

Washington, D.C. 20530

July 2, 1982

MEMORANDUM

TO : The Attorney General

FROM : Tex Lezar

I know that you will find the attached speech interesting. It is a strong critique of the press by Michael O'Neill, the Editor of the New York Daily News until six weeks ago.

cc: ✓ Ken Starr
Tom DeCair
John Roberts

THE POWER OF THE PRESS

A Problem for the Republic -- a Challenge for Editors

Michael J. O'Neill

American Society of Newspaper Editors

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Standing on the gallows for the last five months, waiting for the trap door to fall, has been a stimulating experience. As Samuel Johnson once remarked, the prospect of being hanged does powerfully concentrate the mind. In my case, I couldn't help thinking about the mortality of newspapers--the Daily News, of course--but also other troubled newspapers and, indeed, newspapers in general because they are probably all quite mortal.

There are in most of us those intimations of immortality that Wordsworth wrote about. We never think of ourselves as ending, just as little children cannot conceive of their parents dying. And so it is with institutions, from large corporations to great cities. We assume they will last forever.

Except if you walk through the ruins of Ephesus in Asia Minor, and realize that a population of 250,000 simply vanished into history, you are reminded of the fragile nature of man and his works. And you get the same feeling, in a more intimate way, when newspapers suddenly disappear. Particularly the ones you have known and loved.

Under these circumstances, it is natural to reflect on our business--to consider what forces are working for its improvement or disparagement, how we are faring generally in the social and economic turmoil now buffeting us all. An editor is inspired to reflect

especially on the state of his profession and, in my case, to worry about how well we are fulfilling our obligations to the society we serve. For while there has been an astonishing growth in the power of the media over the last decade or so, I am by no means sure we are using it wisely. The tendency has been to revel in the power and wield it freely rather than to accept any corresponding increase in responsibility.

In fact, the very processes we use to inform the public have been badly distorted by television and, to a lesser degree, by a whole range of other phenomena from investigative excesses to our enthrallment with adversary journalism. So not only have we failed to match new responsibility to new power, we have also yielded to trends that are hurting the cause of a well informed citizenry.

The extraordinary powers of the media, most convincingly displayed by network television and the national press, have been mobilized to influence major public issues and national elections, to help diffuse the authority of Congress and to disassemble the political parties--even to make presidents or to break them. Indeed, the media now weigh so heavily on the scales of power that some political scientists claim we are upsetting the historic checks and balances invented by our forefathers.

Samuel P. Huntington of Harvard has observed that "during the 60s and 70s, the media were the institution whose power expanded most significantly and that posed the most serious challenges to governmental authority." Max M. Kampelman has similarly warned that "the relatively unrestrained power of the media may well represent an even greater challenge to democracy than the much publicized abuses of

power by the executive and the Congress." And Sen. Daniel P. Moynihan, who concedes the press already has the upper hand in Washington, says that if the balance should tip too far in its direction "our capacity for effective democratic government will be seriously and dangerously weakened."

This is flattering, of course, because all newspapermen dream of being movers and shakers and the thought that we may actually be threatening the national government is inspirational. In several respects, it is also true. The Communications Revolution, which is profoundly reshaping all of Western society, has also altered the basic terms of reference between the press and American democracy.

No longer are we just the messengers, observers on the sidelines, witch's mirrors faithfully telling society how it looks. Now we are deeply imbedded in the democratic process itself, as principal actors rather than bit players or mere audience.

No longer do we merely cover the news. Thanks mainly to television, we are often partners now in the creation of news--unwilling and unwitting partners, perhaps, but partners nonetheless in producing what Daniel Boorstin has deplored as pseudo events, pseudo protests, pseudo crises and controversies.

No longer do we look on government only with the healthy skepticism required by professional tradition. Now we have a hard, intensely adversarial attitude. We treat the government as the enemy --and government officials as convenient targets for attack and destroy missions.

No longer do we submit automatically to the rigors of old-fashioned impartiality. Now, not always but too often, we surrender

to the impulse of advocacy, in the name of reform but forgetful of balance, fairness and--if it isn't too unfashionable to say so --what is good for the country.

These trends, however, are more symptom than cause. Much deeper processes are at work. The mass media, especially television, are not only changing the way government is covered but the way it functions. The crucial relationship between the people and their elected representatives--the very core of our political system--has been altered fundamentally.

