

1999

The Future of Callings: An Interdisciplinary Summit on the Public Obligations of Professionals into the Next Millennium: Remarks of John Seigenthaler

John Seigenthaler

Follow this and additional works at: <http://open.mitchellhamline.edu/wmlr>

Recommended Citation

Seigenthaler, John (1999) "The Future of Callings: An Interdisciplinary Summit on the Public Obligations of Professionals into the Next Millennium: Remarks of John Seigenthaler," *William Mitchell Law Review*: Vol. 25: Iss. 1, Article 21.

Available at: <http://open.mitchellhamline.edu/wmlr/vol25/iss1/21>

This Article is brought to you for free and open access by the Law Reviews and Journals at Mitchell Hamline Open Access. It has been accepted for inclusion in William Mitchell Law Review by an authorized administrator of Mitchell Hamline Open Access. For more information, please contact sean.felhofer@mitchellhamline.edu.

© Mitchell Hamline School of Law

**THE FUTURE OF CALLINGS—AN INTERDISCIPLINARY
SUMMIT ON THE PUBLIC OBLIGATIONS OF
PROFESSIONALS INTO THE NEXT MILLENNIUM†**

Remarks of John Seigenthaler^{††}

Introduction of John Seigenthaler by Lucy Dalglish^{†††}

John Seigenthaler founded the First Amendment Center at Vanderbilt University in 1991 with the mission of creating a national discussion, dialogue, and debate about First Amendment values. A former president of the American Society of Newspaper Editors, John Seigenthaler served for forty-three years as an award-winning journalist for *The Tennessean*, Nashville's morning newspaper. He began his career as a reporter and at his retirement was editor, publisher, and chief executive officer of the newspaper. He retains the title Chairman Emeritus of *The Tennessean*.

In September 1982, John became the founding editorial director of *USA Today* and served in that position for a decade, retiring from *The Tennessean* and *USA Today* in 1991. But his idea of retirement is not like yours or mine. When they allegedly retired together, Gannett Corporation chairman Al Neuharth, *USA Today* editor John Quinn, and John Seigenthaler formed the Freedom

† This essay is based on a speech John Seigenthaler gave at the Future of Callings—An Interdisciplinary Summit on the Public Obligations of Professionals into the Next Millennium.

†† John Seigenthaler is chair and founder of The Freedom Forum First Amendment Center at Vanderbilt University and Chair Emeritus of *The Tennessean* newspaper in Nashville. He was founding editorial director of *USA Today* and appears weekly as a First Amendment Analyst on *Freedom Speaks*, a public affairs television program. He served as Administrative Assistant to U.S. Attorney General Robert F. Kennedy, with assignments in the areas of civil rights and judicial selection. During the 1961 Freedom Rides, he was President Kennedy's chief negotiator with the Alabama Governor George Wallace.

††† Lucy Dalglish is a former correspondent with the St. Paul Pioneer Press and is currently an attorney with Dorsey & Whitney, LLP.

Forum,¹ a foundation that celebrates free press, free speech, and free spirit. Among the projects sponsored by the Freedom Forum have been several studies on how the media covers religion, business, the military, and other types of professions.

John left journalism briefly in the early 1960's to serve the U.S. Justice Department as Administrative Assistant to Attorney General Robert Kennedy. His work in the field of civil rights led to his service as chief negotiator with the governor of Alabama during the freedom rides. If you have seen the PBS special, "Eyes on the Prize," you might recall that during that crisis, while attempting to aid the freedom riders, he was attacked by a mob of Klansman, cracked over the head, and hospitalized.

John Seigenthaler has an amazing mind and a keen wit, which he demonstrates each week on two shows: "*Freedom Speaks*," a national television program appearing on 112 public television stations, and "*A Word on Words*," where he has reviewed books and interviewed authors through the Southern Public Television Network for more than 20 years.

John Seigenthaler serves on the National Board of the Freedom Forum, the Committee to Protect Journalists, the National Center for State Courts, and Research America. In 1994, he chaired a two-year state-wide commission on the Future of the Tennessee Judiciary and, in 1998, served as chair of the Metropolitan Nashville Commission of Twelve on Violent Crime.

