the Sherman Act was designed to achieve." FCC, Report on Chain Broadcasting 46 (1941). The FCC has also taken official notice of the policies of the Sherman Act when regulating the telephone and telegraph industries under the grant of power contained in Section 151 of the Act. See, e.g., *Western Union Division v. United States*, 87 F. Supp. 324, 334 (D.C. Cir. 1949), *aff'd per curiam*, 338 U. S. 864 (1950). See also *McLean Trucking Co. v. United States*, 321 U.S. 67 (1944); *New York Central Securities Corp. v. United States*, 287 U.S. 12 (1932).

21. *Mansfield Journal Co.*, 3 Pike & Fischer Radio Reg. 2014 (1948) *sub nom.*, *Mansfield Journal v. FCC*, 180 F.2d 28 (D.C. Cir. 1950).

22. The components of the Commission's

decisions are inextricably entangled. The Commission referred to its determination that diversification of the control of mass media was desirable; applicant's past record; and the possibility that applicant would extend his present course of action into the future if the application were granted. Whether the decision that the grant would not be in the public interest rests on the past practices or applicant's probable future operation of the station is not clearly stated. Most probably it rests on both.

23. *Mansfield Journal v. FCC*, 180 F.2d 28 (D. C. Cir. 1950).

24. *Id.* at 33, 34. The court cites with approval that section of the Chain Broadcasting Report which asserts the power of the Commission "to refuse licenses or renewals to any person who engages or proposes to engage in practices which will prevent either himself or other licensees from making the fullest use of radio facilities." (emphasis added). FCC, Report on Chain Broadcasting 83 (1941).

25. 180 F.2d 28, 34 (D.C. Cir. 1950).

26. The Commission has granted newspaper applicants both standard and FM licenses in non-competitive hearings. See Warner, Radio and Television Law § 22 (g). It has also granted franchises to newspapers in competitive hearings. *Hampden-Hampshire Co.*, 4 Pike & Fischer Radio Reg. 504 (1949); *Town Talk Broadcasting Co.*, 3 Pike & Fischer Radio Reg. 769 (1947); *Orlando Daily Newspapers*, 3 Pike & Fischer Radio Reg. 624 (1946). Cf. *Midland Broadcasting Co.*, 3 Pike & Fischer Radio Reg. 1961 (1948).

There have been no attempts at dissolution for this cause since the investigation of newspaper ownership began in 1941. For the inconclusive statement of policy issued after the conclusion of the hearings, see 9 Fed. Reg. 702 (1944). See also Brucker, *Freedom of Information* 83 (1949).

27. See, e.g., *Fairfield Broadcasting Co.*, Pike & Fischer Radio Reg. 190 (1949); *Southern Tier Radio Service*, 3 Pike & Fischer Radio Reg. 211 (1946).

28. *Stephen R. Rintoul*, 3 Pike & Fischer Radio Reg. 96 (1945).

29. See cases cited in notes 26 and 28 *supra*.

30. See Warner, Radio and Television Law § 22 (g) n.13 (1948).

31. The Commission's powers are to be utilized to further "the public interest." Communications Act, § 303 (g). The courts have upheld the grant of broad discretion to the FCC to determine the most effective means of promoting this standard. See *Ward v. FCC*, 108 F.2d 486, 491 (D.C. Cir. 1939). The value of enacting rules to articulate the standards for measurement of license applicant qualifications has been recognized. *Heitmeyer v. FCC*, 95 F.2d 91, 98 (D.C. Cir. 1937). *Administrative Procedure in Government Agencies*, Sen. Doc. 8, 77th Cong., 1st Sess. 27 (1941). The rule-making power has broad limits because the intent of Congress was to grant the Commission "expansive

powers." *National Broadcasting Co. v. United States*, 319 U.S. 190, 219 (1943).

32. Compare the Chain Broadcasting Regulations upheld in the *NBC* case. *National Broadcasting Co. v. United States*, 319 U.S. 190 (1943.) Justice Frankfurter, who had dissented in the *CBS* case, *Columbia Broadcasting Co. v. United States*, 316 U.S. 407, 429 (1942), from the majority holding that the Regulations, 47 Code Fed. Regs. § 3.101-3.108 (1949), automatically denied a license to any station acting in derogation of their command, restated his original view. "[The regulations] are merely an announcement to the public of what the Commission intends to do in passing upon future applicants for license. . . . No announcement of general licensing policy can relieve the Commission of its statutory obligation to examine each application for a license." *Id.* at 431.

