



Jack Nelson delivered the tenth Ralph McGill Lecture at the opening session of the Georgia Press Institute, co-sponsored by the Georgia Press Association and the School of Journalism and Mass Communication.

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## THE McGILL LECTURE

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### Jack Nelson

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I deeply appreciate being asked to deliver the Ralph McGill Lecture.

By the time I arrived at the *Atlanta Constitution* as a young reporter in December, 1952, Ralph McGill already was a legendary figure in American journalism. Wherever I went and identified myself as a *Constitution* reporter, people would say, "Oh yes, Ralph McGill's paper."

That could be good news or bad news, depending upon the source I was talking to at the time: Good news if the source was interested in helping expose some injustice or social problem, bad news if the source wanted to cover it up.

Mr. McGill was revered in many places. When I attended Harvard University in 1961-62 under a Nieman Fellowship, just mentioning that I worked for Ralph McGill's paper opened doors for me.

But he was hated and feared in some places. In 1959 when I was investigating malpractice and widespread corruption at Milledgeville State Hospital, Dr. Peacock, the hospital superintendent, went into a rage about McGill.

I can't recall everything Dr. Peacock said, but he interrupted my interview with him to take a telephone call from the hospital's chief surgeon and said something like this: "Yeah, I've got that fella Jack Nelson from that lyin' Ralph McGill, Communist-lovin' newspaper in my office right now. Maybe we oughta put him in the ward with those patients that took care of that other fella."

How those patients took care of the "other fella," I never learned; but McGill and the *Constitution* editorially backed reforms that swept Dr. Peacock and some other officials out of the hospital and resulted in more humane treatment for Milledgeville's 12,500 patients.

Even those who disliked and feared McGill often were in awe of him. In the late 1950s when I was investigating a tax scandal in Dublin, Georgia, the



local grand jury subpoenaed him to try to harass and intimidate him. Several grand jurors bragged openly about how they could hardly wait to grill him. But when he showed up, they were almost speechless. He left the grand jury room with a grin and a wink at me. They had asked him a few innocuous questions and thanked him for his time.

McGill had a great sense of moral outrage, especially at the injustices inflicted on minorities and other disadvantaged people. And if he were around today I think he would be disappointed that there is not more moral outrage in the American press—and among the presidential candidates of both parties—over some of today's injustices.

And I believe he'd be surprised at the amount of soul-searching—and even hand-ringing—about ethics and credibility that the press has been going through in recent years.

Not that he wouldn't agree that the press needs to be concerned about ethics and credibility and needs to examine its own behavior and standards.

But I think McGill would wonder why we're not spending more time more thoroughly covering the kinds of controversial stories that cause people to question our ethics and our credibility: Stories that are important but that for one reason or another some people want to cover up. Stories of social problems, of injustices or wrongdoing. Of illegalities or unethical conduct. And stories recently, for example, of the flawed character of presidential candidates and other powerful political figures.

McGill himself was controversial because of the kinds of stories he pursued. And his credibility was often questioned—by people who accused him of biased reporting because he insisted on revealing the truth about injustices, especially involving the oppression of blacks in a segregated society.

His accusers included a large segment of the South's white population and some of the region's leaders in politics, labor, business, professions—even journalism and religion. For years many of them refused to face the ugly truth of segregation and labeled him a traitor to the South for writing about it.

But, as Celestine Sibley—a long-time McGill friend and a widely revered *Constitution* columnist—has written, McGill did love the South. But he also agreed with Marse Henry Watterson, the famed Louisville editor who once declared:

Things have come to a hell of a pass  
When a man can't flog his own jackass.

McGill replied to the accusations of disloyalty himself in one of his Column-One, Page-One columns that ran seven days a week in the *Atlanta Constitution*:

"Who loves his region more—he who fights those things in it which are ugly and wrong and unjust or he who says, 'Let us dwell on our lovely sunsets and our beautiful fields and not advertise our faults'?"

On some occasions McGill did write lovingly of the South's sunsets and beautiful fields. But mostly he advertised the region's faults, writing and fighting about those things which were ugly and wrong and unjust and needed to be corrected.

He wrote about the cruelty and brutality of Jim Crow. And of such things as the South's rate of rejections for Selective Service being nearly 50 percent higher than the national average. And of the educational deficiencies and mental diseases and venereal diseases that caused such a high rate of rejections.