The information and analysis that journalists provide the rest of us with enable us to participate more effectively as citizens in a democracy. Better than any other journalist in America, John Seigenthaler is able to articulate how journalism shapes our society's values and self-understanding. He is as stubborn, manipulative, cantankerous, kind, funny and lovable, as anyone I have ever known. He is also the person who has taught me and hundreds of others invaluable lessons about leadership and integrity.

Remarks of John Seigenthaler

Thank you for the opportunity to talk about something that most of you probably think journalists do not really know much about, that is the professions. There is a legitimate reason for

1. The Freedom Forum can be accessed via the Internet: <<http://www.freedomforum.org/>>.

many of you to feel that way. Those professionals among you who have ethical standards—codes of ethics, with meaningful punitive sanctions against those who violate them—should know that there is not, within what we journalists call our profession, a code that provides those sorts of sanctions. Yes, if you know about the Radio and Television News Directors Association, you know they have a code of ethics.

If you know about the American Society of Newspaper Editors, you know that there is a code of ethics they call a Statement of Principles. If you know about the Society of Professional Journalists, you know they have a code of ethics. But if you read those codes you find, in each case, that there is no effort on the part of any of those organizations to serve as peer judges of journalists who are their members.

It is an interesting phenomenon that those who are in journalism and who call themselves “professionals” do not seek to impose on their colleagues standards that they set and accept for themselves. With that in mind, when I was asked to talk to this audience of diverse professions, my reaction ranged somewhere between surprise and astonishment.

When I came to journalism fifty years ago next March, I was told by a hard-nosed city editor that my code of ethics was the First Amendment—those forty-five words, eleven of which touched on the freedom of the press. He told me I had a right to be wrong and that the title “professional journalist” offended him. He saw our work as a craft, not a profession.

Then, when I was inducted to the Society of Professional Journalists, which is an organization with the largest national membership of journalists, I was told, “Yes,” I did have that First Amendment right to be wrong. But I also had a professional responsibility never to be knowingly wrong. I had a duty always to be as right as was humanly possible for a journalist.

Still, right or wrong, I could not be censured by any organization of professional colleagues. That seemed to me to be, at the time, about the best sort of professional you could be. It’s a situation not unlike the pregnant women in the New Yorker cartoon who told the doctor, “I don’t care whether it’s a boy or a girl, as long as when it’s over I’m healthy.” I think that’s the way some journalists look at the controversies surrounding themselves.

That First Amendment right to be wrong dominates the public’s thinking about whether there are any ethical standards that

govern the news media.

If you look at this society today, if you look at the news media today, you find that we are immersed in stories that touch on scandal, that touch on intrusive efforts by journalists, and that delve into private lives of the public figures, beginning with the President of the United States. There are many who watch tragic spectacles, such as occurred a couple of weeks ago in Jonesboro, Arkansas, when kids shot and killed other kids in school, who wonder whether journalists have any ethical sense at all. They see on television swarms of reporters and photographers moving in on children, the families of victims, the relatives of those accused of killing and they are entitled to ask, "what standards do you have? Will you stop at nothing?" So, the codes are there, but still each journalist, in each situation, reserves the right to make judgments about his or her performance in light of the situational ethics that confront them at the time. Clearly, they have that right.

It strikes me six years after we founded the First Amendment Center, that those forty-five words in the amendment are substantially misunderstood by the public. They are misunderstood largely because those of us who are inside the news media do not bother to explain what the words mean in terms that accommodate society's ability to understand. I hesitate to say the society's "right to know," because I do not find that right anywhere in the Constitution. But certainly there is a public need to know, and there is a media right to try to find out, to try to advise the public, and to try to provide information to the public.

If you look into the materials that have been provided for this conference, you will find there the hope that all of you, over the next couple of days, will dedicate yourselves to examining the public motive, the public interest, the public service that is part of the professions. Those of us in the news media look to the public service aspect of our work as vital to any claim of professionalism. Those of us who carefully study First Amendment history feel deeply about our overriding responsibility to provide society with information (1) it needs, and (2) that it may want.