If the order is no more than a general statement of policy, it may not be subject to prior judicial review. Urgent Deficiencies Act, 38 Stat. 219, 220 as incorporated and extended by Communications Act § 402 (b). Where the order sought to be reviewed does not of for action against him, resort to the courts is itself adversely affect complainant, but will only affect him if the agency uses it as a basis either premature or wholly beyond their province. *Rochester Telephone Co. v. United States*, 307 U.S. 125, 130 (1939). But see *Columbia Broadcasting Co. v. United States*, 316 U.S. 407, 416 (1942).

These requirements will make it virtually impossible to secure review before the Commission acts on an application for renewal since the FCC has refused to issue declaratory judgments under the power granted it by § 5 (d) of the Administrative Procedure Act, 60 Stat. 239, 5 U.S.C. § 1004 (d) (1946). See *Cross-out Advertising Co.*, 5 Pike & Fischer Radio Reg. 464 (1949).

The promulgation of rules would not only serve as an indication of the Commission's stand on the matter, but would also allow the industry a chance to present its side of the controversy. The right of interested persons to adequate notice and hearing is guaranteed in rule-making proceedings. Administrative Procedure Act § 4, 60 Stat. 237, 5 U.S.C. § 1001 (d) (1946). These rights only apply to "substantive rules, which invoke true administrative legislation." Sen. Doc. N. 248, 79th Cong., 2d Sess. 19 (1946). In all probability, the proposed rule would bear a substantive tag. Nathanson, *Some Comments on the Administrative Procedure Act*, 41 Ill. L. Rev. 368, 382 (1946).

33. Communications Act § 309 (a). This section not only gives the Commission authority to grant licenses without a hearing, but it also enables a license applicant to request a hearing as of right before his license is denied. *Ashbacker Radio Co. v. FCC*, 326 U.S. 327 (1945).

34. Licensees have always been extremely jittery when dealing with the Commission. In the back of their minds is the omnipresent threat of license revocation. Accordingly,

rules and even informal utterances by the FCC or its individual members have often been followed instantly by conformance to the new pattern. See Comment, *Administrative Enforcement of the Lottery Broadcast Provision*, 58 Yale L. J. 1093, 1110 (1949). But compare the action of the industry faced with the Chain Broadcasting Regulations. White, *The American Radio* 162 (1947).

35. Communications Act § 308 (b). See note 20 *supra*. Compare *Mester v. United States*, 70 F. Supp. 118 (E.D.N.Y. 1947), *aff'd per curiam*, 332 U.S. 749 (1947) (denial of application for transfer of station franchise based in part on prospective transferee's record of federal regulatory law violations). Compare also *Southern Steamship Co. v. NLRB*, 316 U.S. 31 (1942). Here, the Court set aside an NLRB order issued without Board consideration of a relevant criminal statute. "... [T]he Board has not been commissioned to effectuate the policies of the Labor Relations Act so singlemindedly that it may whol-

ly ignore other and equally important Congressional objectives. Frequently, the entire scope of Congressional purpose calls for careful accommodation of one statutory scheme to another, and it is not too much to demand of an administrative body that it undertake this accommodation without excessive emphasis upon its immediate task." *Id.* at 47.

36. If the Commission is to carry out the program contemplated herein, it should have some means at its command to allow the licensee a period of grace before the franchise is discontinued. Issuance of a cease and desist order would enable the licensee to secure a purchaser before final proceedings to cancel the license were instituted. The FCC has requested Congress to provide it with the power to issue cease and desist orders. See *Hearings Before Committee on Interstate and Foreign Commerce on H. R. 1973 § 312 (b)*, 81st Cong., 1st Sess. 20 (1949).

37. See Report of the U.S. Senate, Special Committee to Study Problems of American

Small Business, *Survival of a Free Competitive Press*, The Small Newspaper, U.S. Senate, 79th Cong., 1st Sess. (1947); FCC, *An Economic Study of Standard Broadcasting*, esp. 59-97 (1947).

38. See Chafee, 2 *Government and Mass Communications* 660, 662 (1947).

39. While the Commission is capable of carrying out a program to eliminate cross-channel ownership it may be worthwhile to determine if Congress will support such action. Congressmen are particularly sensitive about any inroads on the broadcaster's privileges, for they depend upon the radio for support at election time. While there have been no recent pronouncements on the matter, several attempts to pass legislation forbidding the FCC to make any rule, regulation or order prohibiting cross-channel ownership having died in committee. See, e.g., *Hearings before Committee and Foreign Commerce on § 1333, 25, 80th Cong., 1st Sess.* 12, 69 (1947).

Denver Post, Feb. 9, 1951

Egg Stander-On-Ender

by Randall Gould

Denver Post Staff Writer

Now is the time of year when eggs stand on end.

So say the Chinese, and they prove it annually—just at the start of spring by the lunar calendar, following "Chinese new year."

