

ABSTRACT

Title of the thesis: Changes in the relationship between print reporters and official sources after 9/11

Thesis directed by: Steve Crane, Assistant Dean.

This study examines whether there has been a change in the relationship between print journalists who cover government and official sources after the 9/11 attacks. The analysis focuses on what happened from 2001 to 2005, and it takes only journalists' experience on the subject. The research is based on in-depth interviews with newspaper reporters who were covering official beats during the time, and with representatives from organizations that have been studying media issues. It is also based on literature from media-specialized publications. The investigation's goal is to group examples and opinions on how the relationship between reporters and official sources changed during this period.

Additionally, it gives context on what this relationship is supposed to be, on how it used to be before the studied period, and on the effects that changes to this relationship may have, according to journalism studies and literature. The investigation showed that the relationship between reporters and official sources changed during the time studied, but it also suggests that this change is not unique to the period after 9/11, as it had happened with previous administrations, especially during war times.

CHANGES IN THE RELATIONSHIP BETWEEN REPORTERS AND
OFFICIAL SOURCES AFTER 9/11

by

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Thesis submitted to the Faculty of the Graduate School of the
University of Maryland, College Park in partial fulfillment
of the requirements for the degree of
Master of Arts
2009

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2009

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METHODOLOGY

In the days following September 11, 2001, the United States began to change. So did American journalism, according to many reporters who were covering the aftermath of the terrorist attacks on the World Trade Center and the Pentagon. For some, there was a slow yet constant change toward an atmosphere of secrecy, especially among official sources. For others, change had begun with the Bush administration and 9/11 just accelerated or even validated this tendency. For a few, this kind of secrecy around official information was common during times of war, and each administration has dealt with it in its own way, maybe not so different from the current one. Nevertheless, among many journalists there was a sort of common perception that the relationship with official sources was affected in some way after the attacks of 9/11.

The study seeks to take a primarily analytical approach to answer the question of whether the relationship between print reporters and official sources based in Washington, D.C, changed in any way between the 9/11 attacks and 2005. The study looks to give concrete examples of how this relationship changed. Those examples and situations, described by the sources who were interviewed for this research, should be compared with the prevalent concept of how this relationship between reporters and sources is supposed to be, and how it used to be in previous administrations before 9/11, in order to put any change into context. That context lets us consider why a change in this particular relationship between reporters and official sources may be important or have an effect in the flow of information received by the society.

Before explaining the methodology followed for this study, it is important to clarify that the research does not attempt to exhaust every angle of the topic. The main

goal is to give an approach primarily from the point of view of journalists, who showed their concern over the issue, according to the media literature from the period chosen. The idea is to analyze this perception. For that reason, I decided to narrow the research in the way I did, hoping to be able to add a different approach that perhaps in the future could be used by others to do further research from other angles.

The reason to restrict this study from September 11, 2001 to the end of 2005 is because it is reasonable amount of time to track any possible change in the relationship between reporters and official sources. On the other hand, during these years several things happened that challenged this relationship: the war on terrorism, the Iraq war and President Bush's re-election. These "turning points" affected the press in some way.

The study also centers on the reporters' views on the topic, and does not explore opinions and perceptions from official sources. It is a methodological option, as I decided to focus on one of the parts involved, the reporters, aiming to do research on their perception of a change in their relationship with governmental sources, on how they expressed that feeling, on where they based their belief, and on how they defined the relationship between the press corps and official sources before 9/11. My intention has been to frame this study in a journalistic area, because it is the one that I was interested in exploring, and, as I said before, this study does not intend to exhaust the topic, which is why I chose to confine the investigation only to reporters' perspective. Even though governmental sources would have added a valuable and particular insight to this study, it would have lead to more broad and time-demanding investigation. Future studies may want to explore those areas and this study may be helpful for that purpose.

The research also concentrated on journalists who are working in Washington, D.C. Being the capital of the United States and the place where the government has most of its offices, it is the natural place to explore the relationships between reporters and official sources in all governmental levels, from the White House to a specific office inside the State Department, not to mention the Congress or the Supreme Court. Most of the reporters based in Washington, D.C., have to deal with official sources all the time. If there were a change in the relationship, they would notice it in concrete examples and probably before any other reporter who is not working at the capital.

In addition to covering Washington, D.C., journalists interviewed for this study were all from print media. The decision to focus on their experiences and not on television and radio reporters was based on the fact that there is a difference in the kind of relationship both reporters' groups can develop with their sources. Because of the immediacy needed in broadcast media or even the necessity to have a voice or a face to actually broadcast news, television and radio reporters usually face other challenges in their relationship with their sources. Print reporters for the most part have more time to invest in developing a closer relationship with sources, and they can offer to their potential sources other ways to build the trust and confidence to give information. I am not saying that broadcast reporters cannot do that; but they have different demands in the way they can use the information and their sources. In other words, considering the kind of relationship a print reporter can develop with an official source, they are more likely to notice a real change, such as more secrecy among official sources, or to have more examples of the way the relationship became different.

Taking all these elements into account, and considering the goal of this study – doing an approach on the topic primarily from reporters’ point of view, the methodology used in the research involved quality and in-depth interviews with print reporters, readings of media specialized publications, journalism books and history books. Human relationships in general are difficult to measure with quantitative methods, but this one in particular, the relationship between a reporter and a source, can be quite complex. Most of the rules on how this relationship should be are not written anywhere, nor are there laws that deal with this matter. Every journalist can have a particular way to interact with a particular source, which might not be the same with any other of his sources. It could be different according to the kind of information the source handles, or even according to the person or even according to the reporter. It is, indeed, one of the most complicated relationships because it is surrounded by subjective elements and by certain contexts that may change over time, both of which make difficult to measure how this relationship may have changed and how it changed in a quantitative way.

On the other hand, the proposed topic of exploring this possibility of change in such a complex relationship can be approached from a qualitative point of view. Context and subjective elements framed in a certain period of time can be obtained from in-depth interviews with a group of reporters talking about their first-hand experiences and impressions on the topic. They can also be taken from the literature on the matter in order to establish how this relationship is supposed to be or expected to be in theory, how it was in the past, and how it was during the period under study. Specialized studies, media-specialized articles and books related to the time-frame that was established for this

research also can help to track if there has been a change or not in the relationship between print journalists and official sources from 2001 to 2005.

Thereby, the methodology used for this investigation involved readings on how the relationship between reporters and sources should be or is expected to be and why, which kind of elements should be taken into account to describe the relationship, which kind of possible ethical dilemmas reporters and sources have to deal with in a hypothetical situation, how and why this relationship can and may change, among others.

An issue to consider for this study was the importance of a change in this relationship: Why is it important if this relationship changes? What would be affected? In which way can freedom of expression be compromised by a change in this relationship? These kinds of readings helped to set the frame of what is considered -in theory- regular, normal, common or frequent in a relationship between journalists and sources, so that it could be compared later with the kind of relationship journalists said they were having with official sources from 9/11 to 2005.

Another step in this research was to investigate how the relationship between reporters and official sources used to be in the past. The historical perspective was a key element for the study. Since the goal was to see if reporters' belief of a change in how they connected with their sources in the government was possible, how this relationship was in the past with sources from other administrations was a component that had to be explored. It was important to particularly look for administrations facing similar challenges - for example, war conflicts- than the one taken into consideration for the study. These readings gave a substantial level of comparison, since they helped to build the context where the analysis of the topic should be done.

The last step in terms of readings was the one related to the period considered for this study: books, articles, and specific studies on the topic published from 2001 to 2005. A good number of books analyzing the press' role after the 9/11 and how reporters kept their sources afterwards, were published during these years and were considered for this research. Articles from *Nieman Reports* and *American Journalism Review*, plus others written by media specialists, were also part of the investigation and supplied several diverse points of view and useful approaches to analyze the topic of this research. In addition, special studies about different angles of the relationship with official sources or access to information from the government were also explored for this study.

The in-depth interviews, arranged and made during May 2007, were divided in two kinds: some were journalists who were reporting or used to report governmental information from Washington, D.C; and then there were a few interviewers who were not covering governmental information, but they were following what was happening in the media, either for a newspaper or for a specific organization.

Two of the reporters interviewed for this study were covering national security issues: Walter Pincus (*The Washington Post*), and Josh Meyer (*Los Angeles Times*). Pincus' testimony was relevant for this study since he has been covering that beat for the past 30 years, while Meyer started covering it after 9/11 and his experience was completely different from Pincus'. John Harwood (*The Wall Street Journal*), who has been covering politics in Washington, D.C, for more than a decade, offered an insight to the relationship with government and political sources. Matt Wald (*The New York Times*) was covering nuclear power and commercial aviation from Washington, D.C, before and after 9/11. His experience brought the perspective of the relationship with official sources

working in hot spots for breaking news after 9/11, but less directly related to policy making. Deborah Nelson, investigative reporter at *Los Angeles Times* during the period covered by this study, provided her vision on the relationship with official sources and the access to information along the years after the terrorist attack. Glen Justice (ex reporter based in Washington, D.C, for *The New York Times*) used to cover campaign finance and lobbying and had to deal with official sources during 2004 campaign. Rafael Lorente (ex Washington correspondent for the *South Florida Sun-Sentinel*) covered two presidential elections (2000 and 2004) and specialized in U.S.-Cuba relations. Lorente was part of a two-person bureau and both journalists had to get most of the government information, especially from the State Department. David Lightman was the *Hartford Courant*'s Washington Bureau Chief for 23 years until October 2007. His knowledge, in terms of dealing with official sources, was useful since he had to look for a regional approach for news, instead of a national one.

Beside the mentioned journalists, other voices that helped to analyze the topic were related to journalism but from a different point of view. Lucy Dalglish, executive director of *Reporters Committee for Freedom of the Press*, gave her perspective and experience on how the relationship between reporters and official sources had change, and how the access to information from the government had also changed. Bill Kovach, acting director from *Project for Excellence in Journalism*, explained and provided opinion about the experience collected by his organization on the matter. As a media reporter, Howard Kurtz (*The Washington Post*) followed media's work through the period proposed for this study, and commented on the flow of information and the

relationship between journalists and official sources, all of which made him a valuable interview.

The combination of all these elements described above made the core of the study. Both journalists and official sources are vital to assure the flow of information within a democratic society. If their relationship is disturbed somehow and that change leads to more secrecy or to less checks and balances from the press, the flow of information people receive can be seriously affected, which may affect their decision-making process. That is why it is relevant to make the proposed analysis.

LITERATURE REVIEW

Considering the goal of this research, it is necessary to establish a frame of definitions in order to contextualize the topic and the analysis proposed.

Purpose. There is little consensus on a definition of journalism. Many journalists find it hard to define, believing that a definition of the activity will limit what it is or will make it resistant to change over time. However, in *The Elements of Journalism*, Bill Kovach and Tom Rosenstiel say that a common ground of agreement is more likely to be found on the purpose of journalism. It is not defined by technology, or by journalists, or by the techniques they employ, but by the function news plays in the life of people, they say. Therefore, “the purpose of journalism is to provide people with the information they need to be free and self-governing.”¹

The American Society of Newspapers Editors gives a similar definition of the purpose of journalism: “The primary purpose of gathering and distributing news and opinions is to serve the general welfare by informing the people and enabling them to make judgments on the issues of the time.”²

Furthermore, in a democratic society information gives people what they need to know in order to watch what the government does, to assume their personal responsibilities, and to reach their own conclusions according to their values, says Tomás Linn in *Pasión, rigor y Libertad (Passion, rigor and freedom)*.³

¹ Kovach, Bill and Rosenstiel, Tom, *The Elements of Journalism*, p 12- 17.

² Hulteng, John L., *Playing it Straight*, p.5.

³ Linn, Tomás, *Pasión, rigor y libertad*, p. 32

These definitions of the purpose of journalism focus on the same element and consequence: journalism provides information to people, so that they can freely decide on the issues related to their personal and community lives. Regarding this last point, the definition is also showing how news media help to define communities, to create a common language and to build common knowledge about what happens in a society and in the world.⁴ In *Deciding what's news*, sociologist Herbert J. Gans says that like other empirical disciplines, news contain values, or what he called “preference statements.” This actually leads him to suggest that “there is, underlying the news, a picture of nation and society as it ought to be.”⁵

According to Kovach and Rosenstiel, it is difficult to separate the concept of journalism from the concept of creating community and later democracy. “The more democratic the society, the more news and information it tends to have.”⁶ In other words, journalism is so fundamental to the purpose of building democracies that “societies that want to suppress freedom must first suppress the press,” they say.⁷

Moreover, in *Political Power and the Press*, William J. Small says:

“The freedom of the word – freedom to speak it or print it or broadcast it but most especially, freedom of others to hear it -- is crucial to any democratic state. It is, as Mr. Walter Lippmann once observed, not so much a privilege as an organic necessity in a great society. Each time a branch of the press fails to publish the word, to hear the word and pass it on, then society is deprived of one of the essential to its very being.”⁸

⁴ Kovach and Rosenstiel. *The Elements of Journalism*, p. 17

⁵ Gans, Herbert, *Deciding What's News*, p. 39

⁶ Kovach and Rosenstiel, *The Elements of Journalism*, p. 21

⁷ Ibid, p. 18

⁸ Small, William J, *Political Power and the Press*, p. 16

Kovach and Rosenstiel also quote Lippmann when he wrote: “There can be no liberty for a community which lacks the information by which to detect lies”.⁹

Hence, authors agree that journalism is an essential tool for democracies, as it provides people with the information they need to build their communities through taking their own free decisions.

Truth. But for this to happen, people have to believe that the information they are receiving is truthful. Kovach and Rosenstiel say that the first obligation of journalism is to the truth. “Since news is the material that people use to learn and think about the world beyond themselves, the most important quality is that it be useable and reliable”.¹⁰

However, among journalists there is not a unique idea of what truth means. Most authors concede that it is a goal of every reporter. Yet, some journalists talk about accuracy and fairness, as they believe that truth is an ideal difficult to reach in an absolute way.

Lippmann wrote in *Public Opinion* (1922) that news and truth are not the same thing. While the function of news is to highlight an event or make people aware of it, the function of truth is “to bring light to the hidden facts, to set them into relation with each other, and make a picture of reality upon which men can act.”¹¹

Kovach and Rosenstiel say that the search of truth is a goal for journalists, even when it is elusive. Although reporters might not get to the truth in their first story, by

⁹ Kovach and Rosenstiel, *The Elements of Journalism*, p. 72

¹⁰ Ibid, p.38

¹¹ Ibid, p.40

building a second and a third story – where mistakes are corrected, missing elements are added and more sources are quoted, the search for truth becomes a conversation.¹²

“The truth here, in other words, is a complicated and sometimes contradictory phenomenon, but seen as a process over time, journalism can get at it.”

The authors also say that the job of the media is to give its public what it needs “to sort out the truth for itself over time”.¹³

Eugene Goodwin in his book *Groping for Ethics in Journalism*, on the other hand, talks about accuracy and fairness as the most important of journalism professional standards. “The facts that journalists *can* produce sometimes add up to the truth, but journalists are seldom able to put sufficient facts together at a given time to be able to tell the truth about some news subject,” he says.¹⁴

But Goodwin talks about truth too, since he defines the accuracy standard as “being truthful both in gathering and presentation of facts and information; not lying, not plagiarizing.”

ASNE’s statement of principles says that “every effort must be made to assure that the news content is accurate, free from bias and in context, and that all sides are presented fairly.” The same applies to editorials and commentary articles, as they should be held “to the same standards of accuracy with respect to fact as news reports.”¹⁵

According to Leo Bogart in *La Prensa y su Público (The Press and its public)*, the value that American managing editors concede to truth and accuracy of the information

¹² Ibid, p. 44-45

¹³ Ibid, p. 29

¹⁴ Goodwin, Eugene, *Groping for Ethics in Journalism*, p. 11.