Now the second may lead us into avenues of controversy. If you look at much of what we see on television and read in the printed press today, you find material—information—that most people say they do not need and many people say they do not want.

When I talk about how misunderstood society is about the First Amendment, I am reminded that before we opened the Center at

Vanderbilt I was concerned about what I saw as gradual but clearly perceptible changes inside the news business. It concerned me that there were these gradual, but clearly identifiable, changes in the standards that quite often dominated what the final news product was. These changes concerned me a great deal. It occurred to me that one way to deal with that was to create some place where people would come together and engage in debate, dialogue, and discussion of what these forty-five words of the amendment mean. Not just what they mean for the press, but what they also mean for freedom of religion, freedom of speech, the right to peaceably assemble, and the right to petition the government for redress. And so we created the Center.

There was some publicity about the Center when it opened. A couple weeks later I had a call from a lady in Chicago, and she said, "I would like to know when you people at that center are going to do something about getting Rush Limbaugh off the air." And I said, "Well, thank you for the call, but that's really not what we're about. We're about more voices, not fewer voice." And I said, "You know, I want to hush Rush quite frequently when I listen to him. And when I do, I just reach out and turn the dial." She said, "I tried that; I got G. Gordon Liddy."

This conference is dedicated to examining professions and professionalism at a time when many in society look upon all of us—all institutions—with a skeptical and critical eye. It is a new age of cynicism in which all institutions are suspect. All recognized professionals are seen as self-serving. All professional groups are seen as existing for a special interest. All existing professionals are seen as promoting self-interest, not the public interest. It seems to me that it is a time when a conference like this really has national implications.

I was particularly concerned about the image of journalists as we created the First Amendment Center. It occurred to me that a worthwhile effort would be to launch a series of studies by our Center's scholars into the relationship between those in the news media and those in professional institutions covered by the news media.

For one thing, it was clear to me that many in other professions—lawyers, doctors, the military, accountants, clergy, those in the academy—blamed the news media for their image problems. They saw the media as the prism through which the public peered to get its jaundiced view of societal professional institutions. As

there was substantial distance between the public's view of the news media and the journalist's view of themselves, so too was there distance between the public's view of other professional groups and the way those groups saw themselves.

The difference was that other groups blamed journalism at least in substantial part for their image problems. For some reason, until the last year the media has blamed itself very little as far as responsibility for its own declining credibility.

Now, this year, there are at least three major initiatives of self-evaluation, and they all seem to be helpful. They also seem to be long overdue.

One we are conducting at the Freedom Forum is a year-long study, to which we have committed one million dollars to evaluate something called "free press/fair press." Everybody knows the press in this country is free; very free. The imposition of government restraint on news media traditionally has been struck down by the courts, more often than not. Most recently the Communications Decency Act was struck down by the United States Supreme Court as overly broad in its language and thrust. It was the latest initiative by the government.

But the press is free. And we know it is free. We turn on television every day and are sometimes shocked by the freedom. We pick up the newspaper and we find stories that had their genesis in what we call tabloid press or tabloid television and we are astounded by the level of freedom. Those of us at the Freedom Forum who have looked at this for a long time and have studied several evaluations of how the media relates to other professional groups are gravely concerned about the public's perceptions of fairness in the press.

Robert MacNeil, the former co-anchor of "The MacNeil-Lehrer News Hour" said, not long ago that if the news media could bring themselves to look at fairness in news meetings each day with the same intensity with which it looks at accuracy, there would be a dramatic change in the news content. That has appeal as a subject to investigate.

Those of us who have been part of the news gathering process in those news meetings worry and wonder about who out there might read tomorrow's newspaper or watch tomorrow's television news and bring a lawsuit as a result of some libelous statement or some invasion of privacy. Each day's news meetings are dedicated, in part, to working through the idea that if we are accurate, that if

we fully investigate what we report, there will be no exposure to that sort of litigation; to that sort of legal attack.