By coincidence, the man who first gave this information world-wide publicity from remote Chungking was visiting Denver just in time to provide demonstration of seasonal egg-standing—which worked just as well in the Rocky Mountain Empire as in the one-time Celestial empire.

He is Walter G. Rundle, Denver-born but for years a United Press foreign correspondent, and a Nieman Fellow of 1947-48. On leave from his present post in Germany, he is doing a quick motor tour around the United States with his wife, Valiquette, a former Denver resident.

"The egg-stand story first broke in 1943," Rundle recalled.

"I was covering the wartime Chinese capital and one day I dropped by the censor's office to submit a story. My friend Jimmy Wei and I sat huddled in overcoats and Jimmy remarked that it would soon

be spring adding: 'Today's the day that eggs stand on end.'

"I became curious and he said that this was a scientific fact known to Chinese for the past 3,000 years or so. If I'd drop over to his home nearby, he continued, I could have a demonstration. Soon I went over and he already had several dozen eggs perched on end waiting for my inspection. Jimmy said that the day spring started was best, when some odd gravitational force was strongest, though it was present in lesser form for some days before and after.

"After trying my own hand at egg-standing, and finding I could do it with no trickery, I decided to file a story. In the whole period of the war in China, no news item ever got such 'play.' First the newspapers went for it, then the magazines. *Life* gave it several pages. Chris Morley wrote a poem that took up a whole page in the *Saturday Review*. It got into the comics.

"They had Powers models posing with eggs. Everybody was doing it. And somehow, the Chinese must have a real prin-

ciple—you can crack the eggs and see for yourself that the yolk isn't broken. The egg is not weighted and there is no monkey business about flattening the end. In fact, at the proper time you can stand eggs on their small ends, which really is a trick."

Rundle says the Chinese claim that if a bamboo tube a foot long is buried in the ground with eiderdown at the bottom, the fluff will rise to the top of the tube on the day spring starts. But he never tried that one.

After the war ended, Rundle was assigned to Shanghai where he scored several outstanding scoops including a story about sale in China of American-donated blood plasma. When he published war criminal charges preferred against a German by American military authorities, the German sued Rundle for libel in a Chinese court. Rundle won but had to fight a second round, which he also won when the German appealed.

In 1948 Rundle was transferred to Germany from which he is now home on his first leave.

Nieman Scrapbook

Christian Science Monitor, Jan. 15, 1951

Decline of the 'War Communique'

by Joseph C. Harsch

So far as I am able to discover, the *New York Times* is the only newspaper in the United States which still prints daily the full text of the official communiqués issued by various military high commands of the United States.

This might make an impression upon the Defense Department, which has allowed publicity men to take over the writing of communiqués to such an extent that their flamboyancy has rendered them almost useless as a source of information.

American armed forces possess a tradition in communiqué writing. Every school child can remember Commodore Perry's report from the Battle of Lake Erie: "We have met the enemy and they are ours. Two ships, two brigs, one schooner, and one sloop."

Then there was General Sherman's message of Dec. 22, 1864, to President Lincoln:

"I beg to present to you as a Christmas gift the city of Savannah, with 150 guns and plenty of ammunition, and also about 25,000 bales of cotton."

"Sighted sub—sank same," was in the tradition.

It would take a military historian to trace the tradition back to its origins. I do not happen to know what kind of reports Hannibal sent back to Carthage from before the walls of Rome or whether the Greek commanders in the Peloponnesian Wars limited themselves to fact. But by the time of Julius Caesar the practice of terse, factual war reporting was established. He reported the conquest of Gaul in three words: "Veni, vidi, vici."

Good communiqués do not have to be brief. Sometimes the story calls for detail. For such reporting the British Admiralty's accounts of the Battle of the Platte River and the chase of the *Bismarck* during the last war are as fine as anything on record. There is not a superfluous or bombastic word. Those reports tell the stories as a sailor would tell them, not as a copy writer for an "underarm deodorant."

During the last war most official communiqués stuck to the old style. They make honest, restrained, informative, fac-

tual reading. Here is the way SHAEF reported the relief of the 101st Airborne Division at Bastogne during the Battle of the Bulge:

"Allied forces advancing from the south have made contact with units holding Bastogne at a point about three miles south of the town. During the period of encirclement units in Bastogne inflicted severe damage on the enemy, and on the day before their relief they repulsed two German attacks. In the first attack, made by an estimated two regiments of infantry and a large number of tanks, an estimated 27 tanks were destroyed and 250 prisoners taken. A similar attack was contained later, and in a third attack the enemy lost four out of five tanks taking part."

The latest war communiqué from Tokyo on my desk starts out:

"Fifth Air Force fighters roared into the air in clearing weather today to resume destructive attacks on Communist targets."

