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SENSATIONAL JOURNALISM AND THE REMEDY.

BY SAMUEL W. PENNYPACKER, LL.D., GOVERNOR OF PENNSYLVANIA,
1903-07.

FROUDE wrote with much truth: "There is a long twilight between the time when a god is first suspected to be an idol and his final overthrow." All human institutions seem to follow a natural and almost invariable process of growth, ending in final decay. They originate in an effort to meet some pressing social need. If they are found to be adapted to the purpose, they have a period of development and elaboration. After the conditions which made them necessary have disappeared, they remain for a time, more or less extended, as pure conventions retained by habit, mental inertia and recognition of the good they have accomplished. Finally, like the broken pottery which the housewife bears aloft to the garret, they are cast aside as the cumbersome rubbish of the past. The button to which in the days of personal combats the sword of the gentleman was attached, remains on his coat only as the plaything of the tailor. The doctrine of the Liberty of the Press, though embedded in the Constitution of the United States and in the Constitutions of all of the States, is today, in its application to existing conditions of life, little more than a Shibboleth. We tingle mentally when we hear it reiterated in Fourth-of-July orations or in solemn editorials, just as a horse shies at a leaf because hundreds of generations of absence have not been sufficient to remove the nerve impression caused by the concealed tiger, but the substance which made it a living presence has departed. Logically there is no reason whatever why men should be more favored in their utterances than in their conduct. To touch another upon the shoulder, no matter how lightly, even with a silk glove, constitutes a trespass and an assault, for which

the offender may be compelled to pay damages or to suffer punishment, though the actual harm inflicted is infinitesimal. On the other hand, the most severe attacks are made in the journals upon men, especially if they be engaged in the service of the public, often most injurious to their interests and reputations, sometimes entirely unfounded in fact, and it is rather expected of them by the community that they should submit in silence and accept the results as a matter of course. It has come to be considered almost as one of the risks of the game. The grounds for this remarkable distinction are found not in reason, but in history. There was a time when a King ruled with an assertion of divine right and exercised at his will all of the powers of the state. He opened and closed the doors of prison houses. At his nod the axe of the headsman fell on the neck of the victim. Before the French Revolution *lettres de cachet* were the subjects of barter and sale in Paris, as indulgences had been sold before the Reformation. It happened occasionally that men were sent to their deaths, as Uriah the Hittite was sent to the forefront of the battle, in order that their wives or their property might be seized. At that time the untrammelled liberty to publish event and comment was a safeguard to the community. To make public the occurrences in prisons, courts and palaces was often to aid in the protection of the innocent and to curb the propensities of the vicious. That condition of things has departed, never more to return. "He that goeth down to the grave shall come up no more," is as true of ways, customs and institutions as it is of man and was in the days of Job. Other wrongs will no doubt arise to be corrected, but never again that particular form of iniquity. The times have changed and we have changed with them. The Kings are dead or content to exist as "the first gentlemen of Europe," doing nothing more forceful than winning prizes at bridge whist, the priests no longer seek to punish heresy with fire, the Bastille has been torn down and the Tower of London and Le Steen at Antwerp have been converted into museums. The faults of present-day rulers are of an entirely different hue. So far from seeking to exercise arbitrary power, they are so eager to win the applause of the populace that they are prone, if they be bold, to become demagogues striving to get the benefit of every wind that blows, and, if they be timid, to become mere place-holders content if they can slide through their terms without

reprobation. The public journal has likewise changed, but in the opposite direction. It is no longer the cautious and modest advocate of the truth, contending against entrenched power and needing encouragement. It has become bold, blatant and in some instances brazen. There was a time when its purposes were limited to gathering information of current events and publishing this information with comment intended to be guiding and instructive. With the growth of advertising the entire perspective has shifted. It is now generally published by a corporation organized as a business venture to secure a profit. It has a business policy, inspired by the hope of gain, toward which the editorial and even the news columns are required to bend. The directing forces are undisclosed, and it not infrequently happens that the same ambitious personality is the owner of journals advocating opposing views of public questions and policies.