MacNeil's point of view is that those efforts focusing on accuracy in self-defense are far removed from the need to focus on fairness, which is not a matter that needs to be addressed in terms of our own self-defense. But he raises an interesting question: does not equity, does not justice to the reader, as well as to those about whom the media reports, do not those concerns prompt a self-reevaluation of whether the media is fair?

The public's perception of fairness, quite clearly, is different from the media's perception of fairness. If I am in a news meeting or if I am a reporter covering a story, and if that story includes adverse information about any one of you in this audience, my standard of fairness is to call you on the telephone and ask you about it. If you refer me to your lawyer, I call your lawyer. If you tell me, "no comment" I report "no comment." If you say, "I decline to comment," I report "you decline to comment." If you say, "outrageous and false," I quote "outrageous and false." If I cannot reach you, I report, "could not be reached for comment." That is my standard of journalistic fairness.

This is not the public's standard of fairness. The public's standard is that if I am to write about you in an adverse way, I then give you a fair chance to respond in a timely way—which means concurrent with the criticism of you. If you do not want to comment, I report what the "other side" of the adverse information is, if I know it. That is not part of the standard inside many newsrooms, whether it is print or electronic, and therein the gap opens between where the media is and where the public is. The gap is rarely bridged.

There are at least, as I said, three major initiatives to deal with media concern about media credibility. Ours at Freedom Forum is free press/fair press. There is another project that is being carried on by the Committee of Concerned Journalists. I happen to be a member of that committee. This is a funded effort by the Pew Charitable Trust to try to discover exactly where the news media link with the public has broken down. Why it is that media credibility is plummeting while over the last year we have seen polls that indicate some non-media professions gaining in credibility. The third study is one conducted by the American Society of Newspaper Editors to deal specifically with the issue of credibility.

I mentioned earlier that I started the First Amendment Center because I was concerned that there was a diminution of support

among the public for what we in the media are about. As I read public responses to questions about media credibility it occurs to me that the First Amendment is in danger. As I indicated, one way to deal with that danger is to try to put together a series of studies which team a journalist with someone who is part of the institution being covered by the news media.

We decided to give that sort of team of two an academic year to fully investigate the gap of alienation between journalists, on one side, and institutions covered by media, on the other.

I would like to just read to you a few excerpts from some of those studies. The first comes from Jim Hartz and Rick Chapell. Jim Hartz was the anchor of the "Today Show" for about four years before Bryant Gumbel became the anchor. Jim covered space and science for NBC Television for a decade. Before that he was a print journalist in Oklahoma. We teamed him with a physicist, Dr. Richard Chapell, to look at media coverage of science. If I could just run through several of the excerpts from their final reports. This first one is our most recent:

If you listen carefully to how they describe themselves, scientists and journalists are alike in many ways; both highly motivated, above average in intelligence, above average in education, and above all, free thinking. Both professions view themselves as examiners, analysts, and purveyors of reality—in fact, willing prisoners of it. To ignore or compromise any part of the truth is unacceptable to them by their own standards. Not only the world, by the whole universe, all things visible and invisible, are the proper domain of the scientist and the journalist. Competitiveness races in the veins of both. Keen observers of inconsistency, journalists and scientists are equally good players in the game of "gotcha." Most act in accord with George Bernard Shaw's dictum: "You don't learn to hold your own in the world by standing on guard but by attacking and getting well hammered yourself."

Both journalists and scientists tend to be skeptics who border on the cynical. Both exhibit strong egos. They are generally gregarious among their peers, although some in each group camp are better

characterized as idiosyncratic. Both must settle for partial truth. The scientist works within the parameters set by the hypotheses incrementally adding experimental results to an ever expanding knowledge base. The journalist works within limitations imposed by daily deadline, revising each story as additional information is available. Members of both groups are occasionally guilty of selectively interpreting their data. How do these not-so-dissimilar groups perceive each other? The scientist sees the journalist as imprecise, mercurial, possibly dangerous; one who knows the price of everything and the value of nothing. The journalist sees the scientist as narrowly focused, self-absorbed, cold-eyed, and arrogant.