The Colorado Editor, Feb. 1951

Littleton Independent Filmed As Model for Germans

In order to show Europeans, especially West Germany, and a number of other nations in the world, just how a newspaper operates in a democracy, the Department of State has sent writers, and in March will send a moving picture production unit to Littleton to film the *Littleton Independent* in action.

Palmer Williams and James B. Cahoon of Media Productions, Inc., of New York, were in Littleton for several days the latter part of January, in order to get background for the continuity which they will write for the moving picture producers. They came under direction of, and by the authority of the Department of State at Washington.

The speaking part of the film is to be produced in about twenty different languages, which will allow distribution in many different countries.

The difference between the two is in the use of adjectives. The adjective is the instrument of the publicity man and propagandist, not of the reporter. When fighters must "roar" into the air for "destructive" attacks on "Communist" targets, the old art of the factual communiqué is lost.

Hitler is largely to blame for the intrusion of propaganda into the war communiqués. Reports from his headquarters and also from the German high command usually sounded as though they had been written by Dr. Goebbels, although the German Army itself stuck to the old tradition almost to the end.

Not until the Korean war did American official communiqués go overboard. The navy was the last branch of the service to succumb, but it, too, finally reached for the adjectives.

There was once a good market for war communiqués. Most big city newspapers printed them in full daily. The new technique has so debased their currency that only the determination of the *New York Times* to "print all the news that's fit to print" keeps them in public circulation. The *New York Herald Tribune* published its last MacArthur communiqué text on July 24, 1950.

The selection of the *Independent* was a result of an article which the *New York Times* requested editor Houstoun Waring to write a couple of years ago, and which was published in their Sunday magazine. This article, which was on the country newspaper, was widely quoted and was reprinted by the department for distribution in Europe.

The *Independent* was selected out of the list of more than eleven thousand weekly and daily newspapers of the country for this honor. Both Editor Waring and Publisher E. Bemis were unaware that the *Independent* was being considered. The story of the *Independent* will be in two reels and will be ready for distribution in mid-summer according to present plans of the department at Washington.

Editor Houstoun Waring was a Nieman Fellow in 1945.

Cleveland Press, Jan. 1, 1951

An Editorial Creed

As you know, the page you are reading is the place where this newspaper expresses its opinions.

Except for an occasional editorial on Page One, which then always is labeled "An Editorial," this is the only part of the paper where its own views are presented.

In a world as jittery as ours is these days, giving an opinion is a serious and delicate business. People feel strongly about their convictions.

The uncertainty of the times makes us all a little touchy about what we think, and also tends to make us all mad when somebody else disagrees, or when somebody comes up with a different idea from ours.

This may not be a very healthy situation, but it certainly is both human and understandable, and nothing to get too worried about.

Yet it does mean that anybody giving out opinions should be even more careful than ever.

It puts a heavy responsibility on a newspaper.

* * *

This paper feels that responsibility strongly.

It also believes it has the duty to be as critical of itself and its ideas as it is of anyone else or anyone else's ideas.

At this traditional time of resolutions and promises for the new year, the *Press* renews these pledges for its editorial page:

TO BE FAIR: In the heat of controversy, it's awfully easy to give only one side. The *Press* will continue to do its utmost to give all sides of an issue, even while expressing a preference for one side.

It will always remember that there is another side.

And it will always give its readers the full opportunity to offer any other point of view in the letter column every day.

TO BE COURAGEOUS: A weak stand never made an enemy; but it never accomplished anything, either.

There are many times when the unpopular opinion is the right one. There also are many times when the minority view is correct and the majority view is wrong.

The *Press* promises it will call the shots as it sees them. It hopes it will remain firm, regardless of pressures.

TO BE HUMBLE: A newspaper can be a powerful force, for good or for evil. Unfortunately, there always is the temptation to confuse great power with great righteousness.

This paper has made enough mistakes in the past, and probably—despite its best intentions—will make enough in the future, so that it has no excuse to pretend, even for a minute, it knows all the answers.

Every time we start feeling like big shots, we'll try to calm down and behave like ordinary human beings.

You can help us a lot with this one. When we act too big for our breeches, let us know Fast.

TO BE IDEALISTIC: All of us need to lift our sights.

There is such a heavy emphasis on material things in our civilization these days that we need to stop every once in a while and think of higher goals.

The *Press* will keep its eyes on man's dreams of a better world, and do what it can to make such dreams come true.

TO BE CLEAR: There's enough fuzzy thinking around without our adding to it.

We promise not to write anything we don't understand ourselves. We'll try to use all the resources available to us to get the information to make difficult situations easier to understand.