¹⁵ Hulteng, *Playing it Straight*, p. 35

goes all the way back to the times when there were no cameras or tape recorders, and reporters had to be able to give an independent version of the facts they saw or covered.¹⁶

Linn also talks about veracity, credibility and truth as a net that defines journalism. “The independence of news media is related to the credibility the public gives to it. That credibility does not imply news media information is truthful, but that people believe in that information”.¹⁷

Truthful information is not necessarily the truth. Even if reporters do their best to gather all the details and ask all the sources about that information, it does not mean they have obtained the truth. “Veracity is, indeed, the best way to reach the truth,” Linn says.

In other words, journalists should work to be accurate and truthful when they gather the information, and when they present it to their audience or readers. It does not matter what it is called – truth, accuracy -- in the end what matters is that the information people receive should be accurate and truthful, so that they can make their decisions.

Kovach and Rosenstiel make a point of this issue, when they say:

“As citizens encounter an ever-greater flow of data, they have more need – not less – for identifiable sources dedicated to verifying that information, highlighting what is important to know and filtering out what is not. Rather than expand the time they spend sorting through information themselves, a task that becomes increasingly time-consuming as outlets expand in number, people need sources they can go to that will tell them what is true and significant.”¹⁸

Taking all these ideas into account, it can be said that journalism’s essential space is freedom; the final addressee of its work is the public; the crucial instrument of its work is rigor, in order to obtain the information in the conditions described above, Linn says.¹⁹

¹⁶ Bogart, Leo, *La Prensa y su Público*, p. 367

¹⁷ Linn, *Pasión, rigor y libertad*, p. 60

¹⁸ Kovach and Rosenstiel, *The Elements of Journalism*, p. 44-45

¹⁹ Linn, *Pasión, rigor y libertad*, p. 22

Truth is considered such an indispensable value for the delivery of news to the people, that many newspapers make it explicit and foremost in their codes of ethics or conduct, in the United States and worldwide.

For example, after Eugene Meyer bought *The Washington Post* in 1933, he published “These Principles,” which said: “The first mission of a newspaper is to tell the truth as nearly as the truth may be ascertained. The newspaper shall tell ALL the truth so far as it can learn it, concerning the important affairs of America and the World.”²⁰

In its *Ethical Journalism* (2004) handbook, the *New York Times* says something similar: “The Times treats its readers as fairly and openly as possible. In print and online, we tell our readers the complete, unvarnished truth as best we can learn it.”²¹

The *Associated Press Statement of News Values* (2005) says:

“For more than a century and a half, men and women of The Associated Press have had the privilege of bringing truth to the world. They have gone to great lengths, overcome great obstacles – and, too often, made great and horrific sacrifices – to ensure that the news was reported quickly, accurately and honestly.”²²

The *Dow Jones Code of Conduct* also brings the truth as the main value of their reporting: “it is an essential prerequisite for success in the news and information business that our customers believe us to be telling them the truth.”²³

In its stylebook, *El País de Madrid*, from Spain, says that the newspaper will try to daily present truthful, complete, interesting, current and high-quality information, so that it can help readers to understand reality and to build their own criteria.²⁴

²⁰ ASNE web site, available here: <http://www.asne.org/ideas/codes/washingtonpost.htm>.

²¹ ASNE web site, available here: <http://www.asne.org/files/newyorktimesethics.pdf>.

²² ASNE web site, available here: <http://www.asne.org/index.cfm?ID=6120>.

²³ ASNE web site, available here: <http://www.asne.org/index.cfm?ID=3555>.

²⁴ El País de Madrid, Libro de Estilo, p.21

In Argentina, the newspaper *La Nación* says that the reader has the right to demand that the information published by the media is truthful.²⁵

Considering the value of the truth and how it is part of what journalism should seek, it has to be explained which methods reporters use to get information that people can trust to make their decisions.

Gans, for example, considers that information gathered by reporters is not only the result of what they find through an empirical investigation, but it is also the result of concepts and methods they use to do that inquiry, and the assumptions that are usually behind those methods and concepts.²⁶ Gans summarizes how reporters obtain the information in the following way: “from sources they observe or interview.”²⁷

Kovach and Rosenstiel say that verification and synthesis are the “backbone of the new gatekeeper role of the journalists.”²⁸ Even though there are no standardized codes on this, every reporter operates “by relying on some often highly personal method of testing and providing information – in his own individual discipline of verification.”

The discipline of verification consists in practices such as seeking multiple witnesses to an event, disclosing as much as possible about sources, and asking many sides for comment, they say. Kovach and Rosenstiel call it “the essence of journalism”, because it is that discipline what separates journalism from entertainment, propaganda, fiction or art. “Journalism alone is focused on getting what happened down right.”²⁹

Objectivity is linked to the discipline of verification. According to Kovach and Rosenstiel, “objectivity called for journalists to develop a consistent method of testing

²⁵ La Nación, *Manual de Estilo y Ética Periodística*, p. 45

²⁶ Gans, *Deciding what's news*, p. 39

²⁷ Ibid, p.116

²⁸ Kovach and Rosenstiel, *The Elements of Journalism*, p. 44-45

²⁹ Ibid, p. 71

information –a transparent approach to evidence- precisely so that personal and cultural biases would not undermine the accuracy of their work.”³⁰

Although journalists usually give different interpretations to the meaning of being objective, the essence of the concept is the same, regardless of the misinterpretations and controversies the use of this word has aroused through journalism history.

Kovach and Rosenstiel quote Lippmann when he said that reporters should acquire “the scientific spirit,” in the sense that they should aspire to “a common intellectual method and a common area of valid fact.” He meant that the method to gather the information should be objective, not the reporter.³¹

Both authors emphasized that being objective in the method has implications, and one of them is the impartial voice used by news organizations to present the information to the audience. The neutral style of writing in journalism is “a device news organizations use to highlight that they are trying to produce something obtained by objective methods.”³²

Gans says reporters try to be free from their own values and ideologies when they gather information, and even when objectivity is a value in itself, journalists try to exclude their preferences on the issues they cover.³³ The author concludes that objectivity in journalism derives “from the use of similar fact-gathering methods; like scientific method, journalistic method is validated by consensus.” The methods are considered to be objective, since reporters – trying not to have any attachment with the story- do not

³⁰ Ibid, p. 72

³¹ Ibid, p. 73-74

³² Ibid, p. 74

³³ Gans, *Deciding what's news*, p. 182

care how the story comes out, he adds.³⁴ If they can or cannot be truly objective, it is a different discussion. But they do try to live up to their definition of objectivity, Gans says.

The idea of being objective in gathering and presenting information is also reinforced by the necessity to protect journalistic credibility. “If journalists were not viewed as being objective, every story could be criticized as resulting from one or another journalistic bias, and the news would be distrusted by even larger numbers of viewers and readers than is now the case,” Gans writes. Reporters see themselves as the ones who provide information that will enable the public to come to its own conclusions.³⁵ In other words, they need people to believe in the information they provide.

Likewise, Goodwin says that depending on the history book, objective reporting started either with the growth of cooperative newsgathering through *AP* or it developed in the 20th century “as journalists imitated the scientific methods of natural science. In any event, the idea that news should be unbiased, balanced, fair became and remains widely accepted in the field, even though the word ‘objectivity’ has fallen into dispute.”³⁶

Goodwin also says that many journalists believe that objective reporting is defined by being spectators and not participants in what they cover. “Reporters are not supposed to get involved in their stories; they are not supposed to become part of the story; they are supposed to be neutral observers,” although it is not always easy for them, he says.³⁷

³⁴ Ibid, p. 183

³⁵ Ibid, p. 186

³⁶ Goodwin, *Groping for Ethics in Journalism*, p. 11

³⁷ Ibid, p. 302

Others authors seem to be more radical in denying the purity of objectivity as the essence of journalism. In *El Blanco Móvil (The Moving Target)*, reporter Miguel Ángel Bastenier says that objectivity does not exist, and there is no need for it to exist because every newspaper would give the same account of facts. But, he claims, what exists in journalism is honesty in the starting point or the will to act with the strict neutrality that gives journalism its condition of being a professional activity.³⁸

Looking through all these definitions, it seems clear that journalists try to provide information that it is truthful, so that the public can trust it. Reporters accomplish this service by using methods and techniques – both of them with objectivity, accuracy or fairness as their main values and goals -- that would help them to ensure that the information they are giving is truthful.

Thus, the next question is where journalists should get information, and how they ensure that what they are publishing is truthful.

Sources. Reporters gather information basically by being in the place where things happen. As witnesses, they can later recall the events for their public, which may not have had access to those events or may not have had the time or interest to be there. Since reporters need to explain why those facts are important for the audience, they may seek comments from other people who were there or can give context to the event.

Documents are another source of information. They can be official reports, academic research or special studies on issues of public interest, and they can be elaborated by organizations that are not part of the government, to mention a few examples.

³⁸ Bastenier, Miguel Ángel, *El Blanco Móvil*, p. 25-29

Human sources are a vital element of reporting. They can be officials, civil servants, witnesses of a certain event, citizens who are organized or not, or any person who has information. However, the relationship with sources of any kind is one of the most complex, changing and challenging for journalists, and yet it is one relationship they cannot avoid, since they need sources to have access to information that may be of public interest.

Citizens rely on other sources of information for most of what they know, says Kovach and Rosenstiel. “Journalists monitoring the world on our behalf also most often depend on others for the details of their reporting,” they explain.³⁹

As Bogart puts it, reporters frequent places where news are supposed to be found, for examples, police stations, courts, governments offices, to mention a few.⁴⁰

As another example, Argentinean newspaper *Clarín* defines sources in the following way: testimonies of witnesses, officials or public people; official documents or from organizations; and radio or TV shows, photos, videos, Internet material.⁴¹

Information is transmitted from sources to audiences, Gans says, with journalists “summarizing, refining, and altering what becomes available to them from sources in order to make the information suitable for their audiences.”⁴² The author defines sources as “the actors whom journalists observe and interview, including interviewees who appear on the air or who are quoted in magazine articles, and those who only supply background information or story suggestions.” Gans says that the most salient

³⁹ Kovach and Rosenstiel, *The Elements of Journalism*, p. 90

⁴⁰ Bogart, *La Prensa y su Público*, p. 255

⁴¹ Clarín, *Manual de Estilo*, p. 24

⁴² Gans, *Deciding what's news*, p.80

characteristic of sources is that they provide information as members or representatives of organized or unorganized interest groups.

“Journalists see people mainly as potential sources, but sources see themselves as people with a chance to provide information that promotes their interests, to publicize their ideas, or in some cases, just to get their names and faces into the news,” Gans writes.⁴³ Reporters and sources must have access to each other “before information can become news,” Gans says. However, the access is differentially distributed: those who are economically and politically powerful can get access to reporters and are sought out by them. But those who do not have power are harder to reach by journalists, or are not sought out until their actions “produce social or moral disorder news.”⁴⁴

Linn says that journalists are, in essence, “news diggers” as they have to “remove the ground” to see what is totally or partially hidden, especially by those who have power. Sometimes the reporter witnesses the event and sometimes he or she has to go to the main characters in order to obtain information. For those reasons, journalists are usually required to have a professional training that makes them capable of getting information, Linn adds.⁴⁵

Who are the sources? According to Gans, news is weighted toward sources that want to provide information. And sources become eager to release information, either because “they benefit from the widespread and legitimated publicity the news media supply or because they need the news media to carry out their duties,” he says.⁴⁶

⁴³ Ibid, p. 117

⁴⁴ Ibid, p. 81

⁴⁵ Linn, *Pasión, rigor y libertad*, p. 147

⁴⁶ Gans, *Deciding what's news*, p. 117

Thereby, what Gans calls “eager sources” become regular ones, and they often appear in the news. “Most sources that appear intermittently are agreeable; they do not need the news to survive but enjoy the benefits, such as added prestige, that come from appearing in the national news media”, Gans says.

The author calls “permanently recalcitrant sources” to a smaller group of sources. “Many politicians and public officials who are normally eager sources will quickly become recalcitrant when the news hurts them or their cause,” Gans explains. “One permanently recalcitrant source is the organized or unorganized underworld; as a result, its leaders usually make the news only when they are murdered or imprisoned,” he says.⁴⁷

Within this description, Gans highlights the way powerful sources usually get into stories: They use their power to create suitable news. However, reporters and their editors “retain the right to choose suitable sources, and even the president is sometimes not deemed sufficiently newsworthy,” he says.⁴⁸

When sources are not powerful, they can overcome that difficulty because reporters need story ideas and stories, Gans says. But even then, their ability to be newsworthy “requires resources and skills, many of which go hand in hand with economic power, at least, and are possessed by only a few.”⁴⁹ There is another group of sources that Gans calls “peer sources” and those are family members, relatives, friends, neighbors, and people reporters meet at social gatherings. Even children and their friends can play that role. All of them are credible sources because they usually do not talk out of their interest or group interest, and they can give story ideas.⁵⁰

⁴⁷ Ibid, p. 118

⁴⁸ Ibid, p. 119

⁴⁹ Ibid, p. 121

⁵⁰ Ibid, p. 127

According to Héctor Borrat in *El Periódico, Actor Político (The Newspaper, Political Actor)*, newspapers try to conquer and keep the access to sources in order to satisfy their informative needs. At the same time, they are sought by sources that want their messages in the media. There are exclusive sources or shared ones, and both types are part of a network of sources a newspaper can have, he adds. Every source produces one version of what really happened, among other possible versions.⁵¹ Borrat adds that the number, quality and diversity of newspaper' sources measure its informative power.⁵²

Having considered definitions of sources by different authors, it remains to be analyzed how the relationship between reporters and sources works.

Relationships. Journalists relay on many and diverse sources to get information. A network of well-founded and trustworthy sources is indispensable capital for every reporter, Linn says. But to keep such a valuable network, journalists have to establish a personal relationship of trust, which most of the time ends up being conflictive.

Linn says that usually there are contradictions between the value given by sources to what they leak and the value and use given by reporters who receive that information.⁵³ Freely doing journalism for an audience implies a conflictive relationship between reporters who look for news, and those who generate news, Linn says.⁵⁴ Sources will try to push on their favor, and though it is legitimate, it will most likely affect reporters' work somehow.

⁵¹ Borrat, Héctor, *El Periódico, Actor Político*, p. 54-56

⁵² *Ibid*, p. 57

⁵³ Linn, *Pasión, rigor y libertad*, p. 148

⁵⁴ *Ibid*, p. 23

To have access to sources means that reporters need to gain their trust without deceiving their audience. This permanent “dribbling” between being loyal to a source and being loyal to a reader is, maybe, one of the most difficult to sustain, Linn writes in *De Buena Fuente (From a good source)*. A deceived reader means the loss of credibility in reporters’ work; a deceived source leads to the lack of access to valuable information.⁵⁵

Gans says that the relationship resembles “a dance, for sources seek access to journalists, and journalists seek access to sources. Although it takes two to tango, either sources or journalists can lead, but more often than not sources do the leading,” he says.⁵⁶

“The source-journalist relationship is therefore a tug of war,” he says, “while sources attempt to ‘manage’ the news, putting the best light on themselves, journalists concurrently ‘manage’ the sources in order to extract the information they want.”⁵⁷

From the sources’ perspective, he continues, a successful access to reporters depends on four interrelated factors: initiative, power, the ability to supply journalists with suitable information, and their geographic and social proximity to them.

