



*We shall strive to report the news accurately and fairly  
and will express opinion leaving no doubt as to our position.*

BERNARD H. RIDDER, 1883-1975  
BERNARD H. RIDDER JR., President  
THOMAS L. CARLIN, Publisher

WILLIAM G. SUMNER, Editor  
JOHN R. FINNEGAN, Executive Editor  
H. G. BURNHAM JR., Managing Editor

## The refused ad

The case of the refused ad has been formally presented to the Minnesota Press Council. The council is a group formed to consider complaints against the state's press regarding alleged inaccuracies or unfairness. Half its members are from the print media, half from the general public. It has no legal powers, depending for its effectiveness on the voluntary publicity given to its activities and decisions by the press.

The case in question involves the refusal of the Minneapolis Star and Tribune to publish an advertisement prepared by Citizens for Community Action, a group formed in opposition to the Planned Parenthood clinic in Highland Park. The ad contained a list of names, addresses and telephone numbers of Planned Parenthood officers, directors and sponsors — most of them living in Minneapolis or its suburbs — and urged readers to call them to register protest.

A similar ad was published in the Dispatch and Pioneer Press. The Star and Tribune turned it down, however, asserting that constituted "advocacy" and could result in harassment of the persons listed. This would be an undue and unwarranted invasion of privacy, the newspaper's management said, adding that it could accept the ad only if Citizens for Community Action could furnish written permission to use their names, addresses and phone numbers from each person named.

The attorney for the CCA contends that Planned Parenthood is a "tax-supported group" (it is a nonprofit organization) and that because its officers and sponsors belong to it in "a personal capacity" it is proper to print their phone numbers and suggest calls to them.

C. Donald Peterson, a justice of the state Supreme Court and chairman of the Minnesota Press Council, said he believed the council could consider the question because, he said, it appears to be in the First Amendment sphere of "public debate issues."

The council can, of course, consider whatever issue it chooses, and Peterson's statement cannot be taken as implying he or anyone else on the council believes the refusal of a newspaper to accept an advertisement contravenes the First Amendment. We do not believe it does.

The First Amendment denies to the government the right to deny free expression. The decision of a newspaper to close its columns to an advertisement is neither the action of a government nor the denial of free speech. On the contrary, to force the press to print what it deems unacceptable would be such a denial. The CCA is not, by the action of the Star and Tribune, denied its right to speak out freely against the Planned Parenthood clinic. On the other hand, that action does protect the right — and it's a basic one—of privacy of the individuals named in the ad.

It must be emphasized that the CCA is not seeking legal redress for what it claims to be an improper action. It seeks only to have that action reviewed by a voluntary, semi-private group, with the hope that the council will decide the newspaper was wrong. But even such procedures have their dangers. One is that the findings of such a council, adverse or otherwise, might eventually be used to underpin a legal decision. Decisions make precedent and precedents make law. Sometimes bad law.