TO BE HELPFUL: We'll keep on trying to explain the complex problems and issues of our times.

If we have any bright ideas or any helpful answers, it will be a pleasure as well as a duty to pass them on.

TO BE INTERESTING: What's the good of editorials that nobody reads?

The *Press* will do all it can to make this page stimulating enough to make you want to read it.

Even if that means being a little different at times, or even occasionally a bit undignified, we think it's worth the effort. And we're certainly going to make that effort.

All of us at the *Press* want you to read this page and to like it.

Delta Land Use Issue

In a 48-page issue, the *Delta Democrat-Times* of Greenville, Miss. put out its second annual Land Use edition, March 9. Editor-publisher Hodding Carter says of it: "We are going through an unbelievable agricultural revolution down here. This edition in part reports what is being done and in part points the way toward where we are going."

Thirty-two pages of the 48 pages are devoted to the Land Use supplement, in four eight-page sections. One section is on the farm home. The others are on the improvement of the soil and its crop use. Articles are contributed by soils experts of the Land Grant College and experiment station, by agricultural extension specialists, county agents and farm economists. There are special articles on rice and cotton, on the need for more livestock on Delta farms, on pasture improvement and insect control. Some of the headlines indicate the content: Proper Land Use Pays Off; Work With Soil, Not Against It; Machines Invade Delta Pine Land; Delta Needs More Corn Now for Livestock; Rice Studies To Be Made on Buckshot Land; Sheep Outlook Turning Better; Poultry Becoming Big Industry; Oats and Wheat Adapted to Certain Delta Soils.

Co-editor Betty W. Carter contributes an article on the Spiritual, Mental and Physical Resources of the Delta.

Harvard Law Faculty Sets Up Seminars for Nieman Fellows On Privilege, Contempt, Libel

An informal series of seminars on law as it relates to the newspaper has been arranged for the Nieman Fellows of this year by the Harvard Law School faculty for this Spring. The seminars will consider three topics—Privilege, Contempt, and Libel. Each will be a two-hour session, to be held on alternate Wednesdays, March 28, April 11 and April 25.

The seminar plan was developed by a committee appointed by Dean Erwin N. Griswold of the Law School for cooperation with the Nieman Fellows. This committee, Archibald Cox, Arthur E. Sutherland and Mark De Wolfe Howe, will have the participation of several others of their law colleagues in leading the discussions with the newspapermen.

The *Nieman Fellows* edited a special edition of the *Harvard Crimson* March 16 which included the articles on this and the next page.

HARVARD STANDS FOR FREEDOM

by Edwin O. Guthman
The Seattle Times

(Mr. Guthman won a Pulitzer Prize in 1950 for his reporting of red-baiting activities at the University of Washington.)

Harvard has been red-baited more thoroughly than any university in the country.

There's that stereotype that Harvard regularly turns out a batch of parlor pinks and eager Red recruits. It seems to have replaced the older stereotype that Harvard breeds snobs. It is laughable, but not to the somber ones who compile Reducator lists, sit on un-American activities committees, or write columns in the Hearst press.

They've kicked Harvard's good name around plenty. When the state un-American activities committee investigated the University of Washington, my alma mater, several committee members vowed to fix the wagon of a Seattle attorney who was advising several of the suspected professors.

The attorney was a graduate of the Harvard Law School and that was enough for the committee. That put him in the Commie camp. Later, he was smeared deviously in the committee's final public report to the Legislature.

The Nieman Fellows agree they have found Harvard remarkably free from the intellectual pussy-footing of these days of suspicion. The ignorance and bigotry which seek to make education and everything else 200 per cent American, has made many teachers and college presidents gun shy, but not here.

That Harvard has maintained its deeply ingrained tradition of freedom is a tribute to the good sense of its administration.

Shortly after we arrived here, the Reducator ruckus broke open and a number of professors were maligned for actively supporting liberal candidates in the election campaign last fall.

It has been reassuring to meet many of these men. We have found them doing their utmost to teach the humility, devotion, and tolerance which democracy requires—traits their accusers never learned.

It's too bad, for example, that men who have smeared Prof. Zechariah Chafee, Jr., were not required to take his course on Fundamental Human Rights last term.

The fear of Communism in the universities has been blown far out of proportion and many people have been hurt. It has been based largely on the assumptions that Communists are not fit to teach the truth and should be fired; that there is great danger of students being slanted toward Communism or even recruited in the Party; and that teachers expressing liberal views are giving aid and comfort to the enemy.

We make these brief observations. The intellectual honesty of any teacher who remains loyal to the Communist Party in the year 1951 should be questioned seriously. Each case should be carefully and individually considered.

The number of Communist professors is really small. All out of proportion is the damage in morale, dignity, and effectiveness of the faculty of any school embroiled in an investigation.