"No thoughtful citizen," McGill wrote, "would wish to cover up such a record. He would insist something be done about it. We have not done a good job. Whatever the reasons, and some of them are valid, we can't fail to work at this record."

There were many citizens in Georgia and across the South who were not thoughtful, of course, and they wanted to cover up the record. But McGill never let them get away with it. Neither criticism and ostracism by fellow journalists and community leaders nor bomb threats and burning crosses by the Ku Klux Klan ever deterred him.

And that's why I feel so honored to be here today to deliver the Ralph McGill Lecture.

In the 1950s and 60s when I was a reporter at the *Constitution*, he was already nationally known for taking on the Klan and any other institution fostering hatred or discrimination. He flailed them day in and day out on the *Constitution's* editorial pages and in his columns, which were syndicated and published in newspapers around the country.

When John Seigenthaler delivered the Ralph McGill Lecture in 1985, he said that when he was at the Nashville *Tennessean* as a young reporter he sometimes felt a twinge of regret when he "thought of the excitement that must have been part of the *Atlanta Constitution's* newsroom when McGill gave that newspaper its moral force."

Those were heady days at the *Constitution* and the reporters did share in some of the feeling of excitement over McGill's lonely battle. But *Constitution* reporters from those days have some regrets, too. Those of you who were here and remember those days may recall that it was a lonely battle indeed. McGill risked the wrath of the Klan and the threat of libel suits with little or no help from the news side of the paper.



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He ran the editorial pages. But except for his column he had no authority and little influence over the *Constitution's* news columns—not even after he was promoted to publisher and Gene Patterson, another great journalist, took over as editor.

News remained under the domain of a managing editor. And, as Harold Martin noted in his book, *Ralph McGill, Reporter*, lawyers already concerned about libel suits spurred by McGill's columns counseled the managing editor to keep a low profile in covering civil rights stories.

As a result of the libel lawyers' counseling of the managing editor, the civil rights coverage in the *Constitution*, as in most other newspapers in the South, consisted mainly of wire service stories that generally were superficial. *Constitution* reporters covered very little civil rights even when it was the biggest story in the country.

I did cover Little Rock when President Eisenhower sent Army troops to enforce court-ordered school desegregation. But I'm sorry to say I covered it more as a police story than anything else. So did most other Southern reporters. But not McGill. It was always left to him—and later Gene Patterson—to spotlight the underlying problems and evils of racial discrimination.

McGill pursued the story with such fervor and single-mindedness that at times I think he found himself in the awkward position of overlooking other faults in a political leader who he believed was on the right side of the race relations issue. Once, after I had written a series of stories on police corruption in Atlanta, he ambled into the newsroom and asked if I had the "deadwood" on the police officers. No question about it, I told him; I had the deadwood.

He walked back to his office, clearly dejected, because that was not good news for Mayor William Hartsfield's re-election campaign. And instead of writing an editorial supporting the expose of police corruption, he wrote an editorial emphasizing that "a few rotten apples don't spoil the barrel."

At the time I was less than enthusiastic about his editorial. But in the long march of history, there is no doubt the race relations issue far overshadowed police corruption.

Sometimes I get the feeling that McGill was journalism's last angry man, its last hell-raiser, and I wonder what he would be raising hell about if he were around today.

He lived to see the elimination of Jim Crow. And there has been tremendous progress in the fight for racial justice in the two decades since his death. But I'm sure if he were around today, he'd still be hammering away at how far the country still has to go in its struggle to eliminate racism and racial discrimination.

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He'd cite the increase in racial violence and unrest in recent years—in Forsyth County, Georgia, and Howard Beach in Queens, New York, and other places around the country. And the fact that in 1988 some colleges in the South are still in violation of desegregation orders and that minority students at the University of Massachusetts are protesting campus racial violence and Harvard College feels compelled to warn that anyone involved in racial incidents faces expulsion.

And I'm sure Column One, Page One of the *Atlanta Constitution* would be replete with piercing commentary on the plight of the homeless, a growing and disgraceful social problem that barely existed during McGill's lifetime. He'd cite the vital statistics—an estimated two to three million homeless with shelters for only about 100,000. The fact that since 1981 Congress has cut 76 percent of funds available for low-income housing, 40 percent of the money for job training, and 71 percent of funds for retraining welfare recipients.