Within this relationship and its potential conflicts, there are several elements to consider. For example, journalists determine sources’ suitability with a main goal: efficiency. Since they have time constraints, they try to obtain the most suitable news from the fewest number of sources as quickly and easily as possible, Gans says. If sources have provided information for suitable stories in the past, they can be chosen again, as they are judged by their ability to supply a lot of information effortlessly and quickly. Another important issue in selecting sources is their reliability. Journalists will go after sources whose information requires the least amount of checking, although when

⁵⁵ Linn, Tomás, *De Buena Fuente*, p. 24

⁵⁶ Gans, *Deciding what’s news*, p. 116

⁵⁷ *Ibid*, p. 117

it is a controversial story, they need to check the information with at least two separate and independent sources.⁵⁸

Reporters also look to talk to sources with authority and responsibility on issues, as official authorities. “They are assumed to be more trustworthy if only because they cannot afford to lie openly; they are also more persuasive because their facts and opinions are official,” Gans says.⁵⁹

Sources’ reasons to give information to a reporter are also relevant for the relationship with reporters. Many authors agree that sources give information for their best interest, while journalists seek them to obtain that information so they can provide it to their audience. Those mixed interests often create tension in this relationship. “When the source leaks information, it is not in the best interest of the public, but in its personal or group interest,” says Linn. Consequently, journalists have to be careful that sources’ motives are not affecting information received, and they need to check it with independent sources. They can be leaking distorted information to measure its effect on the public.⁶⁰

Although it may seem like a fluid relationship, sources can feel betrayed by the release of the information –even when they authorized the leak, especially if it has a boomerang effect, Linn says. The source may be the first to deny it, to publicly clarify that the disclosure was not his fault, and this can compromise reporters’ credibility. Even when journalists might be free from their confidentiality agreement, it is not always wise to release the identity, since it may lead to a controversial situation with other sources.⁶¹

⁵⁸ Ibid, p. 129

⁵⁹ Ibid, p. 130

⁶⁰ Linn, *Pasión, rigor y libertad*, p. 150

⁶¹ Ibid, p. 151

In the long term, Linn says, if the information were truthful, those who denied it in the first place would be the ones losing their credibility.⁶²

There are sources that disclose information because of their good will, said Hedrick Smith, in *The Power Game*. Others leak it in retaliation to their adversaries. Some sources leak information to measure the public reaction to potential policies. There are those who are angry at what they consider wrong doings, and they leak data.⁶³ These are just examples of the many motives sources may have to release information. Journalists have to balance the value of the information leaked with the potential sources' motives to disclose it.⁶⁴

Kovach and Rosenstiel recommend journalists be honest and truthful with their audiences about what they know and what they do not know, since they are supposed to be truth seekers. The best way to practice honesty “is to reveal as much as possible about sources and methods.”⁶⁵ They consider it the most important element in creating a “discipline of verification.” These explanations will allow the audience “to judge the validity of the information, the process by which it was secured and the motives and the biases of the journalist providing it.”

“If the best information a journalist has comes from a potentially biased sources, naming the source will reveal the audience the possible bias of the information – and may inhibit the source from deceiving as well,” they add.⁶⁶

In such a complex relationship between reporters and sources, with both parts having different motivations, conflicts are around the corner. One problem can be

⁶² Ibid, p. 152

⁶³ Ibid, p. 153

⁶⁴ Ibid, p. 154

⁶⁵ Kovach and Rosenstiel, *The Elements of Journalism*, p. 80

⁶⁶ Ibid, p. 81

determined by the closeness of the relationship. As Goodwin puts it: “Reporters who develop a friendship with their news sources, seeing them socially as well as professionally, can easily fall into the trap of favoritism.”⁶⁷ Because of this closeness, reporters may feel that they have to avoid publishing information that can hurt their sources’ interest and, therefore, their friendship. If the source is really good, journalists may think that they will lose him or her by releasing that information.⁶⁸

Goodwin explains that sources can also take care of reporters, “feeding them news or tips exclusively or at least ahead of their competitors, or filling them in on the sort of background information that makes their stories sound more authentic. A kind of mutual back-scratching pact can easily develop.”⁶⁹ However, many reporters “try hard to avoid deep friendships with their sources for fear of relationships that would or might interfere with the reporter’s perspective and ability to treat news subjects fairly.”

It is a hard call for reporters not to get involved with their sources if they share so much time together or if they develop a close relationship through social gatherings. It seems to be the perfect scenario for reporters to get breaking news or even to understand the context surrounding certain information. But the risk of not being able to accomplish the ultimate purpose of journalism, of providing all the information the audience needs to make its decisions, is too high for the reporter. Yet, the risk is also high for sources that may expect loyalty from reporters who are believed to be friends.

Many newspapers try to avoid this proximity between journalists and potential sources by establishing rules in their codes of conduct. In practice, editors may decide to

⁶⁷ Goodwin, *Groping for Ethics in Journalism*, p. 110

⁶⁸ Linn, *Pasión, rigor y libertad*, p. 155

⁶⁹ Goodwin, *Groping for Ethics in Journalism*, p. 110

rotate reporters from their beats or campaigns “to minimize the ‘cozy’ relationships that sometimes develop when reporters have to depend on the same sources again and again.”

Nevertheless, journalists spend most of their professional lives covering the same beat, where they develop close relationship with their sources. According to Goodwin, editors acknowledge this problem “when they assigned reporters from outside a particular beat to move in on a special or negative story that the regular reporter could not do without losing some of his or her prized sources.”⁷⁰

As Kovach and Rosenstiel say: “Journalists must maintain an independence from those they cover.” However, they refer to something else –and Goodwin says the same -- which is a conflict of interest that has a lot to do with what was mentioned before. Journalists cannot be participants in the events, because that would cloud all the other tasks a journalist must perform, authors say. “It becomes difficult to see things from other perspectives. It becomes more difficult to win the trust of sources and combatants on different sides.”⁷¹

Seeing all sources as adversaries is another conflict that should be avoided, Goodwin says. “An adversarial relationship between reporters and sources is necessary for the press to be a true watchdog of government and other important institutions of American life, this argument holds,” Goodwin explains.⁷² “But treating all sources as adversaries can be just as unfair to them and to the public as treating them all as buddies”. Reporters who act as if most public officials or sources are thieves or incapable at their

⁷⁰ Ibid, p. 113

⁷¹ Kovach and Rosenstiel, *The Elements of Journalism*, p. 97

⁷² Goodwin, *Groping for Ethics in Journalism*, p. 114

functions, are wrong and they are apt to let their prejudices dictate both their questions and their news stories.⁷³

Many newspapers' codes or internal rules mention how to deal with some of these conflicts between reporters and sources. The *Washington Post Standards and Ethics* refers to possible "conflict of interest" with sources and tells reporters how they are expected to behave. "This newspaper is pledged to avoid conflict of interest or the appearance of conflict of interest, wherever and whenever possible." So journalists should pay their own way. "We accept no gifts from news sources. We accept no free trips," it pledges. "We make every reasonable effort to be free of obligation to news sources and to special interests. We must be wary of entanglement with those whose positions render them likely to be subjects of journalistic interest and examination."⁷⁴

Los Angeles Times rules that reporters should pay for their meals whenever it is possible, and should also pay for travel expenses. "Exceptions may arise when access to a news event or source can be gained in no other way. A journalist covering a military or scientific expedition, for instance, may have no reasonable method to pay for travel. Those arrangements should, however, be the exception."⁷⁵ Journalists cannot accept or give gifts to news sources, potential news sources or those who may seek to influence coverage.

Foreign newspapers codes and stylebooks also give advice on how to deal with sources to avoid conflicts. *El País de Madrid*, a Spanish newspaper, says that a source has to be mentioned if the journalist did not witness the event. Whenever there is a doubt

⁷³ Ibid, p.115

⁷⁴ ASNE web site, available here: <http://www.asne.org/ideas/codes/washingtonpost.htm>

⁷⁵ ASNE web site, available here: <http://www.asne.org/ideas/codes/losangelestimes.htm>

on delicate issues, it should be contrasted between at least two independent sources.⁷⁶

Argentinean newspaper *Clarín* stylebook indicates that all the sources must be verified or confronted, whenever necessary.⁷⁷

Attribution. Once reporters get the information from sources, they deal with rules on how to attribute it. Before that, they have to negotiate with sources on how it will be published, an agreement that has an impact on the information released.

One of the earliest reporters' techniques to assure the reliability of the information was giving the source, Kovach and Rosenstiel say. "Such dependence on others for information has always required a skeptical turn of mind for journalists," they write. If sources are fully described, people can decide for themselves if information is credible.⁷⁸

Linn talks about three ways to manage information from sources. The ideal one is when the source agrees to be quoted by his or her name and position. It is not the most frequent, he says, especially when the information is considered by the source to be quite "strong" for the audience.⁷⁹ Another way is when the source requests not to be directly quoted and reporters will have to choose to pay the price of that limitation to publish the information. Yet, journalists may give a hint of where the information was obtained, by trying to specify where the source works.⁸⁰ But a source can give the information, with the express request of not publishing it, which is known as an "off the record" request. These pacts with sources must be fulfilled. The only way to disclose the information is when a different source leaks it without that condition, says Linn. If sources do not have

⁷⁶ El País de Madrid, Libro de Estilo, p. 23-25

⁷⁷ Clarín, Manual de Estilo, p. 25.

⁷⁸ Kovach and Rosenstiel, *The Elements of Journalism*, p. 90

⁷⁹ Linn, *Pasión, rigor y libertad*, p. 148

⁸⁰ *Ibid*, p. 149

these guarantees, they will never reveal information. If reporters do not commit to transitory confidentiality, in the long term the public may be misinformed, Linn adds.⁸¹

Journalists come with a variety of contracts with which to negotiate their agreements with sources, Goodwin says, named “off the record,” “without attribution,” on “background” and on “deep background.” Sources speak “off the record” when they do not want to be identified with the information, and many use it sometimes even when they are speakers in a public meetings.⁸² “On background” describes the agreement when sources call in a group of reporters to brief them on a certain subject, but do not want to be directly identified with the information. “On deep background” is used, for example, for confirming a story.⁸³

According to Goodwin, the word “leak,” which is applied to information given to journalists that is not available to them through ordinary channels, is an offshoot of the background briefing. “That sort of thing happens when some person who is privy to private information decides, for one reason or another, to share that information with the world by feeding it to a single journalist or to a small group of them,” he says.⁸⁴

However, journalists are bothered by the possibility of being used when they come to these arrangements that restrict their ability to tell a story –not just what was said, but who said it and why. But even then, reporters have entered into these agreements. Some of them have gone to jail for not reviling their sources’ identities.⁸⁵

Thus, agreements of confidentiality are very important in the relationship between journalists and sources, but they are also another element in its complexity. Such is the

⁸¹ Ibid, p. 150

⁸² Goodwin, *Groping for Ethics in Journalism*, p. 125

⁸³ Ibid, p. 125-127

⁸⁴ Ibid, p. 127

⁸⁵ Ibid, p. 129.

importance of these agreements that the ASNE wrote a principle about it as it follows: “Pledges of confidentiality to news sources must be honored at all costs, and therefore should not be given lightly. Unless there is clear and pressing need to maintain confidences, sources of information should be identified.”⁸⁶ Goodwin says that those who support “the principle of confidentiality” for journalists argue that they are no better than their sources. “If you cannot promise protection, many people will not talk. And if you give in when a judge orders you to reveal a secret source, other sources will clam up when you or other reporters go to them for information.”⁸⁷ If a reporter cannot carry out an agreement with the source, then he or she will have a short professional life, Linn says, because sources will know the journalist is not trustworthy and will not give him the information. Fulfilling such agreements is good professional practice, he adds.⁸⁸

Nevertheless, as a rule it has exceptions. As Kovach and Rosenstiel point out: “A growing number of journalists believe that if a source who has been granted anonymity is found to have misled the reporter, the source’s identity should be revealed. Part of the bargain of anonymity is truthfulness.”⁸⁹

The complexity of the negotiation and the reporter commitment show one of the biggest dilemmas in the journalist-source relationship: The use of anonymous sources can affect media credibility. “It is far better to go with genuine quotations from named sources who are in a position to complain if they have been misrepresented,” John Hulteng writes in his book *Playing it Straight*. If that happens, readers have some guarantee that they are getting honest reporting. “The appearance of impropriety can be

⁸⁶ ASNE Statement of Principles, quoted by Hulteng, *Playing it Straight*, p. 51

⁸⁷ Goodwin, *Groping for Ethics in Journalism*, p. 117

⁸⁸ Linn, *Pasión, rigor y libertad*, p. 157

⁸⁹ Kovach and Rosenstiel, *The Elements of Journalism*, p. 82

as damaging to the paper's integrity in the case of faceless sources as it is in instances of conflict of interest," he adds.⁹⁰

Hulteng says that "both old and new journalists indulge in a practice that falls in a gray zone between interpretation and flat-out lying: excessive reliance on anonymous sources." However, he admits that sometimes is "necessary and helpful to make use of information supplied on condition that there is no direct attribution." Yet, he adds that it is also "very easy to succumb to the temptation to cheat with such material. Anonymous quotes can be doctored to make them more biting or dramatic, or they can be made up from first to last to fit a given news situation and support the premise of a story."⁹¹

On the other hand, some sources do not want to reveal their identities and they have good reasons to make such request. "They might lose their jobs, be physically harmed or even killed, or lose the trust of those from whom they are getting the information they are passing on the journalists," explains Goodwin.⁹² But editors have to be concerned over the use of anonymous sources in the following issues: the possibility of the media being used by sources who insists on secrecy or by reporters who can make up things and get them into stories by attributing them to supposed sources; and the loss of credibility when the public does not have enough information about sources.⁹³ The lost credibility for using unnamed sources is the most bothersome aspect of confidentiality, says Goodwin. "Attribution –telling the public where the information came from- is a cardinal principle of American journalism and one that obviously has to be bent when

⁹⁰ Hulteng, *Playing it Straight*, p. 48

⁹¹ Ibid p. 48

⁹² Goodwin, *Groping for Ethics in Journalism*, p. 115

⁹³ Ibid, p. 119

news comes from secret sources,” he explains.⁹⁴ Although reporters seem to agree that there are times when granting secrecy to certain sources is the only way to obtain vital information, they do not agree on which level of threat to an individual or to society is required before anonymous sources can be justified, “or whether there has to be any threat at all,” Goodwin says.⁹⁵

Like Hulteng, Goodwin thinks “there is a widespread belief in the news business that confidentiality is being given too readily, and that the public suspects information that is not pinned to specific sources.” Journalists need to work harder on getting sources on the record “for credibility’s sake,” he adds.⁹⁶

The overuse of secret sources in news articles, Goodwin says, has hurt journalism. “When important sources of information and opinion are not specifically identified, the public is apt to distrust or dismiss what is written,” he adds. “Except in life- or society-threatening situations where source protection is the only way reporters can obtain essential information, journalists ought to close ranks against leakers and news manipulators who insist on anonymity.”⁹⁷

In recent years, as dependence on anonymous sources for public information has grown, “journalists learned the importance of developing rules to assure themselves and their audience they were maintaining independence from the anonymous sources of their news,” Kovach and Rosenstiel say.⁹⁸

Many newspapers’ stylebooks deal with this issue. *The Associated Press Statement of News Values* says that journalists should seek more than one source, and

⁹⁴ Ibid, p. 120

⁹⁵ Ibid, p. 133

⁹⁶ Ibid, p. 133

⁹⁷ Ibid, p. 359

⁹⁸ Kovach and Rosenstiel, *The Elements of Journalism*, p. 90

stories should not be released until additional sources confirm it. One source will be enough only “when material comes from an authoritative figure who provides information so detailed that there is no question of its accuracy.”⁹⁹ Sources should be given full name and as much information as needed to identify them, and it has to be explained why he or she is credible. “The goal is to provide a reader with enough information to have full confidence in the story's veracity,” it says.