The University of California's dilemma over the loyalty oath is a classic example. A number of important professors whose loyalty cannot be doubted have been dismissed and the university has been in a turmoil for over a year.

No teacher who attempts to indoctrinate his students with any propaganda is worth his salt, but the susceptibility of students has been exaggerated. The issues between the East and the West are much clearer than they were in the '30's. Few college students are gullible enough to fall for the Communist gobbledegook at this stage of the game.

The attack on professors for holding liberal views has been malicious and exasperating. We can expect it to continue, but the right of professors to hold unorthodox views or participate in activities of their choosing outside the university must be defended staunchly.

Harvard, it seems, has courageously and stubbornly maintained freedom of thought and speech.

From the Nieman Fellows Supplement to the Harvard Crimson, March 16, 1951

Modern Rip, Away 13 Years, Finds America Escaped Painful Changes

By DANA ADAMS SCHMIDT
New York Times

When I got back to this country last fall, after spending most of the past thirteen years abroad, people kept asking me what changes I saw in America. And I kept telling them that so far as I was concerned America hadn't changed, not in essentials.

There were lots of terrific new buildings and super-highways, and several million more automobiles than when I went away. But I felt that if no one were looking I could easily slip back into the life I was leading in 1938 and pick up the threads as though I had never left.

The lack of change in essentials seemed astonishing to me because in the meantime Europe had been transformed, and very painfully.

The Drug Store Stool

I found it thrilling to savor the commonplace of American life again: to sit on a drug store stool, with a slight aroma of pharmaceuticals in my nostrils, and suck through a straw at a chocolate malted milk with an extra scoop of ice cream. Just watch that fellow dig the stuff, creamy and smooth, out of the bucket. Beyond any doubt ice cream is America's national food. When Americans came back from prisoner-of-war camps at the end of the last war there was one thing they all asked for: ice cream.

Or to struggle through a department store and marvel at the producing and consuming power of the American public . . . watch two hundred American housewives assault a table piled high with chemises, and leave it bare and deserted fifteen minutes later. (The house detective thought I was a shoplifter.)

Or to go to dinner and feel I really should volunteer to help wash the dishes—because nobody has servants—and then watch my hostess pop the dishes into a washer which made Niagara Falls noises and turned them out clean and dry a few minutes later.

Or to stand on a street corner and watch Americans on the move: hunched behind the wheel, zooming off the mark, not a split second lost. Walking fast, self-assured, purposeful, well-fed, healthy. WOW, what a people!

I went traveling, and loved the friendly gas station men, and the clean, convenient motels (they were a new idea in 1938), and the handy lunch counters. I even enjoyed listening to the radio commercials and watching the Burma-Shave advertisements go by—at first.

States was climbing out of the Great Depression. Roosevelt's New Deal was in full swing. Liberal, progressive forces were in the saddle.

In 1951 I find the United States riding the tail end of the post-war boom and the beginning of the rearmament boom. Harry Truman is in his sixth year as President, and his Fair Deal has run down, run into the sand and disappeared. Liberal and progressive forces are in retreat. I found Americans who wondered whether it would be healthy for them to write what they really thought, whether associating with certain acquaintances might not get them into trouble. This was shocking. Undoubtedly just a temporary faltering of the American spirit. But nonetheless shocking.

I talked to a lot of people, and gradually I realized that there had been some changes in America, changes of spirit.

When I departed in 1938 the United

Nieman Wife Reveals Secrets--- Decries Insidious Harvard Effects

We are the Nieman wives.

We come from the northwest, from the south, the east, and from the middle. We are all different. But in one thing we are alike: we have lost our husbands at Harvard.

We came prepared to like it here. We have learned to love it. We came prepared to find the people cold and reserved. They have been warm and friendly.

We came prepared to be busy. In that we have succeeded. We take courses. Our husband gets a yen for Faulkner; we read Faulkner. He starts Becoming a Writer. We type his manuscript. He takes up handball. We bandage his skinned knees.

We came prepared to envy our husband. We have learned to do that well. But we should have come prepared to wait. That is what we do most. Tuesdays we wait dinner till he comes home from a seminar overly full of beer and cheese. Fridays we wait past midnight for the Nieman dinner and the Hour-At-Cronin's to end. That is when we realize for certain we have lost our husband. He is no longer the uncomplicated newsman we married. He has become Lost In Thought.

A year ago he was chasing fire engines. Now he is running down abstruse facts. All of a sudden he is burning to be An Authority. In one short year he must learn all that he should have found out in the 33 that went before.

It promised to be such a normal year. No more irregular hours. No more late meals. No more sitting alone evenings. Our husband would go to school in the daytime. At night he would come home. It was as simple as that.

