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Memo:QUESTIONS OF PROPRIETY

JOURNALISTS DEBATE ETHICS OF HERALD STORY \

CELIA W. DUGGER Herald Staff Writer

Miami Herald stories about **Gary Hart's** relationship with a Miami woman have become news in their own right, as editors and experts across the nation debate the role of the press in examining the private lives of public figures.

Their concern is the story behind the **Hart** story, which led Monday evening's network newscasts on ABC, NBC and CBS.

Some leading journalists criticized The Herald for using what they considered unethical tactics to get the story, and then rushing it into print Sunday before it was adequately checked out.

Others said the newspaper's tactics may seem distasteful but are defensible.

Journalists also disagreed about whether a presidential candidate's sex life is a story at all.

Howard Simons, who was managing editor of The Washington Post from 1971 to 1984 and who now is curator of the Nieman Foundation, said Hart's personal

morality is fair game.

"I have no quarrel with any newspaper peering into the private life of any politician. If you're running for high office, you give up the privacy you enjoy as a private person," he said. "Your life has to be an open book."

Helping the public

Hart's unfaithfulness -- if it can be proven -- would reveal much about his character and would help the public understand the man who seeks the highest office in the country, said Washington Post political columnist David Broder.

"It would raise questions about Hart's self-discipline, his willingness to take risks in an area where he knew he was scrutinized; and it would raise questions about his judgment," Broder said.

To Burton Benjamin, former vice president of CBS News, now a fellow at the Gannett Center for Media Studies at Columbia University, the story was sordid.

Some of the best American presidents -- including Franklin Roosevelt and John F. Kennedy -- were known to have been unfaithful to their wives, he said.

"I have some cynicism about how much it has to do with being a good president," he said. "With all that's going on, that story wouldn't be high on my hit parade."

A number of journalists said they were uncomfortable with the way The Herald got the story. A Herald reporter flew to Washington on the basis of an anonymous tip.

Pulitzer-Prize winning investigative reporter Seymour Hersh said he does not pursue stories unless he knows the identity of the tipster. He sat on information about the CIA for four years because he did not know who was sending it to him, he said.

"I've passed up stories of enormously profound international importance because I didn't know who the source was. You don't know how you're being used and who's triggering you," he said.

Broder disagreed. "The thing isn't the motive of the tipster, but what your reporter saw at the house," he said.

Herald Executive Editor Heath J Meriwether said the information the source provided prompted the paper to look into the story, but the story itself was based on firsthand observation.

"Once we observed the woman coming out of Hart's townhouse, then we knew we had a story," he said. "You have to be concerned about the motive of the source, but we felt we should check out the information."

Crossing the line?

The Herald's stakeout of Hart's personal residence was as controversial as the anonymity of the newspaper's source.

Bill Kovach, editor of The Atlanta Journal-Constitution and former Washington bureau chief for The New York Times, said surreptitious surveillance crosses the line that should separate journalism from law enforcement.

"That's what the CIA does, the FBI does and the police department does. I do not think that's what journalists should do," he said. "The idea of shadowing a public figure bothers me.

"I don't think our job is to investigate, but to observe and to make sure the institutions of public life are doing their job."

Meriwether said the stakeout was necessary to get an important story about the character of a leading presidential aspirant.

"We conducted our surveillance professionally, from public streets. It's an unusual technique on an unusual story. I don't know how else you can cover that kind of story," he said. "We did not peep in windows or hide in bushes."

Veteran Washington columnist Mary McGrory said stakeouts seem repellent but are a fact of life in reporting.

"We stake out public figures in the Iran-contra affair and in executive offices. If we stake out a presidential candidate dogged by rumors of infidelity, I think it's justified," she said.

Haste criticized

Even with the information gathered through the surveillance of Hart's townhouse, some journalists said The Herald was too quick to print a sensitive, damaging story.

Among them was Norman Isaacs, who was editor of The Louisville Courier-Journal for 20 years before serving as an associate dean at the Columbia School of Journalism from 1970 to 1980.

The Herald should have determined the identity of the woman Hart was with and interviewed her before putting the story in the paper, he said.

Isaacs was particularly concerned that the paper acknowledged the possibility that the woman had left Hart's home Friday night, though the first paragraph of its story Sunday said she had spent Friday night at his house.

"If it was possible she left, what the hell are they doing saying she spent all night there?" he said. "It's the kind of story you play carefully and make sure everything is tied down 43 ways.

"I went after a lot of people in my time, but I always knew how to bide my time. I have a nominal distaste for shooting from the hip."

Tom Goldstein, professor of journalism at the University of California at Berkeley, said The Herald did not have enough evidence to print the story. The reporters did not really know what Hart and the woman were doing together. Maybe they were just talking, he said.

"Hart may be an insomniac for all I know," Goldstein said. "He's indoors and he has a certain amount of privacy even if he is running for president. There's a very high standard of proof in a case as sensitive as this."

Meriwether said he decided the story should be printed after the reporters had an unexpected interview with Hart Saturday night.

"Once you had the candidate's version, it seemed we should go with the story," he said.

The paper had enough information to go with the story, he said. Reporters observed Hart alone with the woman three times walking to and from the townhouse. Hart himself confirmed he had made long-distance phone calls to her.

And the paper had watched the house, though not the front and back doors at all times.

"We felt we had a solid story," Meriwether said.