The *AP* statement emphasizes that journalists should proceed with interviews on the assumption they are on the record. “If the source wants to set conditions, these should be negotiated at the start of the interview. At the end of the interview, the reporter should try once again to move some or all of the information back on the record,” it says.

Journalists should try “to identify all the sources of our information, shielding them with anonymity only when they insist upon it and when they provide vital information – not opinion or speculation.” It adds that reporters can only agree to give this treatment “when there is no other way to obtain that information” and when they know that the source is reliable. Journalists must get approval from their news managers, who must know the identity of the source, “and is obligated, like the reporter, to keep the source's identity confidential.” They have to explain in their stories why the source requested anonymity and if it is relevant, the sources’ motives behind the disclosure of the information.

The *AP* statement also recommends reporters discuss with their sources the ground rules of attribution before the interview. If they agree to go on the record, the information can be used with no *caveats* and the source can be quoted by name. “Off the record” means that information cannot be used for publication, and “background” that it can only be published under conditions negotiated with the sources. However, in this

⁹⁹ ASNE web site, available here: <http://www.asne.org/index.cfm?ID=6120>

regard, *AP* makes an exception and requests reporters to “object vigorously when a source wants to brief a group of reporters on background and try to persuade the source to put the briefing on the record.” There is another rule of attribution, “deep background”, which means that the information can be used, but without attribution, since the source does not want to be identified in any way, even on condition of anonymity. Information obtained under this way, allows the reporter to look for other sources to go on the record.¹⁰⁰

In its *Standards and Ethics* statement, the *Washington Post* says that it is “pledged to disclose the source of all information when at all possible. When we agree to protect a source’s identity, that identity will not be made known to anyone outside *The Post*.”¹⁰¹ It advises reporters to make every reasonable effort to get the information on the record, before accepting it without full attribution. “If that is not possible, reporters should consider seeking the information elsewhere. If that in turn is not possible, reporters should request an on-the-record reason for concealing the source’s identity and should include the reason in the story,” it says. *The Post* also recommends the use of some kind of source identification— by department or by position, for example. “*The Washington Post* will not knowingly disclose the identities of U.S. intelligence agents, except under highly unusual circumstances which must be weighed by the senior editors,” it adds.

Los Angeles Times Code of Ethics starts talking about sources in the following way: “We report in environments – Hollywood and Washington, to name two – where anonymity is routinely sought and casually granted. We stand against that practice and seek to minimize it. We are committed to informing readers as completely as possible;

¹⁰⁰ ASNE web site, available here: <http://www.asne.org/index.cfm?ID=6120>

¹⁰¹ ASNE web site, available here: <http://www.asne.org/ideas/codes/washingtonpost.htm>

the use of anonymous sources compromises this important value.”¹⁰² Although it does not try to discourage journalists from dealing with sources who do not want to go public, the information sources are giving should be verified with sources willing to be named, with documents, or with both. *Los Angeles Times* establishes guidelines to treat unnamed sources, as well: it should be to convey important information to readers, not what is trivial, obvious or self-serving or speculation. “An unnamed source should have a compelling reason for insisting on anonymity, such as fear of retaliation, and stories should state those reasons when they are relevant,” it says. However, even when sources are anonymous, they should be identified as closely as possible, in order to give the reader an orientation to their potential biases. Reporters should ask editors before agreeing to protect source’s anonymity, and editors could insist on knowing the source’s identity to evaluate the reliability of the information provided. “In rare instances, sources may insist that the paper and the reporter resist subpoenas and judicial orders, if necessary, to protect their anonymity. Reporters should consult a masthead editor before entering into any such agreement,” the code says. It is possible that a prosecutor, grand jury or judge will demand to know a source’s identity, forcing the reporter to choose between unmasking the source and going to jail for contempt of court. The code says that those are rare situations, and should not stop reporters from investigating sensitive or contentious matters. “Promises to a source must be kept except under the most extraordinary circumstances. If a source, acting in bad faith, were to succeed in using the newspaper to spread misinformation, we would consider our promise of anonymity no longer binding. That said, we do not ‘burn’ sources.”

In 2004, *The New York Times* released a source policy:

¹⁰² ASNE web site, available here: <http://www.asne.org/ideas/codes/losangelestimes.htm>.

“Readers of *The New York Times* demand to know as much as possible about where we obtain our information and why it merits their trust. For that reason, we have long observed the principle of identifying our sources by name and title or, when that is not possible, explaining why we consider them authoritative, why they are speaking to us and why they have demanded confidentiality.”¹⁰³

The use of unidentified sources is reserved for situations when there is no other way to release information considered reliable and newsworthy. “When we use such sources, we accept an obligation not only to convince a reader of their reliability but also to convey what we can learn of their motivation”, it adds. Reporters cannot assume anonymity in a regular interview, and should not offer it to a source. “Exceptions will occur in the reporting of highly sensitive stories, when it is we who have sought out a source who may face legal jeopardy or loss of livelihood for speaking with us.

Anonymous sourcing will not be used when sources that can name are readily available. Confidentiality for sources cannot be used for speculation or for covering personal or partisan attacks, and should not be used for trivial comments. “We do not promise sources that we will refrain from additional reporting or efforts to verify the information being reported,” the *New York Times* says. “We do not promise sources that we will refrain from seeking comment from others on the subject of the story.” The newspaper also says that when anonymity is granted, “the commitment is undertaken by the newspaper, not alone by an individual journalist.” Editors will have to keep confidentiality on the source’s identity as well as the reporter. Upon request, on regular stories, the executive editor and the managing editors are entitled to know the identity of the source. However, in the case of a moderately sensitive story, the reporter may wish to share the identity with the executive editor or managing editor only. “In the case of exceptionally sensitive reporting, on crucial issues of law or national security in which

¹⁰³ ASNE web site, available here: <http://www.asne.org/images/nytpolicyonconfidentialnewssources.pdf>

sources face dire consequences if exposed, the reporter may appeal to the executive editor for total confidentiality,” the *New York Time* code says.

Many newspapers worldwide also have rules on how to deal with sources. *Clarín* says that the best source is the one who can be identified with the full name, and when it cannot be that way, reporters should try to find a way to do the attribution as close as possible to the origin of the source, and they should never try to mislead the reader about the origin of the information.¹⁰⁴ *El País de Madrid* makes the same recommendations to its reporters.¹⁰⁵

Effect. According to the authors cited previously, the purpose of journalism is to provide people with the information they need to make their decisions on their lives and societies. It also contributes to controlling what the government is doing. Journalism helps to build societies by providing information that helps people to understand and share a common knowledge. “Journalism is our modern cartography. It creates a map for citizens to navigate society. That is its utility and its economic reason of being.” Kovach and Rosenstiel say.¹⁰⁶

But in order to provide this service, journalists must offer people information they can trust. That is why many authors talk about reporters looking for getting the truth. If the information journalists release were not truthful, people would not believe in it and would not be able to use it. “Thus journalists must be committed to the truth as a first principle and must be loyal to citizens above all so they are free to pursue it. And in order

¹⁰⁴ Clarin, *Manual de Estilo*, p. 27

¹⁰⁵ El País de Madrid, *Libro de Estilo*, p. 23

¹⁰⁶ Kovach and Rosenstiel, *The Elements of Journalism*, p. 164

to engage citizens in that search, journalists must apply transparent and systematic methods of verification,” Kovach and Rosenstiel explain.¹⁰⁷

Goodwin explains it as follows: “What is needed is a set of principles based on a journalism that serves the public by aggressively seeking and reporting the closest possible truth about events and conditions of concern to people, a journalism that collects and deals with information honestly and fairly and treats the people involved with compassion, a journalism conscientiously interprets and explains the news so that it makes sense to people.”¹⁰⁸

Small also makes a point of this concept: “As Walter Lippmann put it, ‘The theory of a free press is that the truth will emerge from free reporting and free discussion, not that it will be presented perfectly in any one account.’”¹⁰⁹

In order to give the truth -- or an accurate report based on the information accessible at the moment -- journalists need sources, and they have to apply certain methods to obtain information from them and to ensure they are giving people truthful information. Sources are one of the most important elements in the described network to accomplish the purpose of journalism. However, authors agree that the relationship between sources and reporters is not always easy, since most of the time there are colliding interests between both. It is also enclosed by negotiations to disclose information, and agreements that have to be fulfilled by both parts to release the information and to keep the relationship working.

Authors have implied that if the relationship between reporters and sources is altered in any way, the flow of information to the public will be affected. If journalists

¹⁰⁷ Ibid, p. 92

¹⁰⁸ Goodwin, *Groping for Ethics in Journalism*, p. 366

¹⁰⁹ Small, *Political Power and the Press*, p. 18

cannot gain access to the information sources have, the public will not learn about what is happening and will not be able to be free and self-governing. In other words, journalism will not be able to fulfill its purpose.

The importance of keeping an open and fluent relationship between reporters and sources is summarized by Small in the following way: “As history reminds us, free speech surrendered is rarely recovered.”¹¹⁰

¹¹⁰ Ibid, p. 11

CHAPTER II

For the purpose of the study, this chapter describes what an official source is, where the source operates within the government, and the role of the press as watchdog. In order to give a context to the object of the study, the chapter also explains how the Washington, D.C., correspondents work with official sources, according to different authors.

Official sources. Although official sources perform their roles as other sources, they are the gatekeepers of public interest information. Gans says that, “the recurring subjects of the news are nation and society – their persistence, cohesion, and the conflicts and divisions threatening their cohesion.”¹¹¹ As people need to make decisions in their daily life, most of them are referred to their society, and therefore, their nation. Borrat agrees that news about politics is usually in the front page of newspapers, which have standard sections like national news, and they give columnists and editorials their main material to comment.¹¹²

Nation is defined “as the federal government, and is often signified by the President and the presidency; but it also includes both nationwide and local institutions which are, in effect, ‘nationalized’ by the news,” Gans adds. Reporters usually cover news about the nation, as wars or international conflicts between governments. Other conflicts and disagreements usually covered through official sources, are those between public officials who personify different sections of the government. “Because the news

¹¹¹ Gans, *Deciding what's news*, p. 19.

¹¹² Borrat, *El Periódico, Actor Político*, p. 40

pays so much attention to the president, much of this type of news reports his disagreements and conflicts with Congress,” Gans says ¹¹³

There is other news the press has to cover. Public officials such as the president or other executive-branch officials announce most of the government decisions and proposals. New government policies or congressional approval of new legislation or Supreme Court decisions also fall into this category. New appointments, resignations and dismissals of high public officials, mostly Cabinet secretaries and federal agency heads, are also news material, as well as high state and local officials in similar situations.¹¹⁴

Considering that these activities are the main subjects of news, the most frequent actors, Gans says, “are inevitably individuals who play a role in national activities.”¹¹⁵ Small defines those actors as follows: “The official source is one of a small breed, a member of either the establishment-in-power or the establishment-in-temporary exile, the political ins and outs, the official source major and the official source minor.”¹¹⁶

These sources could be well-known or unknown people. According to Gans, “Knowns” can be political, economic, social, or cultural figures, and they can also be holders of official positions “or powers behind thrones who play no official roles.”¹¹⁷ They are a combination of people: “Some are assumed by journalists to be familiar names among the audience; others have appeared frequently in the news and are therefore well known by the journalists. Some are not necessarily known by name but occupy well-known positions, like governor of a large state or mayor of a troubled city.”¹¹⁸ The

¹¹³ Gans, *Deciding what's news*, p. 16.

¹¹⁴ *Ibid*, p. 17

¹¹⁵ *Ibid*, p. 19

¹¹⁶ Small, *Political Power and the Press*, p. 146

¹¹⁷ Gans, *Deciding what's news*, p. 8

¹¹⁸ *Ibid*, p. 9

“Knowns” frequently appear in the United States news and worldwide, and usually they hold governmental positions.

Potential official sources are, for example, the President, who appears in the news most often, year after year. The White House centralizes a great deal of information from other federal agencies. “The president’s position involves him in a sufficient number of conflicts and world-shaking issues so as to generate a steady supply of suitable and, occasionally, dramatic news,” Gans says.¹¹⁹ Therefore, the president is one of the most productive, as well as authoritative and reliable, sources of news.

White House staff members are the other official sources to obtain national news. As Don Campbell and Wendell Cochran say in *Inside the Beltway*, developing sources in there is difficult and most of the time frustrating. “Most administrations have no more than a dozen or so top White House aides –and often fewer – who are wired into all major planning and decision-making”, they explain. There is a second layer of several dozen aides who know some things about some issues, yet they do not have an overview of what is happening. “Establishing a working relationship with some of the few in the know is a first and lasting challenge for any White House reporter,” they say. Journalists should “work long hours, be persistent but fair, and demonstrate a high degree of knowledge and interest” in order to gain high level sources.¹²⁰

Presidential candidates are also potential sources. Since the presidency is so central to national news, “every presidential hopeful –provided he is affiliated with one of

¹¹⁹ Ibid, p. 145

¹²⁰ Campbell, Don and Cochran, Wendell, *Inside the Beltway*, p. 111

the two major parties –enters the news when he begins to act like a candidate and stays there as long as he appears to have a chance at the nomination.”¹²¹

Federal officials are also possible sources, since they work in the government and deal with all sorts of information within the government. Altogether federal officials appear in the news more often than the President, Gans says, but on a per capita basis, they do not get much coverage.¹²² They can be congressional leaders, from the House of Representatives or the Senate, or heads of major committees; they can be Cabinet members as, for example, the secretaries of State or Treasury; or they can be leading members of the White House staff or agency heads. Among official sources, there is also local official information that governors and mayors can provide, as well as civil servants from local governments.¹²³

Within national news, the defense beat seems to be rather difficult to cover. Campbell and Cochran say it is one of the most demanding and rewarding. It centers on the Pentagon, “although many sources and resources related to the beat are scattered across Washington, the nation and the globe.” The Pentagon can be a frustrating and difficult place to cover, since it is a “hostile environment” for reporters. It takes around three years to know the place, authors say, and reporters have to learn about everything: economic, science, political and budget beats. It is a place to work through public information officers, since military mobility makes it difficult to create a relationship with a source.¹²⁴

¹²¹ Gans, *Deciding what's news*, p. 9

¹²² *Ibid*, p. 10

¹²³ *Ibid*, p. 11

¹²⁴ Campbell and Cochran, *Inside the Beltway*, p. 75

These beats imply that reporters should deal with bureaucracy, which usually demands hard work to get stories out. “As elsewhere in government, the bureaucracy has its turf battles and political feuds. But unlike, say, on Capitol Hill, there is usually no ready source of leaks, counterleaks and political potshots in a federal agency,” Campbell and Cochran say. The flow of official information to reporters is often tightly controlled, to the point that sometimes the White House has to give clearance to talk.¹²⁵

Thus, press offices are valuable links to cover agencies. However, journalists are always trying to get beyond them and into the bowels of the bureaucracy, even when they are not welcomed by those official sources. “Most bureaucrats are nervous about talking to the press unless they’ve developed a special relationship over time.”¹²⁶ Campbell and Cochran say reporters should cultivate the relationship with the press officers at a relevant federal agency, because they will be “more conversant with the top dog’s thinking.” In addition, reporters should identify officials below the assistant secretary level involved in programs related to the beat they are covering.¹²⁷

However, there is a key place to get national news. “As in almost every Washington assignment, the Capitol Hill connection ... is absolutely essential,” Campbell and Cochran say.¹²⁸ “Since administrations must come to the congressmen for their money and must justify their programs while doing so, a great deal of information is disclosed,” Small explains. Congressmen would share information with journalists, but they are not necessarily altruistic or idealistic in sharing it: Sometimes they look for reporters’ attention to ensure good coverage when they are seeking their re-election, or

¹²⁵ Ibid, p. 52

¹²⁶ Ibid, p. 55

¹²⁷ Ibid, p. 69

¹²⁸ Ibid, p. 69

because their goal differs from the government. It benefits reporters who are looking for information.¹²⁹

A newspaper that does not have professional politicians among its sources “reveals in this shortage its few chances to influence,” Borrat says.¹³⁰ For the politicians, the press is “irresistible,” as Small says, because it reflects what they are doing, and the image they are projecting. “It is the link to his constituency, a line to his public, the avenue to the electorate.”¹³¹ Politicians have a problem: The press is in journalists’ hands, not theirs. Public officials have an additional one. While corporate officials or others who operate without public funds can bar reporters, public officials “are legally required to be able for public inspection even if they try to circumvent the relevant laws,” Gans says.¹³²

All these elements explain why reporters go back to public officials to get information: the public interest in the matters they deal with, the obligation they have to release information, and the interest these public officials also have in letting people know what they are doing or which decisions they have taken. “The reliance on public officials, and on another, equally authoritative and efficient sources, is almost sufficient by itself to explain why the news draws the portrait of nation and society,” Gans says.¹³³

Watchdog. Which is the role of the press when it comes to public matters, mostly held by public officials? The ASNE principles say: “The American press was made free not just to inform or just to serve as a forum for debate, but also to bring an

¹²⁹ Small, *Political Power and the Press*, p. 146

¹³⁰ Borrat, *El Periódico, Actor Político*, p. 47

¹³¹ Small, *Political Power and the Press*, p. 15

¹³² Gans, *Deciding what's news*, p 145.