We were as simple as that. We reckoned without that sudden Thirst for Knowledge. Classes take care of it first. They last all morning. Lunch he eats at school. Afternoons he spends in the library. Finally, hunger drives him home at dinnertime. He is ours, then, for one short half hour. But we are so busy feeding him we forget the score of things we have been saving up all day to tell.

We remember them one by one as the evening goes by. But he is studying again. We close our lips. It is time for Groucho. But the radio and the wife are silent. He is deep in Currents of American Thought. We bear the stillness.

Finally he opens his mouth. We lean forward in anticipation.

"I think I'll go to bed," he says.

No doubt about it. We have lost our husband to our alma mater-in-law.

—ALICE THUERMER

Nieman Notes

1939

Irving Dilliard, editor of the St. Louis *Post-Dispatch*, spoke at a Nieman lunch-con-seminar March 10 on editorial pages. He told the story of the case of Ellen Knauff, which the *Post-Dispatch* editorial page initiated and fought through. On the same trip, Dilliard addressed the American Press Institute at Columbia.

The Claremont (N. H.) *Daily Eagle*, published by John McL. Clark until his death last Fall and now published by his widow, Rhoda Clark, passed the 10,000 circulation mark March 1. The *Eagle's* managing editor, Melvin Wax, is a Nieman Fellow of 1950.

1940

The Meridian (Ida.) *Times*, published by Oscar Buttedahl was judged the best weekly newspaper in Idaho in its circulation class for the third consecutive year in the annual contest sponsored by the Idaho State Editorial Association. The *Times* also won first place for "best editorial" and second for "best use of illustrative material." In these latter two contests it competed with all weeklies in the State regardless of size. Oscar Buttedahl was elected vice president of the State Association.

Hodding Carter, editor and publisher of the *Delta Democrat-Times* in Greenville, Mississippi, gives some account of what an editor may do with his spare time:

"We are in somewhat of a lather. William Faulkner just left after being over two days autographing the second of our limited editions ventures, an original Faulkner Novella, 'Notes on a Horse Thief,' signed and numbered, 950 copies. It's a very beautiful little book and I think we'll be whizzing from now on. We plan to bring out 4 or 5 a year.

"I am getting ready to acquire half interest in a struggling new daily in Baton Rouge. The old paper is very strong there but they need some hell-raising on account of the political situation and we will probably provide it. I will, of course, keep the paper here. Nothing else new except that I have another book coming out next

month, one of the folkway of America series entitled *Gulf Coast Country* and another one—an historical novel—about the Louisiana lottery in the fall. Also some articles in the *Post* and *Reader's Digest* coming out sometime next month, I think. We are keeping pretty busy.

"You may be interested to know that the paper is going into the chicken business on a large scale, starting with 30,000 broilers and hoping to build up to a 90,000 capacity every ten weeks, in order to encourage diversification here. Out in the country where we are building we already have 70 laying hens, three pigs, two beef cattle on the way, four sheep, 5,000 fish in a lake that we dug on the place and all kinds of fruit trees and vegetables.

The Carters never thought they'd go bucolic. And across from us on another 60 acres we are putting in additional beef cattle. It's really a lot of fun and we're going to eat high off the hog come what may. Better plan your next winter's meals down this way."

1941

Harry T. Montgomery, general business editor of the Associated Press since 1947, was appointed traffic executive in February. He has been with AP since 1937, began his newspaper career in Detroit, first with the *Times*, later the *News*. He is 41.

1942

Neil Davis, publisher of the Lee County (Ala.) *Bulletin*, has been appointed a member of the Alabama State Board of Pardons and Paroles.

1943

James P. Etheridge, Jr., has resigned as associate editor of the Orlando (Fla.) *Sentinel* to become associated with his brother, Cooper Etheridge, in publishing the *Houston Home Journal* and *Unadilla Observer*, both in Georgia. Both the Etheridge brothers have had extensive newspaper experience, Cooper in Georgia and James in Florida, before joining forces as publishers in their home town of Perry, Ga.

1944

Frederick W. Maguire, associate professor of journalism at Ohio State University, is co-author with Richard M. Spong of *Journalism and the Student Publication*, brought out by Harper's in February, a 425-page book on the making of college newspapers.

Charles S. Jennings, still in England for the Central Intelligence Agency, has moved to a village 50 miles west of London. "We have a large house on the side of a hill overlooking the village and the Thames and altogether it is quite pleasant. I will warmly welcome any Nieman Fellows visiting England." His address: Fairfield House, Goring-on-Thames, Oxon, Eng.