In ways that Jefferson and Hamilton never intended nor could even imagine, Americans now have the whole world delivered to them every day, in pulsating, living color--all of life swept inside their personal horizon. Distant events--Selma, Alabama...the riot-torn Democratic convention in Chicago...the hostages in Iran--are instant experiences, neither insulated by a reporter's translation nor muted by what Theodore H. White has called the consoling "filter of time".

The flashing images mobilize popular emotions on a truly massive scale and with stunning speed, quickly generating and shaping public opinion. The televised battle scenes from Vietnam, as we know, aroused a whole nation against the war, helped reverse our national policy, and ultimately destroyed the presidency of Lyndon Johnson.

"The introduction of modern mass communications," said the sociologist Daniel Bell, "allows us, in many cases forces us, to respond directly and immediately to social issues." Television has thus played a decisive role in the so-called revolution of rising expectations. It has strongly stimulated the consumption culture. It has dramatized the gap between haves and have nots, helping to create a

runaway demand for more and more government services and for equality of result as well as of opportunity.

Time and time again, presidents discover that the public has already made up its mind about issues before they have even had time to consider them. Their hand is forced. The deliberative process that representative government was designed to assure is frustrated.

Television has also indelibly changed the democratic process by establishing a direct communication link between political leaders and their constituents. Now, as never before, these politicians are able to by-pass the print media and the troublesome business of depending on reporters to represent them to the public.

More significant, but for the same reason, they are also able to by-pass their parties so that the whole system of party government, built up over nearly two centuries, is now breaking down. This, in turn, is contributing to the crisis of government that Lloyd Cutler and others find so threatening to the American system.

In presidential elections, that most central of democratic functions, media appeal has replaced party screening in the primary selection process. National conventions are no longer relevant. Most of the subtle bonds of political power, whether the ritual dispensing of favors or dependance on party for advancement, have been snapped. From the district clubhouse to Washington, especially Washington, political discipline has almost disappeared.

The president no longer has much leverage over the members of Congress, even those in his own party. Congress itself is in a disheveled state with power so diluted that neither floor leaders nor

committee chairmen are able to act with the authority, for example, of a Sam Rayburn.

As a consequence, power has been badly fractured. Our capacity for achieving consensus on national issues has been damaged. George F. Kennan cites fragmented authority as one of the chief causes of the disarray in U.S. foreign policy, and he mainly blames Washington's over-reaction to popular emotions whipped up by the media.

Where power is frayed, as Douglass Cater has pointed out, "public opinion is called on more regularly than elsewhere to act as arbiter among competing policies and politicians." So we have the paradox of the mass media tearing down power on the one hand, and then gaining power themselves at the expense of the institutions they have diminished.

One of the victims of this process is the presidency itself. Although many complex forces have conspired to undermine its authority, television and the national press have played a major role. For one thing, they have focused tremendous attention on the president, as the personal symbol of the nation and its ideals, as the principal instrument of action and the first resort of complaint or redress. They also rely on him for the drama, the glamor and excitement, that television forever craves and must have to survive. Indeed, he happily conspires in the creation of media events and makes all sorts of other concessions in order to present his deeds in a way that TV finds congenial.

A skilled communicator like Ronald Reagan is a master of television. He exploits it with great effect to project himself and his

policies directly to millions of people, going over the heads of Congress and, incidentally, making an end run around newspapers.

But television can also be cruel. It raises public expectations far beyond the president's reach and then, when he cannot satisfy them, it magnifies the perception of failure. By massive over-exposure, the media also strip away the protective mystery of the Oval Office, inviting the same kind of premature disenchantment that destroys so many TV stars.

A more serious concern is how the media merry-go-round is distorting the news, the information base, if you will, that people need to make sound decisions in a democracy. The capacity to mobilize public opinion is now so great that issues and events are often shaped as much to serve the media's demands as to promote the general welfare.

The result is a blurring of the line between the medium and the message, between substance and shadow, like the shadow on Plato's cave. "In the beginning," as Huntington has commented, "television covered the news; soon, news was produced for television." Boorstin has made the same point, but less politely.

Unfortunately, television is an impressionistic medium that marshals images and emotions rather than words and reasons. Its lenses are distorting. They focus on the dramatic and the visible, on action and conflict. News decisions are influenced by what film is available, what events "project" well, what can be explained easily in quickie bursts of audio headlines.

Newsmakers modify their behavior to fit, creating controversy on demand, turning away from debate and petition in favor of protest and demonstration. As the former Tammany Hall chief, Edward N. Costikyan,

put it in a manual for political candidates: "Television reporting is not news; it is spectacle. To capture coverage, you must create a spectacle..." Some issues, artificial or real, are churned up to the point that they command national attention and affect national policy. Other issues which may be far more valid and important--lagging investment in basic research, for example--are ignored because they cannot be seen by television's beady red eye.

