

The Watchdog Role

If a city - San Diego, for example - had a better newspaper, would the city have a better government?

San Diego government, if you haven't heard, is in a bit of a mess. The mayor resigned, two councilmen indicted and resigned, a special mayoral election under way, huge treasury deficits. The San Diego paper, the Union-Tribune last Sunday ran the last of what it called a "Watchdog report, digging into City Hall's money mess."

In the week-long series, it ran stories about the Fairbanks Ranch Country Club's "sweetheart" lease with the city; the "murky business" of selling city property; overstated assets by the city in fiscal 2002; accounting of city real estate "in disarray;" and what the newspaper called a "debacle" at Brown Field.

If these watchdog stories had run a year ago, or three years ago, or five years ago, whenever the sweetheart lease was made, and the murky business and overstating were going on, would there have been any need for the series last week? If the newspaper – or any other media in town, for that matter – had dug into disarray when it was accumulating, or a debacle when it was building, would the city have been stirred to set matters right at that time, to the good of all today?

I would like to think so. It certainly seems possible now, and people have credited Voice of San Diego, the new and earnest online newspaper in town, with stirring the serene Union-Tribune to unfamiliar action. When the U-T broke the Duke Cunningham story, it was hard to tell which amused the readers more, the evidence developed against Cunningham, or that it was the Union-Tribune that not only developed it, but published it.

But the question isn't that simple, and that is very interesting. Newspapers in America – the media in general, but newspapers specifically, because they are where the depth is – have basically unlimited freedom to do their work. Here is the First Amendment to the Constitution:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

There is an amazing breadth of freedom in that guarantee, but we are interested in just the one: "Congress shall make no law abridging the freedom of the press."

The key word in the guarantee is “abridging,” which means “to reduce in scope, intent, etc.” It means the Founding Fathers knew that freedom of the press already existed in the pre-United States. The Constitution did not create freedom of the press. The First Amendment acknowledged that it preceded the Constitution and was as fundamental to a free democracy as water is to blood.

The First Amendment gave the press such power that a body of protections, defamation law, sprang up through the courts to protect citizens from potential abuse.

Yet with all that power, citizens, corporations and institutions have still gotten away with some pretty tyrannical things, partly because the press has a history of getting lazy, or chummy, and partly because people sometimes don't pay attention to what the press says could happen, until it actually happens. It is absolutely possible that the U-T in fact published some of these “watchdog” stories as they were happening, and City Hall didn't respond because it knew nobody was paying attention and things would blow over.

There is no institution the press examines more thoroughly than the seat of government itself, in Washington, D.C., and the most famous and responsible person in that government, the President. At that level, particularly after Watergate, the institution knew the press wouldn't go away, and letting things blow over was dangerous, so the institution developed spin.

The current administration is masterful at spin, but takes its respect (in the sense of “dreaded adversary”) of the press a giant step farther. Last year, a reporter said to President Bush: “Is it true you don't read us, don't even watch the news?” The President said that he did not. The reporter asked: “Well, how do you then know, Mr. President, what the public is thinking?” Mr. Bush said: “You're making a powerful assumption, young man. You're assuming that you represent the public. I don't accept that.”

It was an inspired play, an end-run around the First Amendment, to disenfranchise the press through the back door. But it won't work, because the President is wrong, and he knows it. The press represents the public in Washington, D.C., and in San Diego, California. We are the public's watchdog. As long as the press remembers that every day, the public has a fighting chance. If it pays attention.

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