1945

Robert Bordner of the Cleveland *Press* received the Cleveland Newspaper Guild's second prize award for outstanding public service for a series on freeway rights of way. There were 450 newspaper entries. Last year Bordner won first place.

A. B. (Bud) Guthrie has been writing movie scripts in Hollywood. *Holiday* for March carried an article of his on Kentucky.

1946

Mr. and Mrs. Edward W. Rosenheim of Chicago have announced the engagement of their daughter, Elizabeth Jane, to Arthur W. Hepner of New York. The marriage will take place in May in Chicago. Miss Rosenheim is associated with an urban redevelopment organization in New York.

Assignment Near East by James Batal sold out its first edition of 18,000 and by March 1 had sold 7,000 copies of a second edition. Batal is executive secretary of the Syrian and Lebanese American Federation of the Eastern States.

1948

Carl Larsen returned to the Chicago *Sun-Times* this month after an 18-months leave to serve as information officer of the ECA in Stockholm. He led a seminar discussion on American information services for the Nieman Fellows on his way home, March 6.

1949

The Loyalty of Free Men by Alan Barth, published by Viking Press, made the New York Times best seller list, standing 11th on March 4 and 14th on March 11, in non-fiction. Barth is an editorial writer on the Washington Post.

Tillman Durdin, Indo-China correspondent of the New York Times writes in *Times Talk* that "One idea that ought to be exploded is that the Indo-China unpleasantness is a war in the steaming tropics. For most of the area, most of the year, yes. But there are few parts of the globe that can be more unpleasantly frigid in midwinter than Tonking in the north.

"A sleazy mist, almost rain, covers the region for weeks on end and despite the

fact that the latitude is the same as Cuba's, it is biting cold, especially to someone like myself who recently shipped back to the States greatcoats and fur mittens collected rather unhopefully two years ago for a Peiping assignment. The climate is ignored by the Hanoi Hotel, and correspondents have to pound typewriters with stiff fingers in unheated rooms."

Durdin contributes two items on war censorship:

"French censors in Indo-China are charming and accomplished if, occasionally, a little rough on copy. English sometimes is not their strong point. Correspondents at Hanoi last fall had their troubles with a careful young lieutenant who knew German, Italian, Spanish and Arabic, but not much English. At a period

when French policy was being cautious about threats from across the Chinese Communist border, the Associated Press man one day was not allowed to send a reference he had made to the hills of North Tongking resembling peaks in a Chinese landscape painting.

"My own saddest Indo-China censorship story concerns a feature piece I once wrote about a Vietnamese political figure. Somehow or other he got back clippings. Carefully censoring any portion that was the slightest bit unfavorable to him, he had the piece reproduced in various Vietnamese publications under my name as a Timesman and with the stamp of his publicity department. An approving blurb from the New York Times bears weight even in far Vietnam."

Nieman Fellowship Applications

May 1 Deadline. Selecting Committee Appointed

May 1 is the final date for applications for Nieman Fellowships for the college year opening in September. About 12 fellowships will be awarded in June. A fellowship provides one academic year of residence at Harvard University where the Fellow may follow any studies he chooses to strengthen his background for newspaper work. At least three years of newspaper experience is required for an application. The applicant must have the support of his employing paper and a grant of a leave of absence from it for the period of study—September to June. Stipends from the Nieman Foundation are individually adjusted to meet ordinary salaries relinquished during the period of college study. No degrees are given. No formal scholastic requirements are made for applicants.

Selection of Fellows from the applicants is made by a committee appointed annually. Three of its members are newspapermen and three are members of the University staff. The selecting committee for 1951 is as follows:

Benjamin M. McKelway, editor of the *Washington Star*, Forrest W. Seymour, editor of the *Des Moines Tribune*, and Harry S. Ashmore, executive editor of the *Arkansas Gazette*, have accepted appointments to the Nieman Se-

lecting Committee. They will serve with three Harvard members, Louis M. Lyons, Curator of the Fellowships (chairman), David W. Bailey, Secretary to the Harvard Corporation, and William M. Pinkerton, Director of the University News Office. Ashmore, Lyons and Pinkerton are former Nieman Fellows.

Immediately after the May 1 deadline, each of the committee will independently examine the applications. The whole committee will then interview the applicants who have impressed them most, and select twelve Fellows for a year of study at Harvard, on leaves of absence from their newspapers.

This will be the 14th annual group of Nieman Fellows since the Lucius W. Nieman Fellowships were established in 1938 by a grant of Agnes Wahl Nieman, widow of the founder of the *Milwaukee Journal*.

The 13th group of Fellows now at Harvard will complete their fellowships in June. Nieman Fellowships have been held by 155 newspapermen from 39 states, who have had a year of study at Harvard to strengthen their background for journalism.