But he would grab the reader in a more personal way, too, writing of the homeless as human beings and of the government as a gigantic bureaucracy cold and insensitive to the needs and the suffering of some of its most helpless citizens. I'm sure he would write of the government security guard in Atlanta who recently was reprimanded by his superiors for permitting a homeless person to come inside a federal building for shelter during a snowstorm.

McGill would be appalled at government's obsession with secrecy—in Georgia and in Washington—and would be pressing for enactment of open meeting legislation here and more openness in the nation's capital. I still remember years ago a sheriff in Wayne County, Georgia, blocking me from attending a county commission meeting, saying, "There are some things the commission does that people aren't supposed to know about."

That attitude that there are some things government does that the people are not supposed to know about still exists among some Georgia officials and it's rampant in Washington where the President is rarely available to the press and his administration has repeatedly undermined the Freedom of Information Act. McGill, I feel, would blast the current crop of presidential candidates for not making openness in government an issue in the wake of the Iran-Contras affair and other scandals hatched in secrecy in recent years.

On the foreign affairs front, he no doubt would be writing extensively on the war in Nicaragua, one side of which the United States has financed since 1981. That war has taken 60,000 lives since 1978, more fatalities in a country of about three million than the United States—with a population today of 240 million—suffered in Vietnam. (The equivalent number of fatalities in a country the size of the United States would be almost five million.)



Again, McGill would cite the devastating statistics. But he would write with a more personal touch, too, painting a picture of the immense suffering in that war-torn, economically crippled little country, now the most impoverished in Central America.

As someone who never wavered in his support of the U.S. military effort in Vietnam, he would carry great moral authority in examining the policies of a government that contends the Sandinistas who rule Nicaragua are a threat to America's national security yet proposes neither a military nor diplomatic solution to the war. A war which appears unlikely to accomplish anything beyond more deaths.

While McGill would roll out the heavy artillery in attacking such crucial domestic and foreign issues, he no doubt also would fire a few shots in connection with today's controversy over press ethics.

In recent years the press, at least partially in response to public concern, has gone through a lot of self-examination about using too many anonymous sources, reporters being too eager to win Pulitzer prizes, trivializing important matters and emphasizing the superficial or ridiculous, having editorial judgment warped by the competitive nature of the press, and any number of other ethical questions.

They are all important issues, but the most burning one recently has been press coverage of the private behavior of political figures. And I want to address that in some detail because I believe 1987 and 1988 mark a watershed in reporting on the private lives of powerful public figures, especially presidential candidates and Supreme Court nominees.

In my opinion, the Gary Hart case, followed by the marijuana-smoking case of Judge Douglas H. Ginsburg, opened the floodgates. Not everything goes now, but almost everything.

That's why I think it's important for people to understand the Hart and Ginsburg cases. The Ginsburg case is relatively simple. The judge didn't just admit smoking a joint or two when he was in school. He admitted smoking marijuana with his students when he was a law school professor—and the public outcry following his admission was so intense he decided to withdraw as a nominee to the Supreme Court.

But the Hart case is more complex. In my opinion most people who don't live in Washington or aren't news junkies don't realize the background of this story or how it developed.

Last year many people accused the press of hounding out of the presidential race the leading Democratic candidate whose only fault was to have been indiscreet in inviting Donna Rice to his Washington town house and in

going with her on a cruise on the *Monkey Business*.

The fact is the press was chronicling the Hart character issue and his refusal to accept personal responsibility for any controversial or questionable behavior long before Donna Rice appeared on the scene. In 1984 when it was revealed he had changed his name from Hartpence, Hart laid the change to his mother, who was deceased. When it was revealed his age had been changed, he blamed his staff. When controversy erupted over the Donna Rice affair, he blamed the press.

The so-called "womanizing issue"—a catchall word for Hart's recklessness and extremely poor judgment—was beginning to catch up with him during his race for the Democratic presidential nomination in 1984. But the press lost interest once Hart was out of the running and Walter Mondale had been assured of the presidential nomination.

Other Hart indiscretions and his long-time affair with at least one Washington woman were well known in the capital. In fact, according to Lloyd Cutler, who served as President Carter's White House counsel, Republican officials "had the guts" of the Hart story—except for the Donna Rice affair, of course—in 1984 and were holding it in reserve to blast Hart in case he won the Democratic nomination.

So I think the *Miami Herald* performed a public service in printing the original Hart-Rice story and giving the public a better idea of the kind of man who at the time was the leading candidate for the Democratic presidential nomination.