In an earlier study, Dr. Harrison Rogers, of Atlanta, former president of the American Medical Association gave us nine months as part of a team with Rita Rubin, the chief medical writer for U.S. News & World Report. This is an excerpt from their findings.

The U.S. health care system is sick. The government wants to cure it, but citizens don't know if the prescription will work or how much it will cost. News media and medical professionals could play a mutually meaningful role by providing in-depth answers to the complicated, controversial questions that threaten to confound public understanding. But there's a problem. Mistrust and misunderstanding infect members of the medical profession when their practice leads them into contact with members of the media, and cynicism and skepticism afflict many members of the press when, in the course of their work, they encounter doctors and other health care professionals. The negative attitudes of these professions, while not universal, are substantial and disturbing. Journalists hold an unshakable conviction that most doctors are rich and uncaring and that many are incompetent and insensitive. They do the medical profession and

the public a grave disservice in journalist field. Doctors, on the other hand, think most reporters are hostile, sensationalist, many are uneducated and unable to write accurately. They deny journalists and the public important insights that could promote better understanding of the health problems that so dramatically impact society.

This from the report on media and religion by Dr. Jimmy Allen, former president of Southern Baptist Convention, and John Dart, former religion news editor of the *Los Angeles Times*:

We discovered two alien cultures: the media and religion—one rooted largely in a search for fact; the other grounded in a discovery of faith beyond fact. Each side misunderstands the mission of the other. Reporting is often superficial, sometimes wrong. Reporters are uncomfortable, sometimes uncertain about the complexities and conundrums that involve denominational and sectarian differences, the illogical and ideological schisms. Americans who practice religion, and Americans who practice journalism often perceive each other as perplexing and troublesome. Ironic situations since the activity of both shelter them under the same constitutional amendment, the First. An unhealthy distrust exists between religionists and journalists, even as they fear each other in many cases. Religious figures fear being misunderstood and misrepresented. Journalists fear making mistakes and incurring religious wrath. The resulting apprehension inhibits the flow of free information and only adds to a misunderstanding.

Finally, a report on military and media by Admiral Bill Lawrence, who served six years as a prisoner of war in Vietnam and who was superintendent of the naval academy, and Frank Aukofer, who was a Pentagon correspondent and bureau chief in Washington, D.C. for The Milwaukee Journal. First, from my introduction of their report:

When Bill Lawrence and Frank Aukofer came together at the Freedom Forum First Amendment Center I feared that I had asked the lion to sleep with another lion. I wondered which of these lions would be the first to roar.

From their report:

Top military officials acknowledge their responsibility to the First Amendment guarantee to the people, they understand the people have a right to know, and the vast majority of military officers, according to our poll eighty-three percent, believe the news media are just as necessary to maintain American Freedom as the military. This attitude exists even though members of the armed forces who swear to protect the Constitution give up many personal liberties other citizens take for granted.

Similarly, leaders of the nations news media appreciate that without the protection of the military forces, precious constitutional freedoms would not have been preserved for more than 200 years. Our poll shows that ninety-three percent of the news media disagree with the proposition that members of the military are more interested in their image than of the good of the country. News leaders understand the need for mutual support and cooperation, yet animosity has tarnished the relationship, particularly during the last dozen years. Some military officers will blame the news media for the loss of the Vietnam War, although top defense and military officials interviewed for this study do not subscribe to that belief. Sixty-four percent of the military officers surveyed strongly believe or at least somewhat believe that the news media coverage of events in Vietnam harmed the war effort and that suspicion of the news media carries over today.

We conducted another study on the media and business and, if anything, the alienation between those two groups is more profound than any that I have cited.

Our current study is being conducted by Tom Wicker, formerly of *The New York Times*, and Wallace Westfeldt, who produced John Chancellor and is now retired from NBC. They are working with lawyers and judges across the country to try to analyze media coverage of the criminal court system, focusing largely on sensational trials, but also dealing in a meaningful way with media coverage, or the failure of media, to report on the process within the system, which is so vital to public understanding of how the court judges and lawyers function.