The growth in the volume and the importance of the advertisements has led to the genesis of what is colloquially called the "Yellow Journal." Since the compensation from the accurate report of current news is very slight, and the returns from abundant advertisements are comparatively very great, the tendency has arisen and rapidly grown of so furbishing up the news as to make it a feeder to the more profitable feature of the paper. Head-lines, type of exaggerated size and gross pictures are all devices used for the purpose of catching the attention of the reader so that ultimately he may be led to purchase the wares of some merchant. Crimes of a startling character, scandals, especially if they affect people in good repute, divorces, especially if they occur among people of social prominence and are accompanied with uncleanly suggestion, and sensations of all kinds are sought with avidity from a like motive. Since that which is sensational loses its effect and fails as an attraction when often repeated, and since both the mind and the senses soon become accustomed to the same din, however loud it may be, there is a continual effort to find the strange, the abnormal, the *outré* and the wicked. Moreover, the line which divides finding from creating is presently passed. Just as the cook puts the mustard on the ham, so the newsmonger adds condiment to his dish of news which would be insipid if nothing but the truth were told. Or what is worse, the whole tale is invented by an enterprising person who is safe from observation and responsibility, and who is driven by necessity

to the invention of something startling to meet the daily and increasing demands.

The harm done to the community by this tendency, which up to the present time has been almost unchecked and is affecting more or less all journalism, has been incalculable. When an unmarried young woman, whose parents happen to have wealth, cannot meet socially a scion of the European nobility without having their engagement announced and their portraits published over two continents, and thereafter cannot board a railroad train or a ship without a repetition of the story, and the added statement that she goes to seek her lover, journalistic standards of decency and propriety have fallen to the level of those of the fishwife.

The rude, vulgar and often malicious pictures put forth in the guise of wit and caricature are destroying the artistic sense, if not the kindly instincts, of a whole generation of young people, who are growing to maturity looking upon them as one of the ordinary incidents of life.

Suggestion is known by all who have any acquaintance with the principles of psychology to be one of the most potent causes for the commission of crime. There are numbers of people in the community who feel the temptation and approach the brink of crime who only need a slight incentive to convert the impulse into action. The man who killed the Duke of Buckingham happened to be passing a hardware store and saw displayed in a window a huge knife with keen edge. It was enough. He bought the knife and flayed the Duke. A man was once tried before me for attempted murder, who had been handed a cleaver in a butcher shop. He walked with it out to the step where stood an entire stranger with his back turned and struck him several blows over the head. Who, then, can measure the effect of daily placing before the masses of people the details of horrible crimes? Who can tell how many young girls are lured from the hard labor of the kitchen or mill to destruction by seeing the portraits and reading the tales of the luxurious lives of mistresses and courtesans in the public prints? Every extraordinary crime is at once followed by efforts of a like character, which fact proves that they were brought about by the publicity. The crime so much dreaded in the South does not exist in Jamaica where the proportion of negro population is very much greater. What is the reason for its frequency in the South? It is largely because the wide publica-

tion of the event and of its aftermath of horrors is brought to the attention of every negro in the land, and he is taught to believe that in a sense to assault a woman is a race achievement. The great increase of divorces in the United States may be explained in the same way. When every day divorce suits, and the charges made, and the evidence given in them are set forth with huge head-lines on the front pages of the sensational journals, is it any wonder that young people are made familiar with the thought that marriage is a mere experiment and often act accordingly? In the cases of atrocious crimes and of public officials charged with breach of duty the courts are in effect superseded and the defendants either convicted or acquitted before they have been heard, since the alleged facts and the editorial conclusions are scattered broadcast without hesitation and without accuracy.

The sensational journal has succeeded in almost destroying the old-time confidence of the people in, and their respect for, those vested with authority. It used to be in England that even the county magistrates and constables were regarded as worthy of honor. It was a very desirable and proper condition of affairs helpful to the officials and beneficial to the community. The constable was more careful of his conduct because he knew that it was expected of him to abide within the law and because he had a certain dignity to maintain. At the present time in the United States the Mayors of our cities, the Governors of our commonwealths and the Presidents of the nation at once become the target for the sensation-monger; and the higher and more important the office, the more audacious are his efforts and the greater his hopes for reward. The courts alone have remained unassailed, and within the last few years the process of undermining their supports has begun. When public confidence in the integrity of the administration of affairs is destroyed the end of our system of government is not far away.