But leaving the specifics of the Hart case aside, one might ask how far should the press go in digging into the personal behavior of people in public life.

It depends on the circumstances of the individual case, of course. But it seems to me that political figures, especially candidates for the nation's highest office and nominees for lifetime appointments on the Supreme Court, open themselves to the most intensive scrutiny. When their private behavior raises a question about their credibility or character, they give up much of their right to privacy. But not all of it.

The press has no "right" of access to political figures' most personal medical and financial records. And except in rare circumstances where legitimate issues have been raised, the press should not expect access to those records. I can't think of any circumstances under which there should be access to raw police or FBI files—unless a political figure volunteers them to prove a point.

Earlier in the presidential campaign the *New York Times* sent a letter to



thirteen presidential candidates asking them to waive rights of privacy to any personal FBI or other government or medical files. The *Times* also requested a long list of other records, some public and some private.

The letter drew such a torrent of criticism that *Times* editor Max Frankel issued a memo saying the *Times* had gone "a bit too far" and would not seek raw FBI files which he conceded "indiscriminately record malicious and unsubstantiated gossip. . . ."

But Frankel said that in the nuclear age when presidents are entrusted with instantaneous powers of life and death, there is a duty to report on the essential character and history of every presidential candidate. I agree with that and with another point Frankel made:

"As regards their fitness for the office and trustworthiness, they have no 'right' of privacy. Their lives, their personalities, their finances, their families, friends and values are all fair game for fair reporting."

In fact the public may not have a right to find out everything there is to know about a presidential candidate. But the press has a right to try to find out as much as it feels is pertinent and the public has a right to know what the press finally decides to publish or broadcast. I think the First Amendment guarantees that.

So where does the press draw the line in reporting on the private activities of a political figure? Among journalists there is great disagreement over where or how to draw it. A Washington newspaper and two national news-magazines even printed a rumor—which they stipulated was only a rumor—that Vice President George Bush had had an affair with a member of his staff.

I'm sure every major news bureau in Washington checked out that rumor. We did. We decided that it would be unfair to Bush to publish such a rumor even if we stipulated it was unsubstantiated. And I'm sure editors of the publications that did print the rumor agonized over their decision, but finally decided it was provoking so much talk on the campaign trail that it was legitimate news. They can make that case, but I think they were wrong.

What all this demonstrates is that the press—despite what a lot of people seem to think—is not monolithic. It agonizes over ethics and sometimes has widely divergent opinions about what is right and what is wrong. It cares about credibility and deplores unethical practices in its own ranks when it can agree on what is unethical.

And if the line is to be drawn on reporting the private side of a political figure, I agree with Sen. Bill Bradley. He says it's up to politicians to draw the line and refuse to cooperate when they feel press inquiries are inappropriate or not pertinent.

In a *Life* magazine interview, Bradley was asked about this paragraph from his book—*Life on the Run*—about his life as a professional basketball player:

"The percentages are that if a man spends enough nights in hotels he will meet a woman with whom for that night he will share a bed, giving each a brief escape from boredom and loneliness."

The *Life* interviewer cited that paragraph and noted that the press had not been that tolerant in covering politicians. This is what Sen. Bradley replied:

"Well, the description there applies to what I saw, what life on the road was like for a player. To be true to the situation, you had to talk about it. But in terms of how the press reacts to politicians, I think the press will be the press, and there is nothing a politician can do to prevent the press from searching anyplace for its story.

" . . . I think you have to have places of your life that are private. This is the way I have always looked at my family, for example. A politician has got to be willing to draw a line. That's the only thing the politician can do. He can't do it for the press, he can only do it for himself."

Bradley believes that defining where to draw the line as a general rule would not serve the best purpose, that there can be no hard and fast rule, the politician has to sense when to draw the line on an ad hoc basis.

Nor can there be any hard and fast rules applied as the press struggles with the question of how far it should go in digging into the private behavior of a political figure. And when the credibility or character of either a presidential candidate or Supreme Court nominee becomes an issue, I'm not sure any line can be drawn.

As I see it, the role of the press is to provide the public with information considered pertinent to making an informed decision and to then—in the words of Gary Hart when he reentered the presidential race—"Let the people decide."

In closing, let me say again that I think Ralph McGill would be pursuing the kinds of controversial stories today that usually bring the press under heavy attack. That's what he always did and that's why he remained controversial throughout his career and left such a great legacy in American journalism.