**How do we maintain a free press? Through government intervention.**

By Candy Chan

Do you trust the press? Chances are, you answered “it depends.” Some news sources are reliable, while others reek of political bias. Some tell the stories that you think matter, and others only tell those that serve an agenda. What you read and hear from those untrustworthy newspapers and networks is twisted and manipulated—it’s fake news.

For the first time ever, [more than half of all Americans](https://www.axios.com/media-trust-crisis-2bf0ec1c-00c0-4901-9069-e26b21c283a9.html) share distrust in traditional media. Journalists and reporters are increasingly antagonized by the public and by law enforcement, facing verbal and physical [violence](https://www.rcfp.org/black-lives-matter-press-freedom/). As of 2020, the US ranks 45th in the [World Press Freedom Index](https://rsf.org/en/ranking). That means the US is the 45th safest country in the world for journalists, which is startlingly low for a country that prides itself on freedom and democracy. That also means that, contrary to popular beliefs, the American press is not that free.

Many people see the crippling media system as a recent problem—stemming from widespread distrust, loss of local news, and rapidly changing technology— but this is actually an issue that has concerned journalists and media scholars since the 1940s. In fact, press freedom was such an urgent concern that magazine magnate Henry R. Luce funded an entire commission dedicated to examining it.

Between 1943 and 1947, the Commission on Freedom of the Press (also called the Hutchins Commission) conducted research and held meetings with industry professionals to debate the issue of press freedom. Their work culminated in the publication of *A Free and Responsible Press: A General Report on Mass Communications* in 1947.

What the Commission on Freedom of the Press found matters even more today: that freedom of the press should not be defined as freedom *from* government or public interference. Rather, we should understand it as freedom *to* provide truth and accuracy. We can start to remedy our broken media system by changing how we understand freedom of the press—not as a value inherently against interference, but one that invites collaboration between the press, the government, and the public.

By examining how the issue of freedom of the press was treated in the 1940s, we can see that not only was government intervention already happening, but it also garnered support from the public. Three events in the 1940s reveal the flexibility of freedom of the press: the Supreme Court’s ruling against the Associated Press, the Federal Communications Commission’s Blue Book, and the Hutchins Commission.

In 1942, the U.S. Department of Justice sued the Associated Press under the Sherman Antitrust Act, accusing the news agency of running a monopoly whose membership regulations made it impossible for the establishment of competing newspapers. If the Supreme Court were to intervene and change the AP’s regulations, would that be a direct infringement of the First Amendment protecting freedom of the press? Ultimately, Judge Learned Hand concluded that no, intervention would not threaten the First Amendment. If the First Amendment protects the free press in the interest of democracy, then the press’s value is in its contributions to said democracy, and not in its economic interests.

Another event that showed how government intervention was welcomed is the Federal Communication Commission’s publication of its Blue Book, which outlined the public service requirements for radio broadcasters, in 1946. The FCC argued that it was in the best interest of local broadcasters to have the agency evaluate how they serviced the public. As expected, broadcasters were furious. Not only was this move on the part of the FCC a direct intervention from the government, the Blue Book was being applauded by local community members and grassroots organizations. Americans wanted to talk about the values of local broadcasting; they, too, were troubled by the state of the press.

These two events challenged traditional understandings of the First Amendment—the constitutional bylaw that protects freedom of the press. They were part of what historians called the “communications revolution” of the 1940s. The final piece of this jigsaw is, of course, the Hutchins Commission.

However, unlike the other two events of the “communications revolution,” the Commission actually dissuaded government intervention. In their final report, the Commission concluded that freedom of the press is indeed in danger, but that *only* the press could save itself. Yet the report contradicted what several members of the Commission had advocated for during those four years of research: that the press system needs significant structural reform, and that it needs intervention from the government and the public.

What held the Commission back from suggesting intervention? The answer is rather simple: it’s McCarthyism.

These events of the 1940s illustrate a long-awaited need for media reform led by the government and the public, a need that should have been fulfilled by the Hutchins Commission but wasn’t. When the Commission had the opportunity to suggest radical, widespread changes to the press system, it didn’t. American journalism has suffered the consequences ever since.

There are too many people, corporations and trends to blame for the so-called death of the newspaper. Undoubtedly, there is the rise of digital journalism and social media, where roughly [one in five U.S. adults get their political news](https://www.journalism.org/2021/02/22/americans-who-mainly-got-news-via-social-media-knew-less-about-politics-and-current-events-heard-more-about-some-unproven-stories/). There’s the exorbitant cost of running a newspaper, the reason as to why many local newspapers were sold to parent companies and why parent companies were then sold to hedge funds. There’s the mass closures of local newspapers. Since 2004, about 1800 newspapers have shuttered across the country. With the pandemic in 2020, over [60 papers](https://www.poynter.org/locally/2021/the-coronavirus-has-closed-more-than-60-local-newsrooms-across-america-and-counting/) were forced to close last year. There’s a grown and still growing ideological polarization of news sources. And somewhere between all the culprits killing our newspapers, there are the victims: the thousands of journalists left unemployed and the [millions](https://www.brookings.edu/wp-content/uploads/2019/11/Local-Journalism-in-Crisis.pdf) of Americans without reliable local news.

Maybe there isn’t one path to remedy the plague that’s affecting newspapers across the country, but we have history to show us that the path we’re on is going nowhere. Towards the end of the 1940s, the hope for significant structural reform of the press died with the Hutchins Commission’s report. Today it’s not hope that’s driving reform: it’s desperation. Is freedom of the press in danger? Yes, and the press cannot save itself. We need government intervention to ensure that the press is economically and socially free to report the truth.