¹³³ *Ibid*, p. 145

independent scrutiny to bear on the forces of power in society, including the conduct of official power at all levels of government.”¹³⁴

Hulteng says that through the years American press has acquired an indispensable role in the functioning of the democratic system. Former *Wall Street Journal* editor Vermont Royster said that the very phrase, “Fourth Estate,” implies that the press is part of self-governing process of our society. The media provide the information that people need to make their decisions when they elect their authorities and to keep tabs afterward on the stewardship of officeholders. “Inherent in this function are vast power and concomitant responsibility. Neither should be abused,” Hulteng says.¹³⁵

According to Goodwin, many journalists believe that their image of watchdogs protecting people from government abuses is rooted in the First Amendment. “They argue that a free press is an essential of democratic government. Without journalists observing and reporting on government actions and inactions, the voters would be ignorant and unable to make intelligent decisions in elections.”¹³⁶ This role attributed to the press comes from the beginning of the American democracy. Before journals appeared, the internal workings of the government were primarily the knowledge of the privileged –those with business before the state or those directly involved in the administration. People used to be informed through gossip or official messages, until newspapers started to publish what the government was doing, instead of what the government wanted to inform.¹³⁷

¹³⁴ Hulteng, *Playing it straight*, p. 5

¹³⁵ Ibid, p. 6

¹³⁶ Goodwin, *Groping for Ethics in Journalism*, p. 270

¹³⁷ Kovach and Rosenstiel, *The Elements of Journalism*, p. 113

“In the years to come, as conflict between a protected press and government institutions increased, it was this watchdog role that the Supreme Court fell back on time and again to reaffirm the press’s central role in American society,” Kovach and Rosenstiel say. The case of *Near v. Minnesota* forbade the government from restraining publication of any journal except when the story threatened “grave and immediate danger to the security of the United States.” From then on, the Court had methodically built a secure place within the law where journalists were protected “so that they may aggressively serve the public’s need for important information concerning matters of public welfare.”¹³⁸ Both authors remember how Supreme Court Justice Hugo Black continued to focus on the press’s watchdog responsibilities when he wrote: “The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government.”

The centralization of power in the government created executives with powers unmatched earlier in American history and an irreverent and not-so-easy-to-intimidate press ended up being vital to balance this power. According to Small, press should be a “fourth branch of government when it performs its function, filling a void left as legislative and judicial shrink.” The press, he says, keeps politicians honest, alert to the scrutiny of their constituents and human.¹³⁹

Therefore, journalists must serve as an independent monitor of power, Kovach and Rosenstiel say.¹⁴⁰ However, the goal of the watchdog role extends beyond “simply making the management and execution of power transparent, to making known and understood the effects of that power. This logically implies that the press should

¹³⁸ Ibid, p. 113

¹³⁹ Small, *Political Power and the Press*, p. 397

¹⁴⁰ Kovach and Rosenstiel, *The Elements of Journalism*, p. 112

recognize where powerful institutions are working effectively, as well as where they are not.”¹⁴¹ In addition, the watchdog principle is not only about monitoring government, but extends to all the powerful institutions in society.¹⁴²

The watchdog role is interpreted differently from reporter to reporter and newsroom to newsroom. “‘The public’s right to know’ became a flag for those many journalists who infer from the roots of press freedom a special responsibility to be watchdogs of government, to protect the people from the abuses of government,” Goodwin says.¹⁴³

The author also advises that there are other kinds of reporters, the ones he calls “lapdogs” who seem to be “too cozy, too intimidated, and too respectful of people in power,” as Les Payne from *Newsdays* puts it. Sometimes reporters are more insistent in their watchdog role; other times they are not that into it. “Journalistic watchdoggery also seems to wax and wane with the times, showing its more aggressive fangs during the Watergate era and wagging its tail during the Regan presidency, for example.”¹⁴⁴

When the watchdog role is not played so aggressively, responsibilities associated with it fail to be fulfilled, by omission rather than commission, Hulteng says. Journalists do a poor job bringing scrutiny to bear on activities of government by not reporting about them or not looking for them or just evading them.¹⁴⁵ Kovach and Rosenstiel also consider the watchdog principle “is being threatened in contemporary journalism” because of an overuse “aimed more at pandering audiences than public service.”¹⁴⁶

¹⁴¹ Ibid, p. 115

¹⁴² Ibid, p. 114

¹⁴³ Goodwin, *Groping for Ethics in Journalism*, p. 9

¹⁴⁴ Ibid, p. 271

¹⁴⁵ Hulteng, *Playing it straight*, p. 7

¹⁴⁶ Kovach and Rosenstiel, *The Elements of Journalism*, p. 112

Nevertheless, journalists continue to see the watchdog role as central to their work. “Nearly nine out of ten journalists believe the press ‘keeps political leaders from doing things they shouldn’t do,’ and the watchdog role was second, after informing the public, among the answers journalists volunteered as to what distinguished their profession from other types of communication,” Kovach and Rosenstiel say on a study of their book.¹⁴⁷

The press has the role of monitoring government decisions and activities, as well as other institutions. Journalists get the information from official sources, not always willing to release it. This conflict of interest surrounds a difficult but needed relationship.

Conflictive relationship. Tension, distrust and suspicion are main elements in this particular relationship between journalists and official sources. While reporters have to obtain information quickly, public officials have their rhythm and interest in releasing information of public interest. Journalists tend to believe that politicians try to cover up mistakes, withhold public information and only want to get positive coverage. Politicians usually think reporters only seek negative information, that they are biased and most of the time they are not interested in getting facts straight if good story can get spoiled. Too often both parts are right about the other.¹⁴⁸

However, this tension between press and public servants is fundamental for the people’s decision-making process. Government cannot be counted on to release information about mistakes, or corruption or fraud. “When conducting the people’s business it is easy to rationalize the errors of the bureaucracy, easy to cover them up with

¹⁴⁷ Ibid, p. 114

¹⁴⁸ Campbell and Cochran, *Inside the Beltway*, p. 7

the excuse that it serves no useful purpose to undermine public confidence,” Small says. But the press and political opposition see useful purpose in exposing government’s imperfection. In other words, “if the unpleasant aspects of government go unreported, the public is not simply uninformed, it is misinformed.”¹⁴⁹

So, how can journalists work with government officials and still do their jobs as critical observers and reporters of government activities, Goodwin asks. There is a degree of cooperation that serves both interests.¹⁵⁰ But there are certain barriers for this cooperation to develop; one is the secrecy many public officials want to act with, and then there is the closeness many reporters may get while dealing with public officials.

The root for the tension between journalists and politicians is based on the fact that they are driven by different interests. “Men in government, for good reasons as well as suspicious ones, are compelled to minimize or suppress information, to try to mold it by the amount they release and the timing of that release,” Small explains. “Men in the press, by practice and tradition, want to publish all they can learn as quickly as they can. The two groups must differ in this key element to their relationship and as a result are compelled to become adversaries,” he concludes.¹⁵¹

The only “law” in press-government relations is that information is provided in reverse proportion to the amount of controversy involved, Small says. Official sources tend to be less cooperative when the subject is too sensitive. Politicians are not prompt to share material that either gives a negative image of their administration or that they judge must be kept from the public for its own good. “It is the arrogance of political power that

¹⁴⁹ Small, *Political Power and the Press*, p. 24

¹⁵⁰ Goodwin, *Groping for Ethics in Journalism*, p. 270-271

¹⁵¹ Small, *Political Power and the Press*, p. 10

those who have it always knows best when the public should know least,” Small says.¹⁵²

Thus, governmental secrecy is one of the main sources of friction between journalists and public officials, because it is in the nature of governments to operate in the shadows and to resent the probing of the press.¹⁵³

Public officials tend to feel that people are best served when they know about actions and decisions at “the right moment,” while journalists want to put it out right away. Official servants also tend to believe that it is not always in the public interest for people to learn about certain matters. As Small puts it, they consider it not fooling people, but only protecting them. Public officials may believe that their knowledge of the public business allows them to know for sure when premature release or release at all of information can be more damaging than helpful.¹⁵⁴ For example, government public information people may not always be truthful in their dealings with the press, although they can give journalists a lot of legitimate information. “The drive for secrecy leads government officials who are otherwise honest and open people to resort deceptions, half-truth, and even lies,” Goodwin says.¹⁵⁵

“Authorities frequently feel the need to do business behind closed doors or to seek cooperation of individual journalists or their organizations in certain projects or operations,” Goodwin says. “Both of these compulsions of government –to be secret and to involve journalists as partners- threaten the watchdog concept. They also present

¹⁵² Ibid, p. 382

¹⁵³ Ibid, p. 24

¹⁵⁴ Ibid, p. 17

¹⁵⁵ Goodwin, *Groping for Ethics in Journalism*, p. 279

journalists with difficult ethical decisions about their responsibilities as citizens as well as their functions as reporters and evaluators of their own government,” he adds.¹⁵⁶

Closeness between government officials and journalists is another source of tension in the relationship. Official sources can be overwhelmingly attractive to reporters. They can be persuasive in arguing the need to delay the release of the information or to protect the public from some of the facts. “Newsmen are sometimes persuaded and become willing accessories,” Small says, “Whenever they do, they violate the trust that the Founding Fathers placed in the press. The First Amendment is a protection for the public, not the press alone.”¹⁵⁷ The power of being persuasive comes from the proximity. “Cronyism, flattery, sharing of confidences all work in favor of the politician. Only the tradition of independence and of skepticism by news people works against him,” Small writes.¹⁵⁸ Even Walter Lippmann warned more than once, “Cronyism is the curse of journalism.” When official sources tell reporters that they will be trusted with certain information because they are responsible, or when they flatter journalists by inviting them to dinners and lunches, reporters may fear losing the source by offending them if they do not agree to go.¹⁵⁹

There is another kind of cooperation that can lead to trouble. Sometimes public officials turn to journalists for advice. Reporters can feel flattered and find it difficult to turn down. “Then if friendship develops between the advice seeker and giver, serious conflicts of interest can result for the journalist,” Goodwin says.¹⁶⁰

¹⁵⁶ Ibid, p. 273

¹⁵⁷ Small, *Political Power and the Press*, p. 146-147

¹⁵⁸ Ibid, p. 17

¹⁵⁹ Ibid, p. 147

¹⁶⁰ Goodwin, *Groping for Ethics in Journalism*, p. 276

The same problem can show up when reporters assigned to a particular beat over a period of time become tired of being watchdogs.¹⁶¹ Furthermore, journalists want to treasure good sources, but sometimes they can feel tempted to call them all the time, even when it is not their subject and just because they are quotable and easy to reach. That is another focus of potential conflict.¹⁶²

Having said all these, official sources have an indisputable advantage compared to reporters no matter how hard-digging they may be. Because of their positions in the government, they are the beginning of news with their statements, explanations or news releases and generate an attention that cannot be overlooked. “Even when the reporter, the honorable exception, refuses to accept gospel, the burden counterpoint to official sources becomes his; he must disprove the political contention,” Small writes. To break through this situation, reporters have to find sources outside existing establishments to see if either official sources or their critics are to be trusted.¹⁶³

Reporters are usually under pressure to censor and self-censor from public officials more than from other business. And government officials tend to be more sensitive to news about themselves and what they do, and they have many ways to communicate displeasure on what has been published or released. Public servants can complain to a news editor or a corporate executive. They can also threaten to hurt the media company economically if journalists do not report the news more of the liking of these officials. Moreover, administrations can launch investigations of the media company to persuade journalists not to release certain information. As well as regular sources, angry public servants can also sue reporters to restrain them from gathering and

¹⁶¹ Ibid, p. 276

¹⁶² Campbell and Cochran, *Inside the Beltway*, p. 19

¹⁶³ Small, *Political Power and the Press*, p. 146

reporting news which can be harmful to their interests. A last type of pressure is when they appeal to the public in an attempt to show press failures. The intended outcome of this action is to generate negative reactions from the public toward reporters to freeze them out.¹⁶⁴

“Considering the tools that men of power have to weaken and wither the press, it is a tribute to journalists that they have survived the intrusions of politicians and governments so well for so long,” Small says.¹⁶⁵ And indeed it is. Reporters have uncovered many kinds of abuses from governments through history and that has become another tool to get into official secrecy at all levels. Secret government takes damaging steps to “protect” the public, and “only free and public discussion can be disinfected.”¹⁶⁶ “It is hoped that lack of applause will not stop journalists from aggressively pursuing what they see as their watchdog function,” Goodwin adds.¹⁶⁷

After analyzing the potential conflicts within the relationship between reporters and official sources, the question is how this relationship works in the U.S., who are the official sources and where do reporters collect the information.

Washington Correspondents. As the capital of the United States of America, Washington, D.C., concentrates most of the government offices and agencies, as well as the White House and the Congress. It is in Washington, D.C, where journalists from all over the world converge to cover not only American news and their connection

¹⁶⁴ Gans, *Deciding what's news*, p 260-263

¹⁶⁵ Small, *Political Power and the Press*, p. 22

¹⁶⁶ *Ibid*, p.24

¹⁶⁷ Goodwin, *Groping for Ethics in Journalism*, p. 299

worldwide, but also foreign news, since most international organizations are based there. It is the city where most official sources work. So, how do correspondents work there?

“Satisfaction and frustration are constant companions in Washington,” Campbell and Cochran say. “The glamour of walking the corridors of power is tempered daily by the demands of discovering behind which doors that powers resides, and in what amount, and for how long. Many people are ready to help reporters open those doors; some are not.”¹⁶⁸

While thousands of potential sources are in Washington, their value as sources sometimes is inversely proportional to their willingness to talk.¹⁶⁹ Journalists’ success in Washington can be measured in the quantity of knowledgeable sources they have. Keeping those sources requires mutual trust. “One side craves publicity to promote careers and policies. The other side depends on making contact with the right people to gain reliable information. Candor and credibility depend heavily on the confidence that officials have in the reporters and their news outlets,” Donald A. Ritchie says in *Reporting from Washington-The history of the Washington press corps*.¹⁷⁰

To gain confidence among their sources, Washington journalists have crafted formal and informal rules to relate with them. One of the most important is the attribution rules. Both reporters and officials know the difference between what is on and off the record, not for attribution, or on deep background. “The press corps has a proud history of refusing to divulge confidential sources. Twice during the nineteenth century, Washington correspondents were imprisoned in the Capitol in unsuccessful attempts to

¹⁶⁸ Campbell and Cochran, *Inside the Beltway*, p. 15

¹⁶⁹ Ibid, p. 19.