The raw materials of public deliberation thus become a confusing mixture of the real and unreal, important and irrelevant -- a jumble of impressions that confound even the historians. Arthur M. Schlesinger, Jr., said that after being involved in the making of history during his White House days, he could never again rely on the testimony of the press.

So we all spin around in a vicious circle. Television first changes the nature of mass communication, including communication between the people and their government. In response, political leaders, single issue groups, ~~and all other players on the public stage~~ change their media behavior. Then the media, including the national press, react and interact. Masses of people become involved, contributing to the surge of participatory democracy that students of government have decried. Public agendas and priorities are distorted. The thrust of the news, the pace, and even the content of the news, become captive to the process.

Adding to the general turmoil are two other phenomena: the press' harshly adversarial posture toward government and its infatuation with investigative reporting. These attitudes, which have always lurked in the psyche of American journalists, were enormously intensified by

Vietnam, Watergate and the general attack on authority in the 1960s and 1970s. Both news coverage and the conduct of government have been duly affected--but not improved.

It may be foolhardy to say anything uncharitable about investigative reporting; it is in such vogue now. We have all basked in the glory of exposes and gloated while public officials have turned slowly on the spit of newspaper disclosures. I remember the triumph we felt at the Daily News when we reported that a congressman had lied about pleading the fifth amendment and then saw him destroyed as a candidate for mayor.

On balance, investigative reporting has probably has done more good than harm, although a wise member of the New York Times editorial board, Roger Starr, would dispute the point. He once suggested wistfully that journalism schools should ban Lincoln Steffens' famous book, "The Shame of the Cities". He said that muckraking did so much damage to the cities that he hated to think what havoc modern investigative reporters might commit.

Muckraking has been over-emphasized, tending to crowd out other more significant kinds of reporting. If we had not been so busy chasing corrupt officials, for instance, we might not be guilty of having missed some of the biggest stories of the last half century:

- * The great migration of blacks from the South to the industrial cities of the North, something we didn't discover until there were riots in the streets of Detroit.

- * The first mincing steps toward war in Vietnam, which we did not begin reporting seriously until our troops were involved.

* The women's liberation movement and the massive migration of women into the job market, a social revolution that we originally dismissed as an outbreak of bra burnings.

In some cases, investigative reporting has also run off the ethical tracks. Individuals and institutions have been needlessly hurt when the lure of sensational headlines has prevailed over fairness, balance, and a valid public purpose. Those uninspiring scenes of reporters and cameramen trampling over Richard Allen's front lawn to hound his wife and children raise questions.

Is our duty to inform so stern that we must exile ourselves from our own humanity? Are we like policemen who have become inured to violence? Have we become so cynical, so hardened by our experiences with sham, that we can no longer feel what an official feels, what his wife and children feel, when he is being ripped and torn on TV and in the press? Have we become so arrogant with our power, so competitive, that we cannot decide that the public crime is often not worth the private punishment? That the First Amendment is often abused rather than served by those who would defend it.

"...Is it not true," Kampelman asked, "that no man is free if he can be terrorized by his neighbor? And, is it not possible for words as well as swords to terrorize?"

Similar questions need to be asked about our intensely adversarial coverage of government because this, too, is falsely coloring the information flowing to the public.

We are probably the most adversarial people in the world--"the most anti-American", to quote the British poet Stephen Spender--and we are getting worse all the time. The reasons lie deep in the past--in

the Enlightenment's victory over authority, in the romantic concept so eloquently expressed by Milton that truth will triumph in any struggle between reason and falsehood, in the industrial age's emphasis on competition to sort out good products from bad, in the checks and balances built into our own federal system, and in the egalitarian movement that has recently reached such a crescendo in the United States.

In our profession, there are more immediate causes. There are the natural tensions between a president who paints a rosy view of all he does and the messengers who deliver bad news. There is the understandable resentment of officials who feel the media always emphasize the exceptional and negative over the positive, conflict and failure over success. And on the other side, there are the endless official lies and deceptions and masquerades that gnaw at the moral intent of reporters.

Within the American context, these tendencies are normal. But -- they have become much more destructive in the last few years. With Vietnam and Watergate, with new waves of young, committed reporters moving into the profession, with older editors feeling guilty about having been "too soft" in the past, the media's relations with government have taken a sharp turn for the worse. The government has become the enemy.

