

## PRESS & TELEVISION

### *Do the Media Miss the Message?*

"Press Coverage of the Supreme Court: A Troubling Question" by William R. Dahms, in *Intellect* (Feb. 1978), Society for the Advancement of Education, 1860 Broadway, New York, N.Y. 10023.

Meeting press deadlines and translating "arcane legal language into newspaper prose" are two problems endemic to media coverage of Supreme Court decisions. In the case of the Court's April 1977 ruling on *Ingraham v. Wright*, involving corporal punishment of school children, these two problems proved insurmountable, says Dahms, a University of Michigan consultant.

In *Ingraham v. Wright*, the Court decided, five to four, that corporal punishment of school children—no matter how severe—does not violate the Constitution. The *Los Angeles Times*, *Chicago Tribune*, *Atlanta Constitution*, and *Ann Arbor News*—to name a few—made erroneous assumptions about the case and consequently led the public to believe that the Court was "opening up a dramatic, new era in terms of the way corporal punishment was going to be administered." Dahms says the decision was actually "quite the opposite."

The issues were whether school children are protected by the Eighth Amendment, which prohibits "cruel and unusual punishment" (and traditionally has been reserved for punishment inflicted for violation of criminal statutes), and whether "due process" is required before punishment. The Court said no to both these questions.

Most newspapers failed to report that legal remedies exist on the state level for students who think they have been treated unjustly. Editorial writers, in particular, thought the Court was choosing between allowing corporal punishment or banning it totally as a violation of the Constitution. Even if the minority opinion had prevailed, says Dahms, "only those punishments which were excessively severe would have been prohibited."

While there is no evidence to suggest that press coverage of *Ingraham* was typical, it indicates, he concludes, "that the press would do well to examine, in a fundamental way, the procedures employed in covering future decisions."

### *Covering Swine Flu*

"Swine Influenza and the News Media" by David M. Rubin and Val Hendy, in *Annals of Internal Medicine* (Dec. 1977), 4200 Pine St., Philadelphia, Pa. 19104.

The press, which has been variously blamed for America's "loss of nerve" in Vietnam and for the public's low regard for politicians, has also been widely criticized for turning the 1976-77 federal swine flu inoculation program into a \$135 million fiasco.

The press was accused by some critics of sensationalizing the swine

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flu story and convincing much of the public that the program was dangerous and ill-conceived. At the same time, newspapers and television were condemned by others for serving as the handmaiden of both the medical profession and the federal government in selling the program to the public.

To test such allegations, Rubin and Hendy, both of the New York University journalism faculty, analyzed stories in 19 daily newspapers, evening news broadcasts of the three television networks, and the output of United Press International for the week of October 11–17, 1976—the week when the inoculation program began in earnest and when three elderly persons died after receiving swine flu shots.

With few exceptions, they found that newspaper and TV coverage was neither sensational nor inaccurate. The media's portrayal simply reflected the contradictions and confusion among officials at the Center for Disease Control in Atlanta, the U.S. Department of Health, Education, and Welfare in Washington, and local public health units. Nevertheless, only a handful of newspapers—notably the *New York Times*, *Washington Post*, *Los Angeles Times*, and *Miami Herald*—took advantage of the public's extreme interest and anxiety to provide coverage with depth and sophistication.

Other papers and the television networks relied heavily on Associated Press and United Press International output, which was “high in volume, reasonably accurate, and unsensational” but also “exceedingly superficial, focusing on numbers of dead rather than causes of death,” and which provided little understanding of underlying issues such as the nature of swine flu and the risks of inoculation. Most disappointing were the three television networks, which offered no news “specials” on a story of obvious public concern.

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**RELIGION & PHILOSOPHY**

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*“Artificial Cases  
Make Bad Ethics”*

“Torture” by Henry Shue, in *Philosophy and Public Affairs* (Winter 1978), Princeton University Press, P.O. Box 231, Princeton, N.J. 08540.

Torture is universally and unanimously condemned in law and human convention, yet the practice is widespread and appears to be growing.

One partial justification for torture still current, says Shue, research associate at the University of Maryland's Center for Philosophy and Public Policy, is that “since killing is worse than torture, and killing is sometimes permitted, especially in war, we ought sometimes to permit torture, especially when the situation consists of a protracted, if undeclared, war between a government and its enemies.” Torture, however, cannot meet the standards of “just-combat killing” because of the gen-