The most far-reaching evil inflicted by the sensational journal is that it perverts the processes of thought. All reasoning begins with the ascertainment of fact. If the false be presented and accepted as the true the inferences drawn are hopelessly erroneous. The people in arriving at their conclusions as to men and measures are dependent upon the newspapers for their information. It is not true that the world is made up of men with wickedness in their hearts, ready either to break their marital vows or to

rob the treasury, and the daily pictures of life painted with such colors ought to be obliterated. On the contrary, men are almost exclusively earning their bread by their labor, supporting their wives and children as best they know how, and if perchance they have been chosen for public service, performing their duties according to the measure of their abilities.

The evils above described, universally conceded to exist, are certainly very grave, probably the most serious of all those with which society is at present contending. In the course of time and in the whirligig of events the press has come to be the most conspicuous example of the very wrong to correct which its privileges were conferred—that is, the secret use of arbitrary power. An institution is attacked in its interests, an individual is assailed in his character, and nobody knows whose is the hand which strikes the blow or what the motive which inspires it.

The “Public Ledger” of Philadelphia, one of the most reputable journals of the country, said in an official communication to the Governor of Pennsylvania, on the 26th of June, 1909:

“We realize fully that the time was ripe for the law, by a rigid enforcement of its decrees, to punish the reckless and vituperative speech and writing which have been so prevalent in certain classes of American newspapers as to bring the whole profession into disrepute.”

What is the remedy? There is little or nothing to be hoped from the efforts of those connected with the press who deprecate these tendencies. The current carries them along. The commercial interests are too strong. When degeneracy once sets in and proves to be temporarily profitable, each strives to outdo the other and things go from bad to worse. The slaveholders, no matter how disadvantageous they knew the system to be for the South, could do nothing to prevent its growth. Even the Church could not, when confronted with the Lutheran movement in the sixteenth century, correct its errors. Reformation must be sought from without and must be found. The press has done too much brilliant service to humanity in the past, has too many men of high intelligence associated with its work, and is too important for the interests of the race to be permitted to fall into moral decay. It is unphilosophical to attempt to apply the principles elaborated in the past to the changed conditions of the present. When a prosperous merchant purchases the journals of one of our principal cities in an effort to elect himself to the United States Senate, and

another man of wealth purchases journals over the country in the hope of electing himself to the Presidency, and such are the interests they serve, the exceptional favor shown the press when it was making a struggle for the public weal is entirely out of place.

The remedy is very simple and plain. It is to subject the press to the same law and the same authority of the State which governs the other relations of men. It is for the people to cast aside what has become nothing but a superstition. It is for those in legislative, executive and judicial authority to have sufficient courage to meet every attempt at oppression or abuse of right, in utterance as well as deed, no matter whence it comes or how powerful those making it may have grown. If there may be inspection and supervision of boilers, engines, food-supplies, barbers' tools and the knowledge of a lawyer and of a doctor, there may likewise be supervision of that which is put forth as news to prevent it from being unwholesome. If working-men may be prevented by injunction from committing riot, so may newspapers be prevented by injunction from publishing falsehood and scandal. Such material has no part in the liberty of the press any more than sewerage has place in the streams. Both constitute nuisances which may be suppressed and in time will be suppressed. It is upon the principle of suppressing a nuisance that smut and filth are excluded from the mails and destroyed when they appear, although the Constitution protects the freedom of speech. There is no freedom to propagate and disseminate falsehood and vileness, and a large proportion of what appears daily in the journals could be excluded upon application to the courts. Suppression would result in loss of profit, and when scandal ceases to be profitable it will soon disappear. In Pennsylvania, that State which has so often been in the advance in the betterment of American life, a substantial step forward was taken in 1903. An Act was passed applying the principles of the law of negligence to newspapers, making them responsible for the want of ordinary care and requiring them to publish with each issue the names of owners, editors and managers. While with the advent of another Legislature and another administration four years later, the newspapers succeeded in having the Act in part repealed, it yet remains the law in that State that the names of those responsible for the publication must be disclosed.

SAMUEL W. PENNYPACKER.