A regretful Vermont Royster has said that the great difference between the Washington press corps of his day and the one now is that then "we did not think of ourselves and the government as enemies."

"We were cynical about much in government, yes," he said. "We were skeptical about many government programs, yes. We thought of

ourselves the watchdogs of government, yes. We delighted in exposes of bungling and corruption, yes. But enemies of government, no."

By the time Jimmy Carter was elected, the critic Anthony Smith has observed, the American press had come "to think of itself as an opposition, almost in the European sense, as a counter-power, part of whose *raison d'etre* consisted in the constant search for ways to dethrone the incumbent in office."

Smith may have overstated his point, but the adversarial pendulum has in fact swung too far and this is not good for the press, the government, or society. Contrary to 18th Century myth and our own litigious tradition, the adversarial method does not necessarily produce truth. As often as not, it misses the truth and distorts reality. And knee-jerk opposition to government by a free press is only a mirror image of the undeviating governmental support that we criticize in the totalitarian media.

In its more extreme forms, the adversarial attitude creates barriers to the clear observation and analysis necessary for objectivity. It encourages emotional involvement with individual personalities and issues. It invites arrogance. It tempts reporters to harrass officials. Ultimately, it undermines credibility because people intuitively sense when the press is being unfair. They are quick to detect a belligerent tone in a story and then discount it in their own mental ledger. And they become deeply skeptical, in Ben J. Wattenberg's view, when all they get from the press is an endless rat-a-tat-tat of failure.

"Is it so absurd to suggest," he asks, "that if all one reads and all one sees is cast under the rubric of crisis and chaos that

Americans will either a) believe the press and think America is on the wrong track or b) believe their own senses and think the press and the crisis-mongers they headline are elite, arrogant and so far out of touch as to be non-credible and, even worse, irrelevant?"

If the credibility of news coverage has been hurt, the functioning of government has been damaged even more. Not only are public issues and priorities strongly influenced by the media, every policy initiative, every action, has to run a gauntlet of criticism that is often generated--and always amplified--by the press. In the searing glare of daily coverage, an official's every personal flaw, every act, every mistake, every slip of the tongue, every display of temper, is recorded, magnified, and ground into the public consciousness.

The protests of special interest groups, the charges of publicity-hungry congressmen, are rock-and-rolled through the halls of power. Controversy and conflict are sought out wherever they can be found, sapping energies and usually diverting attention from more urgent public business.

In this whirling centrifuge of criticism and controversy, authority is dissipated. Officials are undermined and demoralized. The capacity to govern, already drastically reduced by the fragmentation of power, is weakened still further.

The media have, in short, made a considerable contribution to the disarray in government and therefore have an obligation to help set matters straight. Or at least to improve them. The corollary of increased power is increased responsibility. The press cannot stand apart, as if it were not an interested party, not to say participant, in the democratic process.

We should begin with an editorial philosophy that is more positive, more tolerant of the frailties of human institutions and their leaders, more sensitive to the rights and feelings of individuals--public officials as well as private citizens.

We should be less arrogant, recognizing our own impressive shortcomings and accepting Walter Lippmann's lament that we can never claim to be the merchants of truth when we so rarely know what the truth is.

We should make peace with the government; we should not be its enemy. No code of chivalry requires us to challenge every official action, out of Pavlovian distrust of authority or on the false premise that attack is the best way to flush out truth. Our assignment is to report and explain issues, not decide them. We are supposed to be the observers, not the participants--the neutral party, not the permanent political opposition.

We should cure ourselves of our adversarial mindset. The adversarial culture is a disease attacking the nation's vital organs. The lawyers will never escape it, but we must. We should retain a healthy skepticism, yes. Provide socially responsible criticism, yes. But relentless hostility? No.

Reporters and editors are much more attracted to failure than to success. An expression of sympathy, perhaps, because failure is always an orphan while success has many fathers. Yet, if we are truly to provide a balanced view of the world, we must tame our negative nature; we need to celebrate success and progress, not just wallow in mankind's woes.

For if we are always downbeat--if we exaggerate and dramatize only the negatives in our society--we attack the optimism that has always been a wellspring of American progress. We undermine public confidence and, without intending it, become a cause rather than just a reporter of national decline.

We should also develop a more sensitive value system to be sure we do not needlessly hurt public figures while exaggerating the public's right to know. Rights do not have to be exercised, just because they exist or because there is a story to be told. The claim of editorial duty should not be a coverup for titillation. Legitimate public need should be weighed against personal harm because, among other things, the fear of media harassment is already seriously affecting recruitment for public service.