¹⁷⁰ Ritchie, Donald A., *Reporting from Washington*, p.xii

force them to reveal the source of leaked government secrets. Countless other leak investigations ended just as ineffectively,” Ritchie writes.¹⁷¹

Since people in Washington are busy, developing sources is a constant challenge, no matter how long the reporter has been around. Even journalists who have been covering the capital for many years find it difficult to get high sources to return their phone calls. And that is even harder for journalists who are not read in Washington – foreign correspondents or regional ones -- because officials tend to pay less attention to their needs. Another challenge, besides getting through to the right person, is being able to separate facts from fiction and rhetoric from reality. Washington is a place where hidden agendas and second intentions behind quotes or data are more frequent than in any other place, since it is where officials can measure right away the effect of their decisions and policies.¹⁷²

Nevertheless, although getting high and powerful sources is one of the biggest challenges for reporters in Washington, it is also the biggest potential danger for them. Trying to get closer to sources in order to gain their trust, can lead reporters to get too cozy with sources. For this reason, Campbell and Cochran recommend: “Don’t become an insider. Washington can be an incestuous place. The lines between work and play are subtle and easily blurred. But you can be friendly and sociable in dealing with sources and still keep them at arm’s length.”¹⁷³

Indeed, if Washington reporters have showed any persistent partiality, it has been toward those who hold power and the information they are trying to get. “As vexed and abused by reporters as so many politicians felt, the Washington press corps has always

¹⁷¹ Ibid, p. xiii

¹⁷² Campbell and Cochran, *Inside the Beltway*, p. 15

¹⁷³ Ibid, p. 19

paid the greatest attention to those in authority,” Ritchie says.¹⁷⁴ Official authorities have also paid attention to journalists, because it is useful for them to become their favorites. “There are always favorites in the press, there is always social courting of newsmen. More than one Washington bureau chief has urged his reporters to be neither in nor out, far enough from sources to retain objectivity but close enough to be effective. Distance is an excellent prophylactic for reporters dealing with politicians. Familiarity breeds contempt and inhibited reporting,” Small says.¹⁷⁵

In addition, when a journalist gets too close, too intimate with a source, he can fall prey to a publicity-seeking politician. If sources know how, they can use newsmen “by offering stories too delicious to reject, too outrageous to ignore, and too difficult to question if the reporter is to remain his customarily objective self,” Small adds.

As Washington is the capital of national news, media outlets send their correspondents to cover big stories. But there are few places where they can get them, and many journalists end up covering and writing the same story. The lack of diversity may come from the way public officials organize the coverage, through a press conference with a sole source or through a background session with an unnamed official source. Reporters wait for the information together, whether they like it or not, so they are forced to base their stories on the same information. That is called pack-journalism or herd-journalism.¹⁷⁶

Some reporters believe it is not bad. “It’s a useful device sometimes, such as a situation not uncommon when you are watching outside a Senate hearing room or the White House for some meeting to break up. Reporters pick up targets of opportunity and

¹⁷⁴ Ritchie, *Reporting from Washington*, p.xii

¹⁷⁵ Small, *Political Power and the Press*, p. 148

¹⁷⁶ Goodwin, *Groping for Ethics in Journalism*, p. 199

then get back together and exchange quotes,” said David Broder, *Washington Post* columnist.¹⁷⁷ However, many complain that in Washington within the pack-journalism there is a tendency to let the *New York Times*, the *Washington Post* and the *AP* set the agenda or decide what journalists should be attending to, Goodwin says.¹⁷⁸ The pool reporting is a different way of pack-journalism in Washington. Reporters do not always like it, because it implies that only a handful of reporters are allowed to observe an important event and then they have to brief the others who were not allowed to be there.

Washington correspondents have other problems getting information. Many times, government representatives invoke the need to keep information secret in the name of national security. “The revelation of some government secrets obviously would jeopardize the nation’s security, but recent history has taught us that our leaders also invoke national security improperly to cover up embarrassing mistakes, administrative incompetence, and plans they don’t want the public to know about for strategic reasons,” Goodwin writes.¹⁷⁹ Although journalists have gone after those secrets, they have often restrained themselves when the possible harm has been obvious.

Even so, journalists learn what administrations try to keep hidden through "leaks" from officials sources. “Howard Simons, former managing editor of the *Washington Post*, says it’s impossible for journalists in Washington to do their daily job “without bumping into a secret.” He notes that about 4 million bureaucrats have access to classified information and estimates that 20 million government documents are classified as secret each year,” Goodwin writes.¹⁸⁰

¹⁷⁷ Ibid, p. 200

¹⁷⁸ Ibid, p. 201

¹⁷⁹ Ibid, p. 279

¹⁸⁰ Ibid, p. 279

Despite government fighting to prevent leaks, official sources also leak information themselves to further their own policies. According to Ritchie, leaks became a prime instrument of government. In the 1940s, Bruce Catton, Washington correspondent before writing history, defined leaks as information that officials were “either unwilling or unready” to reveal formally but would divulge to reporters they trusted not to reveal their sources. “Reporters, likewise, needed to have some confidence in their sources’ proximity to the actual events and their honesty in conveying them. These collaborations resulted in stories attributed to ‘a usually reliable source’, ‘administration officials’, ‘sources close to the investigation’, and ‘high-level sources’,” Ritchie says.¹⁸¹

If government sources can face several problems when they leak information, why do they leak it? Stephen Hess, who used to study government-press relations, identified certain reasons. One is related to the sense of self-importance that the leaker is looking for himself by leaking information. Another reason is to get favorable treatment from some reporters. Yet another reason is to promote or shot down a proposal. It can also be to test public opinion before deciding on some policy. And there is also the whistle blower, who leaks information to try to correct a perceived wrong doing in the administration.¹⁸² Official sources leak to float trial balloons they can later disavow, to sabotage programs they opposed, and to undermine their rivals. Yet, leaks also allowed the public to get a glimpse of policies still in the making, Ritchie says.¹⁸³

Within the three main forms of investigative reporting Kovach and Rosenstiel talk about, they point out reporting on investigations. This refers to reporting that develops

¹⁸¹ Ritchie, *Reporting from Washington*, p.xiv

¹⁸² Goodwin, *Groping for Ethics in Journalism*, p. 282

¹⁸³ Ritchie, *Reporting from Washington*, p.xiv

from the discovery or leak of information from an official investigation already under way or in preparation by government agencies. “It is the case of journalism in Washington, a city where government often talks to itself through the press,” they say. Government investigators cooperate with reporters in these cases for many reasons: to affect budget appropriations, to influence potential witness, or to shape public opinion.¹⁸⁴

Having reviewed how the Washington press corps usually work to get information, it has to be noted that past decades were “replete with attempts by those running the government to manipulate reporters by controlling and distorting the flow of information. But manipulation was not always necessary to make reporters receptive to the government’s agenda. The press corps generally shared a similar worldview with those in power, and embraced the prevailing national consensus,” Ritchie says.¹⁸⁵ Some of these concepts are analyzed in the next chapter that refers to the history of the relationship between government officials and reporters.

Yet, no matter how much politicians and authorities try to avoid them, Washington reporters provide most of the information the public receives about the government.

¹⁸⁴ Kovach and Rosenstiel, *The Elements of Journalism*, p. 118

¹⁸⁵ Ritchie, *Reporting from Washington*, p.xiv

CHAPTER III

This chapter intends to review through history how different administrations dealt with the press -- in terms of access to information, laws, relationship with reporters -- and how journalists dealt with official sources. If it is established that the relationship between public officials and reporters changed after 9/11, the importance of those changes should be analyzed under the light of what happened before. However, the chapter only highlights issues over history that may add perspective and context to the study.

Early Days. “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,” the First Amendment says.

Since the beginning of democracy in the United States, the press has operated under this amendment, which has been emulated in many other countries. It establishes a protecting frame for journalists to work, invoked any time it was threatened. The First Amendment was born in the 18th century, when newspapers were highly partisan and opinionated, and very popular. The Founding Fathers early understood that protecting the right of such publications to keep publishing their criticisms was vital to establish and maintain democracy.¹⁸⁶

However, the First Amendment was not always respected or interpreted in the way it was intended to be. There were convictions involving antiwar publication and

¹⁸⁶ Small, *Political Power and the Press*, p. 26

speeches that were sustained even by the Supreme Court.¹⁸⁷ There were many components that drove to those reactions and still do. During times of crisis, federal governments have sought to enlist journalists “and other opinion shapers as allies in telling the administration’s version of events or, failing that, to suppress those who insist on leveling criticisms,” Ted Galen Carpenter explains in *The Captive Press*. Critical press was inconvenient for many past administrations, especially when investigative journalism tended to uncover stories they did not want to make public.¹⁸⁸

Governments usually knew and still know that people’s awareness or ignorance of these stories could greatly influence their support for an initiative.¹⁸⁹ Nevertheless, administrations tended -- and still tend -- to recognize that the press could be effective to disseminate propaganda. As Carpenter says, journalists, especially those in Washington, exist to report on government. Less government intervention would provide them less work, and therefore, less presence in their media. Reporters were and are highly motivated to reveal information that administrations would prefer to keep hidden; and in order to do it they have to cultivate good relationships with those who provide the information.¹⁹⁰

Small summarizes part of the problem in the following statement: “Presidents don’t like the press.”¹⁹¹ Many presidents have said that they would be defenders of press freedoms and that they would offer an “open” government. “Almost every president

¹⁸⁷ Ibid, p. 27

¹⁸⁸ Carpenter, Ted Galen, *The Captive Press*, p. 1

¹⁸⁹ Ibid, p. 3

¹⁹⁰ Ibid, p. 4

¹⁹¹ Small, *Political Power and the Press*, p. 43

comes to develop a strong distaste for the press and an urge to malign, manipulate, and manage the press very soon after his early days,” Small says.¹⁹²

George Washington wanted a State Department clerk fired because he edited an anti-Washington newspaper, while Teddy Roosevelt brought libel suits against newspapers during and after his presidency. Even Thomas Jefferson once suggested that a few good prosecutions would help restore the integrity of the press. Presidents hate news leaks too, and many of them have gone after “leakers.” Teddy Roosevelt and Herbert Hoover used the Secret Service to find the source of unwanted news reports. John Kennedy, Lyndon Johnson and Richard Nixon tried to use the FBI similarly.¹⁹³

However, presidents could not ignore the press. “It is like walking past a full-length mirror several times a day. One can’t resist looking into it and seeing what it has to reflect,” Small says. But journalists cannot succumb to the presidential seduction. When that happens, people develop their own skepticism and they do not believe in the press.¹⁹⁴ Since the beginning of democracy, press was supposed to perform the role of an independent ‘censor’ of government, as Jefferson put it. “The newsman was not meant to be ‘on the team’, he was meant to view that team from sidelines.”¹⁹⁵ For those reasons, Small writes, “They will never be compatible, American presidents and the press. That is something that citizens should be grateful for.”

Even so, journalists were restrained from freely performing their role of independent observers of governments. It usually has happened “in time of national strain, including time of war, when newspapers have been stopped of publication [sic], of

¹⁹² Ibid, p. 43

¹⁹³ Ibid, p. 43-44

¹⁹⁴ Ibid, p. 44

¹⁹⁵ Ibid, p. 45

mail privileges, of distribution, and, even on occasion, put out of business, the editor jailed or expelled from the community,” Small recalls.¹⁹⁶ Administrations have an advantage over the press, which is the right to protect state secrets. Hiding the actions of government from the public has been a general and persistent behavior. “It is done in the name of efficient operation of the people’s business. But the power to operate in a closed room is the power to cover up error or worse,” Small says.¹⁹⁷

This last point has been reflected in the inherent tension between requirements of national security as perceived by government officials at the time, and the freedoms of speech and press guaranteed by the First Amendment. The tension has historically been more pronounced during wars or foreign policy crises.¹⁹⁸

The strain in the relationship became evident very early in the history of the United States. During President Adams' administration, and in order to control anti-federalist critics over foreign policy issues, four statutes were passed in 1798, collectively known as the Alien and Sedition Acts. These were enacted in the middle of a foreign policy crisis, when the country seemed to be on the edge of a war against France. Nonetheless, they set the pattern for subsequent relations between the press and the government.¹⁹⁹

The Alien Act gave presidents an unrestricted power to expel any alien critic from the country. The Sedition Act was designed to silence all foreign policy criticism, even that coming from U.S. citizens. It prohibited any “false, scandalous and malicious writing” directed against any branch of the U.S. government, with the intent to “defame”

¹⁹⁶ Ibid, p. 39-40

¹⁹⁷ Ibid, p. 40

¹⁹⁸ Carpenter, *The Captive Press*, p. 1

¹⁹⁹ Ibid, p. 13

or bring it “into disrepute,” among other things. As the *Gazette of the United States* put it then, “It is patriotism to write in favor of our government –it is sedition to write against it.” Those who violated the act could be fined \$2,000 and could spend two years in jail.²⁰⁰

The acts represented such broad grants of power that they enabled government officials to silence foreign policy critics for any reason, while they considered critics as disloyal elements that ought to be suppressed. The Alien Acts were not enforced, and only 25 persons were arrested for violating the Sedition Act. These laws had a two-year expiration date. But Americans reacted angrily to them, which may have later been reflected in the election of 1800 and in the strengthening of the respect for freedom of expression.²⁰¹ Many aspects of these laws would be coming back later in history, when the country was facing similar war scenarios, Carpenter says.

During the Civil War, at first, Union authorities requested that newspapers follow voluntary censorship, but they did not provide guidelines. “As would be the case in future wars and foreign policy crises, when the government failed to get its way by urging the press to be cooperative and ‘patriotic,’ it resorted to coercion,” Carpenter says.²⁰² President Lincoln’s administration then took measures to prevent the disclosure of information that could undermine military operations. But the guidelines were vague and it opened the door to censor other kinds of information, to the point that newspapers could be prosecuted for publishing “false reports” that may hurt the Union cause. In fact, military authorities temporarily shut down the *Chicago Times* for criticizing the administration.²⁰³

²⁰⁰ Ibid, p. 13-14

²⁰¹ Ibid, p. 15

²⁰² Ibid, p. 17

²⁰³ Ibid, p. 17

Meanwhile, censorship of news dispatches began in Washington when the government assumed control of all the telegraph wires in April 1861.²⁰⁴ The service allowed journalists to report about military movements as they were taking place. As many in the military considered reporters as spies, transmission of news dispatches were delayed. In February 1892, the War Department took military control of the telegraph lines. The order said that all newspapers that published unauthorized military information would be excluded from receiving reports or from transmitting dispatches through telegraphs.²⁰⁵

Presidents' personal styles shaped relationships with journalists. "Presidential anger often involved leaks of information that he either does not want published, does not want published in that form, or does not want published at that time," Small explains.²⁰⁶

Teddy Roosevelt called the chiefs of the three press associations of the time, and let them know that as a president he would be accessible and would trust reporters who possessed his confidence. But if that confidence were betrayed, Roosevelt would punish them by withholding news. Roosevelt also made a habit of calling reporters' editors to complain about stories and to suggest firing a journalist.²⁰⁷ He instituted modern press relations in the White House. Press releases were timed to get maximum effect; he even wrote many of them. Roosevelt introduced the news conferences, but did not hold them regularly. He allegedly invented the "trial balloon," the act of sending an idea to the press

²⁰⁴ Small, *Political Power and the Press*, p. 64

²⁰⁵ Carpenter, *The Captive Press*, p. 17

²⁰⁶ Small, *Political Power and the Press*, p. 59

²⁰⁷ *Ibid.*, p. 61

and, depending on people's reaction, later deciding if it was worthy to take credit for it. He also played favorites with reporters to leak information.²⁰⁸

William Howard Taft did not like the press that much, while Woodrow Wilson looked forward to meeting reporters. Wilson scheduled news conferences regularly and in advance, two per week. But he disliked reporters when they asked questions he assumed as critical of his administration. Wilson introduced the "off-the-record" remark, as he often started his statements requesting not to be quoted.²⁰⁹ But problems started with a war.