I have no idea whether all these studies, and the follow-up efforts we are conducting with small groups around the country, will have any long-term impact on the ability of those on the other professions to use the media in a more meaningful way to better project professionalism. Whatever the Freedom Forum current study on free press/fair press produces, we will come away with the conclusion that, at least in terms of this professional undertaking, the media needs to re-evaluate its own sense of self, and communicate in better ways to the public why it does what it does.

If you just look at the present controversy involving the President of the United States and then look at public opinion polls, you find on the one hand that the public considers the press intrusive and abusive. On the other hand, the President's popularity, in spite of all the media reporting, remains exceptionally high and has over a period of weeks and months. If you look at what you see on television or what you read in the media, you know there are professional journalists, who have standards, who have a code of ethics but even so, have suggested that the President of the United States is guilty of all the charges alleged against him.

On the other hand, you can find many journalists in Washington and across the country who say, "it is not my business nor is it the public's business to explore and make decisions and reach conclusions and tell the public about who is right and who is wrong."

I go back to what that hard-nosed city editor told me about the First Amendment being my code of ethics, and many journalists still look upon it in just that way. We know the other codes are there, we know we are not required by it to make judgments, and we do not make judgments. One of the reasons we do not is because we know the First Amendment is there so that the public can hear from all sides, and we can hear media representatives with different points of view. It is as hard to find professional consistency in anything you read, see or hear about Bill Clinton as it was about

the O.J. Simpson case.

I think of Professionals like Johnny Cochran and F. Lee Bailey, and I know that there are public opinion polls that have reflected total disenchantment with what they were about. Some lawyers, and indeed myself, look upon their role of defending O.J. Simpson as reflecting the highest ideal of a professional responsibility: to defend your client to the ultimate; to give your client everything you have to win his point of view. Whatever the public may think of justice, lawyers' dedication to their clients requires that.

I know journalists who believe that, who are committed to that, who understand that. But very little you saw in the media after the Simpson Trial represented anything positive about the way O.J. Simpson's lawyers defended him. They were described as manipulative; they were described as playing the race card; they were described as demeaning the system of justice. I did not hear many lawyers say, "This is what we are about."

We have instant law now on MSNBC; we have it on CNN, and we have it on FOX. We turn on the television every day and legal professionals are telling us what they think. They always disagree with each other. The question is whether that is enlightening; whether that is media giving an image of themselves; or legal professionals giving an image of themselves. Is the profession of law or the journalistic professional helped by these images? Other professions don't get much better media treatment.

We live in a media-saturated society. It is a media that is more diverse than ever before, more repetitious than ever before. Public attitudes are being formed mostly by what is seen on the tube and, substantially, I think, by the stories that appear in the press. Where does this leave us?

It leaves us all deeply concerned—gravely concerned—about where professions are. If you look at how the public views lawyers, accountants, the clergy, academics, business professionals, and professionals in the military, there is, in this age of cynicism, a knee-jerk negative reaction. If you look at the news media itself, that negative reflection is more substantive than with regard to any other single profession.

We are living in an age of cynicism. But if you look at these professions, I dare say, you find no effort on the part of any of them to explain themselves. It is particularly true, I think, of the news media. Its loss of credibility reflects largely on their inability to explain themselves. Because the First Amendment is there, many

journalists think they need not explain themselves.

These three studies in self-evaluation I have mentioned should help members of the news media raise the level of discussion about what they do, how they do it and why they do it.

As I say that about what I consider my own profession, I certainly feel that the same need is there for every other profession, misjudged in different ways, evaluated in less negative ways; looked upon with great skepticism; looked upon as serving a self interest as opposed to the public interest.

We soon will have five hundred cable channels available to us, the opportunities for saturating society with information has never been greater. It is my judgment that those of us who are in the professions all need public support, and we need the public to understand that, while the bottom line is important to all of us, public interest is why we do what we do.

With that, I congratulate you all for coming together for this conference. It seems to me that what you are about here at this meeting is what the country should be about—careful self-evaluation and careful media evaluation. I thank you very much for having me here, and I hope this conference leads to a national awakening to a need that is great and real.