

"Writing the truth
as I see it;
trying not to
offend
those who will
disagree."

The truth as I see it™

Idaho Common Sense™



Craig L. Bosley, MD

The rights and responsibilities of a free press

March 17, 2008

The first amendment of the United States Constitution states, "Congress shall make no law . . . abridging the freedom of speech or of the press . . ." Conspicuously absent is mention of any responsibility accompanying this right, although Benjamin Franklin, in the Apology for Printers published in 1731, suggested there were responsibilities saying, "I have also always refus'd to print such things as might do real injury to any Person . . ."

On February 21, 2008 the New York Times published an article accusing Senator John McCain of possible ethical lapses with a lobbyist, including the possibility of a tryst. This ten-year-old story was supported with innuendo, supposition, possibility, and appearances. The New York Times own ombudsman, Clark Hoyte, said the Times "raided toxic subjects . . . offering no proof" with an article that "was notable for what it did not say." Did the Times intentionally report nebulous information in an attempt to justify a pre-determined conclusion? Is there any other reason to print a ten-year-old story with no new information, using only suppositions and suggestions? This is a news organization that states its purpose is to "distribute high-quality news" while "covering the news impartially."

Following overwhelmingly negative feedback, Bill Keller, the Times executive editor said, "On the substance, we think the story speaks for itself." Mr. Keller's own ombudsman, numbers of readers, and even other media criticized his actions. His reaction? Undeterred, he printed another story in a second attempt to damage John McCain, questioning his birth on a military

installation in the Panama Canal Zone, suggesting he was not a "natural born citizen", which is required by law to sit as President of the United States. They printed this even though they knew he was born in Panama because his father was stationed there while serving in the United States Navy. The Times vast research capabilities failed to discover a law passed by the first Congress in 1790 stating that children of United States citizens born outside the United States "shall be considered as natural born citizens." Although no longer in effect, this law gives clarity to precisely what the founding fathers meant by the term "natural born citizen." Is the founding fathers intent as confusing as The Times suggested? What is the logic that John McCain is not a natural born citizen?

Does the Times feel any responsibility for the near unlimited power the Constitution guarantees them? Do they understand the founding fathers wanted freedom of the press to allow publication of information without fear of government reprisal? Or do they believe that power is to influence the public, to manipulate public opinion with selective reporting? Were either of these Times articles objective, did either provide any useful information to the public? Was the Times providing the public with needed information or were they advancing their own political agenda? Would it be reasonable to request the media to give us objective information, allowing us to make our own judgment?

And what of Matt Drudge, the man unencumbered by any concern for responsibility or ethical behavior, the man who read five words in the

Constitution while overlooking the teachings and wisdom of Benjamin Franklin? The British journalists, those we so regularly regard as gossips rather than journalists had the moral and ethical integrity to not reveal that Prince Harry was serving in combat in Iraq. Unlike Drudge, they respected the character of this young man who did not have to put himself in harm's way, but did so out of a sense of duty and patriotism. In fact, the Prince was so determined to serve in combat that he threatened to leave the army if not allowed to do so. Matt Drudge, unconcerned with any of this, found a story and printed it. That was his constitutional right and he cared little for any consequences of his actions. He cared little that he was probably destroying the military career of this fine young man. What public good was served by printing this story, what public need was fulfilled, what public right to know was protected? Would it be reasonable to ask Mr. Drudge to show some compassion for those who could be adversely affected by his story and to not pander to curiosity rather than report news, as suggested in the ethical code of the Society of Professional Journalists.

These examples of media straying from their purpose are best described by Alexis de Tocqueville, a French politician and writer, who said, "In order to enjoy the inestimable benefits that the liberty of the press ensures, it is necessary to submit to the inevitable evils that it creates." None-the-less, do we dare ask the media to follow the advice of author H. Jackson Brown, Jr. who said, "Live so that when your children think of fairness and integrity, they think of you?"

Dr. Craig Bosley is an emergency physician practicing in Pocatello, Idaho. His column appears in the Idaho State Journal each Monday. If you would like to contact him directly, you can email him at craig@craigbosley.com or visit his Website, www.craigbosley.com where all of his columns are available.

© copyright, Craig L. Bosley, MD, 2008