World Wars. Several years after the Civil War, the United States engaged in a debate on a foreign conflict that resulted in tough controls for the press. Authors do not agree on how tough Wilson was on the press once the United States entered World War I in April 1917. A week after entering the war, Wilson created a Committee on Public Information headed by George Creel, former editor of *the Rocky Mountain News* in Denver. Creel tried to invoke within the press a voluntary will to censor information that could compromise the actions of the American military in the war, while he also tried to persuade the administration to avoid formal mechanisms of censorship. But in the following two months, legislation would allow censorship.²¹⁰

According to Small, although there was "some depressingly oppressive legislation, the actions against the press in World War I were far less extreme than those of the Civil War." He says that Wilson, "while shrinking from the White House press

²⁰⁸ Ibid, p. 80

²⁰⁹ Ibid, p. 80-81

²¹⁰ Ibid, p. 72

corps, stood firm in defense of press freedoms.”²¹¹ But Carpenter sees it differently: “The Wilson administration’s repressive actions during the World War I placed First Amendment freedoms in greater danger than they had been in at any time since the Alien and Sedition Acts of more than a century before, and significant precedents were set for controlling the press in the name of national security.”²¹² Administration officials co-opted most elements of the press as part of a massive propaganda campaign to “sell” the war effort to the American public, Carpenter writes. Critics were either intimidated or suppressed. “For the first time in American history, the government claimed a legal and moral right to exercise monopoly power over information on international affairs,” Carpenter says. The Committee on Public Information directed an “ubiquitous government propaganda apparatus,” he says. There were tough rules to give war correspondents credentials. A prominent journalist was assigned to censor press dispatches.²¹³ From 60 correspondents working at the front, five lost their credentials for having “offended” the censor.²¹⁴

However, Small and Carpenter agree on the impact that three acts had on the press during World War I. The Espionage Act, approved in June 1917, opened the possibility of imprisonment for those who made “false reports” to help the enemy. “It soon became evident that federal prosecutors considered the mere circulation of anti-war literature a violation of the Espionage Act,” Carpenter says.²¹⁵ The law provided fines up to \$10,000 and long jail terms for interfering with the draft or encouraging disloyalty or exposing

²¹¹ Ibid, p. 71

²¹² Carpenter, *The Captive Press*, p. 19

²¹³ Ibid, p. 19-21.

²¹⁴ Small, *Political Power and the Press*, p. 72

²¹⁵ Carpenter, *The Captive Press*, p. 23

secrets to foreign powers. Over half a century later, this act was brought up in the case of the government against the *New York Times* in the Pentagon Paper controversy.²¹⁶

A few months later, the Trading with the Enemy Act authorized the president to censor all international communications and gave the postmaster general sweeping censorship authority over foreign-language press in the United States.²¹⁷ The law formalized censorship and made it a punishable offense to convey any false report or statement that interfered with U.S. military success. In May 1918, the Sedition Act listed nine additional offenses including the use of disloyal or profane language about the United States, its constitution, its flag, and the uniform of its Army or Navy. The fine was set at \$10,000 or 20 years in jail.²¹⁸ The Sedition Act gave power to the federal government over verbal and printed opinion. Over 1,500 persons were arrested for disloyalty because of these laws.²¹⁹

“The tangible legacy of the wartime censorship statutes was evident in legislation as well. Although Congress repealed the Sedition Act in 1921, the Espionage Act and the Trading with the Enemy Act remained on the books. Furthermore, during both the conflict and the years following, more than two dozen state legislatures enacted criminal syndicalism laws patterned after the Sedition Act of 1918,” Carpenter explains.

“Restraints originally designed for a wartime emergency thus became part of the nation’s legal framework even during the period of unquestioned international peace.”²²⁰

Moreover, an interesting amount of information never got to the public during these days.

²¹⁶ Small, *Political Power and the Press*, p. 72

²¹⁷ Carpenter, *The Captive Press*, p. 23

²¹⁸ Small, *Political Power and the Press*, p. 73

²¹⁹ *Ibid.*, p. 74

²²⁰ Carpenter, *The Captive Press*, p. 28

Carpenter says that there is no credible evidence that public disputes about war policies, which these acts intended to suffocate, could increase the number of casualties.²²¹

Warren Harding's presidency brought to an end the wartime repression. Harding used to be an Ohio publisher, and kept a good relationship with the press corps. But once he faced an incident with his secretary of state, Harding announced that all reporters' questions should be presented in writing, and none would be answered until the department affected was consulted. If there was no reply at all, he said, no reference to the fact could be made. During his term, the "White House spokesman" device appeared to avoid quoting the president directly.²²² President Calvin Coolidge restored press conferences, but he did not say that much. Questions were given in advance, and he would select the ones to answer.²²³

Instead of a war, Hebert Hoover faced a major economic crisis. His interaction with the press corps got worse during those days, as he suggested that reporters exercise self-censorship in writing about the depression. He later recommended that they submit their stories to the White House for clearance before publishing them.²²⁴ Hoover did not like stories about his personal life leaked out from the White House. When it happened, he assigned the Secret Service to find the source and placed a ban on all White House news, other than official and approved announcements. The Service Secret failed to accomplish his request, while the restraint on news also failed.²²⁵ According to Ritchie, Hoover "preferred to deal with a select group of friendly reporters, and divorced himself

²²¹ Ibid, p.29

²²² Small, *Political Power and the Press*, p. 81

²²³ Ibid, p. 82

²²⁴ Ibid, p. 82-83

²²⁵ Ibid, p. 60

from the rest of the Washington correspondents. The resentful press corps suspected that his initial cordiality had been simply a calculated maneuver for advancement.”²²⁶

During those years, New York was the news center, not only because the economic crisis, but also because politics was not the focus of public attention. Reporters did not want to work in Washington, where most of the action was receiving press releases and briefings.²²⁷ The Great Depression forced several Washington news bureaus to close down, and more papers were depending on wire service reports.

Around 300 news bureaus operated in Washington when Franklin D. Roosevelt entered the White House in 1933. In his first press conference, he announced that there would not be written questions. At the end, reporters gave him a round of applause.²²⁸ Roosevelt instituted twice-weekly press conferences. He understood that both parties would have an adversarial relationship, but he also knew how to get his story across through a good handling of correspondents, the radio and the movie newsreels. His administration established four types of information for reporters: off the record (not for publication), occasional special items for direct quotation, background information, and the indirect quotation –information which could be attributed to him without the exact quote.²²⁹

Instead of giving exclusive interviews, Roosevelt dealt with reporters as a group in his regular press conferences. According to Merriman Smith, from *United Press*, during these conferences Roosevelt “insulted them, lectured them, and made them laugh.” He called reporters liars, said Smith, but afterwards, with a first-name greeting,

²²⁶ Ritchie, *Reporting from Washington*, p. 2.

²²⁷ *Ibid*, p. 2

²²⁸ Small, *Political Power and the Press*, p. 83

²²⁹ *Ibid*, p. 84

he would win forgiveness.²³⁰ “These were times of the New Deal. He used the strategy of denying information whenever the public reaction didn’t suit his interests,” says Ritchie.

However, Roosevelt had an uneasy relationship with Washington’s most influential news bureaus. “No matter how artfully he flattered and rewarded their correspondents, he could not control the news they reported,” Ritchie explains.²³¹ As well as other presidents, Roosevelt did not like to be criticized. When he presented a bid of a third term in 1940, Arthur Krock from the *New York Times*, wrote a highly critic article on him. Roosevelt did not seem to pay attention, but he later asked the Secret Service “to bar from press conferences a half dozen of the most critical correspondents,” and Krock was among them. Press Secretary Steve Early promptly rescinded the order.²³²

During World War II, the relationship between Roosevelt and journalists changed. He kept doing press conferences, but he started traveling in secret and invited select groups of correspondents and columnists for off-the-record background briefings.²³³ The Roosevelt administration requested the media to refrain from publishing information about a variety of topics, including the construction of new ships and the strength of various naval units. This happened a year before the United States entered the war. After the Pearl Harbor attack, the response of the government was immediate censorship, Carpenter says.²³⁴

The tension was in the air before the Pearl Harbor attack. The *Chicago Tribune* published an article about the strategy of the government to win a war against Germany and Japan. The newspaper was accused of being disloyal and unpatriotic, although

²³⁰ Ritchie, *Reporting from Washington*, p. 15

²³¹ *Ibid*, p. 17

²³² *Ibid*, p. 21

²³³ *Ibid*, p. 23

²³⁴ Carpenter, *The Captive Press*, p. 31

Roosevelt seemed to be pleased with the leak. Days after, the Pearl Harbor attack happened and the United States entered the war. In June 1942, the *Chicago Tribune* published a story on Japanese naval capacity, giving clues from which Japanese could have surmised that the United States had broken their codes. The U.S. Navy demanded to prosecute the newspaper under federal espionage laws, and a grand jury was impaneled. But the Navy realized that Japanese did not read the paper because the codes remained the same after the story was published. Although the case collapsed, the Washington bureau of the *Chicago Tribune* had to face FBI agents interviewing reporters and tapping their phones, Ritchie explains.²³⁵

Once the Japanese attacked Pearl Harbor, the FBI temporarily assumed control over both news reports and telecommunications into and out of the country. Later, Roosevelt appointed Byron Price, editor for the *Associated Press*, as the head of the new Office of Censorship. Congress passed the First War Power Act, which authorized the censorship of all communication between the United States and any foreign country. The Office of Censorship issued a Code of Wartime Practices to which publishers and broadcasters were asked to adhere. Among other things, the code banned interviews in the street of random people, because they could be used to send coded messages to Nazi or Japanese agents.²³⁶ Nevertheless, press seemed to be quite receptive to these restrictions. “Virtually all reporters were enthusiastic supporters of the war and willingly responded to requests to sanitize or withhold unpleasant information. Stories of allied atrocities were notably absent—even though such incidents did occur—and accounts of dubious policies or even outright military blunders seldom appeared,” Carpenter

²³⁵ Ritchie, “*Reporting from Washington*”, p.22

²³⁶ Carpenter, *The Captive Press*, p. 31

writes.²³⁷ Roosevelt's connection with journalists was also reflected in the fact that he managed to hide his physical infirmities from the public, while he was the president. Reporters never wrote about his health and photographers never showed that kind of picture. This power over the press extended also to the coverage of war and government issues.²³⁸

The administration "fostered an illusion of greater tolerance of dissenting views, but the mechanisms of control and intimidation were merely more insidious. The unhealthy legal precedents established during the first global conflict were reiterated and strengthened during the second," says Carpenter.²³⁹ Both world wars helped to build the idea that the press should be either a tool for disseminating government's propaganda or an adversary to be silenced. This mindset, he adds, continued into the Cold War era and beyond.

"One of the most prominent casualties of the two global conflagrations of the 20th century was the concept of independent, unfettered, and skeptical press coverage of foreign policy," he says.²⁴⁰ Hard as Carpenter's appreciations may sound, later in the same century other foreign conflicts had an impact in the same concept of press coverage.

Cold War and McCarthy. Harry Truman used to give short press conferences, whenever he felt there was a need to give one. His administration was also trapped in a war conflict that impacted the press. When the World War II was over, the executive branch and the Congress tried to strengthen government's control of information. Support

²³⁷ Ibid, p. 34

²³⁸ Small, *Political Power and the Press*, p. 86

²³⁹ Ibid, p. 40-41

²⁴⁰ Ibid, p. 43

for secrecy first focused on the atomic bomb. With the McMahon Act from 1946, among other provisions, strict secrecy on atomic research was demanded, so those projects were “born classified.”²⁴¹ It was a first step into a concept of “national security” that reflected the beginning of the Cold War, a period of high tension between the United States and the communist soviet regimen.” Patterns established during the two world wars to manage the press corps were used in more subtle ways.²⁴²

Members of the Truman administration used the “selective leak”: officials would choose reporters who “cooperate” and give them valuable information for exclusive stories. Those considered uncooperative were frozen out.²⁴³ Many authors agree that the attitude of the press corps during the Cold War was not brave, yet tended to be eager to please. As Carpenter puts it, “An increasing number of journalists failed to heed the warning of Walter Lippmann that there ‘were certain rules of hygiene’ in the relationship between journalists and government officials ‘which one has to observe’. Members of the press, he admonished, ‘cannot become the cronies’ of officials if they are to do their jobs. At least ‘an air space’, if not a wall of separation, was essential.”²⁴⁴

According to authors, journalists were also challenged by an increasing climate of fear and hysteria that made them frequent subjects of witch-hunts. In the late 1940s, the U.S. Army arbitrarily revoked the credentials of 11 reporters and denied them to 50 others to ban them from covering military issues. In 1948, Secretary of Defense James Forrestal tried to impose a loyalty test, similar to the one taken by official employees, to

²⁴¹ Carpenter, *The Captive Press*, p. 69

²⁴² Ibid, p. 45

²⁴³ Ibid, p. 45

²⁴⁴ Ibid, p. 46

journalists seeking credentials. Reporters complained, so it was called off, but the military kept investigating the backgrounds of those in charge of covering the beat.²⁴⁵

Efforts to restrict the media's sources on defense and foreign policy issues –with the exception of data on atomic energy, as it was said before- were sporadic in the post-World-War-II period until the Korean War. During that war, Carpenter says, main media did not oppose and, in fact, reporters actually ended up requesting to be formally censored to clarify the guidelines on what could be or not released. Many journalists thought that it was a way of being patriotic.²⁴⁶ “Much of the conformity was not the result of blatant governmental restrictions. Instead, it was a response to subtler signals – expressions of official approval of ‘patriotic’ accounts and vaguely ominous indications of disapproval of critical stories,” Carpenter adds.²⁴⁷ Hence, many journalists in TV channels used the expressions “we” or “ours” whenever they referred to the U.S. forces.

Even so, when the U.S. cause was doing well, censorship eased on journalism, but whenever there were setbacks, military censors became less tolerant, a pattern that had been seen during both world wars and would be seen again in future conflicts, Carpenter says.

During those years, Sen. Joe McCarthy stepped into scene, causing American journalism one of its biggest controversies of all times. In the early 1950s, McCarthy used the concern and paranoia of the moment about the Communist threat to create news that would put him daily on the front page of every newspaper. He offered press conferences to announce he had a list of alleged members of the Communist Party in the United States government, but he was evasive in letting other Congress members know

²⁴⁵ Ibid, p. 91-92

²⁴⁶ Ibid, p. 50

²⁴⁷ Ibid, p. 52

what he was up to. He attacked government officials and other persons, or he was quoted making statements that, if true, press and government could not ignore. McCarthy knew about deadlines and how to produce the stories reporters needed to be on the front page. For four years, he managed to feed the atmosphere of fear against Communism or against being called a Communist.