Editors also need to be ruthless in ferreting out the subtle biases--cultural, visceral, and ideological--that still slip into copy, into political stories, mostly, but also into the coverage of emotional issues like nuclear power and abortion. Lingering traces of advocacy are less obvious than Janet Cooke's fiction but, for that reason, are more worrisome. Editors--myself included--have simply not exercised enough control over subeditors and reporters reared in the age of the new journalism.

The problem of television is formidable. Its baleful effect on both government and journalism is beyond repeal. The expanding network news shows and the proliferation of cable promise even more change, confusion, and competition for the attention of busy Americans. And there are no solutions that I can think of, only the possibility of limited damage control.

The key to this is to emphasize the basics, the things newspapers have always been able to do better than television, services that will become even more important as the electronic networks continue swarming over the mass market and, in the process, define a more specialized role for newspapers.

We should be more resistant than ever to media hype -- the pseudo event, the phoney charges, the staged protest, the packaged candidate, the prime-time announcement and televised interview. Indeed, we should expose these as vigorously as we expose official corruption. For it is our job to cut through the superficial to identify the substantive -- to explain and clarify the news, as most newspapers already do, in a reasoned way that television cannot. Although we should be interesting, we should not try to be an entertainment like television because this would be both futile and out of keeping with our special purpose.

Another issue is accountability. A brooding Ray Price, formerly of the New York Herald Tribune and the White House, complained that the press had acquired power "out of all proportion" to its ability or inclination to use it responsibly. Walter Wriston, a banker speaking for many in public life, warned that the media should remember that "the effective functioning of a democracy requires the most difficult of all disciplines, self-discipline."

"The freedom of us all," he said, "rides with the freedom of the press. Nevertheless, its continued freedom and ours will ultimately depend upon the media not exploiting to the fullest their unlimited power."

All sorts of remedies have been proposed, from ombudsmen to news councils, even anti-trust legislation. Many critics think it would be

wonderful if we were just professionals so there could be the kind of self-policing that doctors and lawyers have--an uninspiring idea, though, when you consider how few doctors or lawyers are ever disciplined.

The fact is that no grievance committees or councils or laws will really work if the general attitude of the profession is not supportive. If the attitude is right, however, all the clanking machinery is probably unnecessary. Our best defense against opponents, our best bet for strengthening reader credibility, is an openness of mind that encourages both self-examination and outside criticism.

With this psychic base, we can expect editors -- miracle of miracles -- to respond more constructively to complaints, reporters to be more accepting of direction and correction. We can expect a more aggressive pursuit of fairness and a willingness to provide a more effective right of reply than letters to the editor or an occasional op-ed piece.

In the final analysis, what we need most of all in our profession is a generous spirit, infused with human warmth, as ready to see good as to suspect wrong, to find hope as well as cynicism, to have a clear but uncrabbed view of the world. We need to seek conciliation, not just conflict--consensus, not just disagreement--so that society has a chance to solve its problems. So that we as a nation can find again the common trust and unity--so that we can rekindle the faith in ourselves and in our democracy--that we so urgently need to overcome the great challenges we face in the 1980s.

MJO. 4/4/82.

N.Y. Daily News Editor O'Neill Resigns

NEW YORK, May 22 (UPI)—Michael O'Neill resigned today as editor of the New York Daily News, the nation's largest general-interest newspaper, and was replaced by executive editor James Wieghart.

The changes were announced by News publisher Robert Hunt, who said O'Neill was leaving to "renew an old, late affair with writing." Hunt said O'Neill, 59, told him 18 months ago he wanted to lay aside his editorial duties and return to writing.

Hunt said Wieghart was brought to New York from the News' Washington bureau last year with the expectation that he would become succeed O'Neill, editor since 1975 of the News, which has a circulation of 1.6 million daily and 2 million on Sunday.

"In life there is a time to come and a time to go,"

said O'Neill, past president of the American Society of Newspaper Editors.

O'Neill's retirement followed an announcement that 40 managerial employees were being dismissed as part of a move to cut costs.

Next week, the paper will meet with its 11 unions to seek elimination of 1,340 union jobs over the next two years. Tribune Co. of Chicago, owner of the News, said the cutbacks were necessary to return the morning tabloid to profitability.

The Tribune Co. put the News up for sale last December but subsequently decided to continue operating the paper. It has pledged to invest more money in the tabloid and is seeking concessions from the unions.