Although the Senate disciplined McCarthy when most of his accusations could not be proved, the damage of his action over the press' credibility was huge.²⁴⁸ McCarthy's accusations and statements were not enough challenged or investigated by journalists, who seemed keener to get a good story fast. On the one hand, the senator was quick to suggest connections between newspapers and communism, especially if he was criticized in their pages. On the other hand, budget cuts in Washington bureaus left reporters with little time or resources to check McCarthy's lists. "The senator had provoked agonized discussions in many Washington news bureaus over how to cover someone they thought was lying, and whether employing news analysis to challenge his assertions would somehow undermine their objectivity," Ritchie explains.²⁴⁹

But McCarthy's legacy included other lasting effects. In 1951, Truman, one of the senator's favorite targets, issued an executive order authorizing federal agencies to classify and withhold all matters related to national security. It also empowered agency heads to pass the classification authority on to their subordinates.²⁵⁰ Journalists complained that this executive order was too vague and would lead to massive over-

²⁴⁸ Ibid, p. 148-155

²⁴⁹ Ritchie, *Reporting from Washington*, p.87

²⁵⁰ Small, *Political Power and the Press*, p. 159

classification. Republicans also complained against the government's intents to feed the secrecy culture.²⁵¹

Two years later, President Dwight Eisenhower issued a new executive order, which tried to restore "a proper balance" between public information and state secrets. It took classification privileges away from 28 federal agencies, limited them in 17 others and left only 15 with full classification authority.²⁵² It reduced the number of categories to top secret, secret and confidential, and eliminated the reserved category. The executive order also let reporters appeal to a higher authority when a lower-level official denied specific information.²⁵³

In 1954, Eisenhower extended the executive order to "executive privilege" to keep his administration officials from having to face congressional cross-examination. Although it was intended to prevent administration officials from falling into McCarthy's hearings, it was ultimately used to protect officials from being held accountable to the Congress. "Since executive orders cut off the Congress as well as reporters, the press is twice damaged since as much news about a presidential administration leaks out of the Congress as from the White House itself. Senate chairmen complained about the penalty of such presidential power during all the years since Truman first issued his executive order," Small explains.²⁵⁴

That being so, one consequence of the Cold War was the exponential increase in the number of classified documents. Before the Cold War, only information related to

²⁵¹ Carpenter, *The Captive Press*, p. 72-73

²⁵² Small, *Political Power and the Press*, p. 160

²⁵³ Carpenter, *The Captive Press*, p. 73

²⁵⁴ Small, *Political Power and the Press*, p. 161

military operations was secret, but it changed as the national security concept increased.²⁵⁵

“The absence of media skepticism about U.S. foreign policy continued with few exceptions throughout the Eisenhower and Kennedy years. What is so striking in retrospect is the lack of inclination to challenge the official version of events even when government explanations were manifestly dubious,” Carpenter says.²⁵⁶

During Eisenhower days it was not easy to obtain information. He had every intention to run a “leak-free” administration. In late 1955, Marvin Watson, who was in charge of spotting staff members making contact with the press, installed a system of phone checks at the switchboard operators, to record every outside call received by staffers. Reporters realized what was happening when operators began to ask their names. They started giving names of movie stars and international playboys.²⁵⁷ Press Secretary James Hagerty was the only bridge to get an interview with someone from the administration, as the White House staff “clamped down tightly.”²⁵⁸ Hagerty allowed television to film the president press conferences, but he reserved the right of the White House to edit the film. When journalists complained, he said the White House wanted to have control of the spoken word of the president. Yet, he never edited any film.²⁵⁹

Even so, in 1960 the Eisenhower administration was caught giving misleading information, when the U-2 spy plane was shot down by the Soviets. At first, the government assumed the plane had vanished with the pilot, so officials said it was a weather flight. But the Soviets had the pilot who confessed it was a spy flight. Hence,

²⁵⁵ Carpenter, *The Captive Press*, p. 70

²⁵⁶ Ibid, p. 48

²⁵⁷ Small, *Political Power and the Press*, p. 163

²⁵⁸ Ritchie, *Reporting from Washington*, p.123

²⁵⁹ Small, *Political Power and the Press*, p. 93

Eisenhower had to admit in public that it was an espionage activity.²⁶⁰ According to Carpenter, the official lie was possible because the press did not report the incident in the proper way. “The apparent wish of the mainstream media to be deceived was more than a little distressing, for they accepted without scrutiny or reservation the government’s contention that all of its actions were vital to the nation’s security,” he says.²⁶¹ Many times the State Department requested media to “soften or suppress” a story. For example, public officials asked to downplay Nikita Khrushchev’s visit to the United States in 1959.

After Eisenhower’s cold relationship with the press, it was the turn of President John Kennedy’s charm with the Washington correspondents. Kennedy liked and was liked by reporters. His press conferences were called when he had “news to make.”²⁶² Kennedy had a direct approach to journalists, and gained their trust. But even then, there were moments of high tension between official sources and journalists.

Since Cuba represented one of the biggest issues in Kennedy’s short administration, it quickly became a topic of confrontation with the press. In April 1961, Gilbert Harrison, from the *New Republic* sent presidential aid Arthur Schlesinger Jr. the draft of an article on CIA activities among Cuban refugees in preparation for the Bay of Pigs invasion, that was about to be published. The *New Republic* agreed not to run the article, as Kennedy requested.²⁶³ The *New York Times* was working on a similar story in Florida, about recruiting men to engage in an “imminent” invasion of Cuba. After internal discussions, editors decided to leave out the time of the landing and every mention of the CIA involvement. Many editors protested, since the newspaper had never

²⁶⁰ Ibid, p. 194

²⁶¹ Carpenter, *The Captive Press*, p. 57

²⁶² Small, *Political Power and the Press*, p. 97

²⁶³ Carpenter, *The Captive Press*, p. 58

changed a story for political reasons. Publisher Orvil Dryfoos said national security and safety of men going ashore were involved.²⁶⁴

The invasion of April 17, 1961, was a failure. Newspapers reacted angrily toward Kennedy's administration for hiding the information. Three days later, at the American Association of Newspapers Editors, Kennedy spoke about Cuba, yet not directly about the Bay of Pigs incident. In his speech, "he stressed the need for the media's commitment to self-censorship on defense and foreign policy issues, and the impact of the precedents and attitudes established during the two world wars was alarmingly apparent in his thinking," Carpenter says.²⁶⁵ Kennedy asked the publishers to recognize their own responsibility and to re-examine standards. Even the First Amendment "must yield to the public's need for national security," the president said. A group of editors later met with him to discuss what he had in mind. Kennedy said he did not want to restrict anything, but insisted on the need to be aware of the critical period the country was leaving. But he assured them he had no intention of declaring a national emergency with a censorship system over the press.²⁶⁶

Kennedy faced another serious crisis late in 1962, when it was discovered that Soviets were placing missiles on Cuba. He took personal action in dealing with the press to avoid earlier disclosures of information. The president requested newspapers –among them, the *New York Times*- to withhold the information, and they did.²⁶⁷ In an attempt to justify the lies that were released during that crisis, Arthur Sylvester, assistant secretary of state for public affairs, argued that news generated by government's actions were part

²⁶⁴ Small, *Political Power and the Press*, p. 99

²⁶⁵ Carpenter, *The Captive Press*, p. 59

²⁶⁶ Small, *Political Power and the Press*, p. 101

²⁶⁷ *Ibid*, p. 103

of the president's arsenal of weaponry to deal with crises.²⁶⁸ Kennedy "expected the media to operate on a wartime footing for what might well be decades. The troublesome point the president failed to address was whether healthy, independent news media could survive such a prolonged period of constraints," Carpenter explains.²⁶⁹

Many reporters complained against what they called a "news management" policy in the Kennedy's administration. They argued that Bay of Pigs preparation was hidden, and the results of the investigation did not become public. The State Department released a report before the invasion that misled reporters, and during the invasion the Defense Department gave false information to mislead the enemy, which also misled the public. Journalists criticized the use of "planted" questions in news conferences. Press Secretary Pierre Salinger would call his favorite reporters and say that if a certain question were asked, they would receive a "most interesting answer." Salinger defended the practice, arguing that the president may come prepared to answer important questions and reporters would not ask them because they were not well prepared.²⁷⁰

The administration considered using lie detectors to find leaks at the Pentagon. Sylvester created a directive that forbade Pentagon staffers from talking with reporters unless the substance of the conversation was reported later to the Public Information Office. They could invite a member of the office to witness the interview. The State Department tried to apply the same policy, but journalists complained so much that it could not be used.²⁷¹ White House aides were required to clear any contact with the press

²⁶⁸ Ibid, p. 198

²⁶⁹ Carpenter, *The Captive Press*, p. 61

²⁷⁰ Small, *Political Power and the Press*, p. 185

²⁷¹ Ibid, p. 199

through Salinger beforehand. After any interview, White House staffers were expected to give a written report about it, Helen Thomas recalls in “*Watchdogs of Democracy?*”²⁷²

Kennedy believed that it was really important for the administration to speak with one voice. All speeches were supposed to be cleared by him, and in sensitive matters, questions should be referred first to the White House.²⁷³ In addition, at least three reporters were woken up or called by FBI agents who requested information on their stories about Edmund Martin, president of Bethlehem Steel, who was being investigated by Attorney General Robert Kennedy. Others said that the FBI was also used to shadow reporters in the Pentagon and to ask journalists about their stories.²⁷⁴ Kennedy replaced Eisenhower’s executive order, aiming to downgrade or declassify material. But he used the executive privilege to prevent military and State Department censors from testifying about deletions made in high military officers’ speeches.²⁷⁵

According to Thomas, the trend of “news management” only got worse from one administration to the other, and President Lyndon Johnson’s years proved it. Johnson entered the White House after Kennedy’s assassination in 1963, and tried hard to seek the favor of the press. He had reporters and publishers for lunch or formal dinners at the White House. It did not prevent the media from publishing stories that Johnson considered embarrassing or against him.²⁷⁶ So the president or his assistants would call publishers to grumble about stories he disliked. Johnson was also known for granting favors to reporters writing “good stories” about his administration.

²⁷² Thomas, Helen, *Watchdogs of Democracy?*, p. 69

²⁷³ *Ibid*, p. 64

²⁷⁴ *Ibid*, p. 164

²⁷⁵ *Ibid*, p. 161-162

²⁷⁶ *Ibid*, p. 109

Many times, the administration tried to find leakers. After an unwanted story broke, the Secret Service would canvass the staff to see who had seen the reporter involved.²⁷⁷ Also throughout the Johnson administration, the planted question in the press conferences continued. Press secretary Bill Moyers said, “It is the prerogative of the president to decide how he’s going to make himself available to the press and how and when he makes certain information known to the press. It’s to serve the convenience of the president, not the convenience of the press that the presidential press conferences are held.”²⁷⁸

Johnson always believed that the press was plotting against him, Thomas says. An example was the abolition of the press pool that use to travel with the president in the Air Force One. The purpose was to ensure that there would be qualified press coverage in case of emergency, but Johnson saw reporters as “spies” and did not like to travel with them. Yet, journalists were back in the plane shortly after.²⁷⁹

That being so, if Kennedy’s government was known for its “news management,” the Johnson administration was known for the “credibility gap.” This meant, “The White House was not to be believed,” says Small. Reporters resented the fact that all important announcements had to be funneled through Johnson’s office, as much as they resented the twist and turns of administration statements, the publicity barrages to distract people from other issues, and Johnson’s passion for secrecy.²⁸⁰

The Vietnam War caused the credibility gap to widen, as well as the Dominican Republic revolt in 1965, when the government tried to hide the participation of American

²⁷⁷ Ibid, p. 163

²⁷⁸ Ibid, p. 185

²⁷⁹ Thomas, *Watchdogs of Democracy?*, p. 70

²⁸⁰ Small, *Political Power and the Press*, p. 116-117

troops, saying they were trying to save U.S. citizens. In both events, president and administration officials were caught in half-truths, contradictions and even lies.

During Kennedy's administration and also during Johnson's, public servants tried to discredit journalists who were writing reports from the war. Between 1961 and 1964, officials on the scene intensified their pressure on news personnel to promote the official version of what was happening. They helped the Saigon government to censor "negative" stories and to prevent them from leaving the country.²⁸¹ Allegations of "disloyalty" became frequent. Many reporters who had written articles that the Pentagon considered critical of the U.S. action in Vietnam, were accused of being disloyal. The tension with the press got worse after the Tet offensive in January 1968.²⁸² However, none of the three administrations that dealt with Vietnam war imposed a rigorous censorship system, Carpenter says. In 1965, Gen. William Westmoreland recommended instituting formal censorship to protect military security, and restricted access to certain installations. For three days, officials from the State and Defense departments discussed the proposal before concluding that the system would be unworkable. They argued that without a congressional declaration of war, the military would not have the authority to perform such activity.²⁸³

However, it was during Johnson's years that the Freedom of Information Act became law. "Although most presidents have sought to perpetuate or even strengthen the secrecy system in the name of national security, Congress has made periodic efforts to the opposite end," Carpenter explains.²⁸⁴ The FOIA allowed journalists, among others, to

²⁸¹ Carpenter, *The Captive Press*, p. 139

²⁸² Ibid, p. 145-146

²⁸³ Ibid, p. 151

²⁸⁴ Ibid, p. 80

have a statutory right to press the government for the review of classified material and to have the material declassified if it did not pose a threat to national security. “As it turned out, however, the change was more theoretical than substantive,” Carpenter adds. The law exempted nine categories of information, including records specifically required by Executive Order to be kept secret in the interest of national defense or foreign policy. After that, journalists had to face bureaucratic obstacles to get the information requested. They had to ask the right question or to identify the material with incredible precision, to receive it. In addition, FOIA procedures were too expensive or too time consuming for the media.²⁸⁵ In following administrations, the act changed to ensure access to information, with different results.

Nixon administration. President Richard Nixon was convinced that the press corps disliked him and his party. “In the long history of unhappiness with the press, no administration ever attacked the media as boldly as that of Richard Nixon,” Small says.²⁸⁶

“During Nixon’s White House years, news management was made into a new science, using any number of nefarious techniques,” Thomas says. The president had the phones of “offending” reporters wiretapped; the vice president talked about “disloyal” journalists; the Department of Justice attempted to subpoena reporters’ notes; and a White House aide called television channels to advise them to let more conservatives in the networks or they would be facing antitrust lawsuits, Thomas recalls.²⁸⁷

When Nixon took office in January 1969, he found a friendly press, although it did not last long. At the end of the year, Vice President Spiro Agnew “was to unleash the

²⁸⁵ Ibid, p. 80-81

²⁸⁶ Small, *Political Power and the Press*, p. 142

²⁸⁷ Thomas, *Watchdogs of Democracy?* p. 75

most bitter, perhaps the strongest attacks on the news media ever made by such a high profile official,” Small says.²⁸⁸ Agnew looked to affect media’s credibility, but mostly he tried to discredit the information about Vietnam War. His first speech against the press was in November 13, 1969. Several networks received complaints on their coverage of the Vietnam War, and they, as well as newspapers, were called unpatriotic.²⁸⁹

Strange things started to happen to journalists that were perceived as critical to the administration. Daniel Schorr did a piece for *CBS* about the government, and shortly after, the FBI was investigating him. According to the government, Schorr was being considered for a public position. Jules Witcover wrote a critical book about Nixon’s 1968 campaign. Once it was published, his sources were intimidated and Internal Revenue Services started to investigate him.²⁹⁰

Meanwhile, Nixon’s staff called the media to request copies of editorial comments on the government. Many thought it was a subtle way to intimidate the press, since the Federal Communications Commission, which licenses television stations, was asking networks for transcripts of their comments on Nixon’s speeches. “In 1972, the Justice Department filed antitrust suits against the three networks, and television stations owned by newspapers regarded as ‘hostile’ to the administration had their license renewals challenged. White House aides admonished network executives to be more prudent,” David Broder remembers in *Behind the Front Page*.²⁹¹

The White House press corps was facing other challenges. Press Secretary Ron Ziegler and staffers applied certain techniques to weaken reporters’ work, says Timothy

²⁸⁸ Small, *Political Power and the Press*, p. 122

²⁸⁹ *Ibid*, p. 127-130

²⁹⁰ Thomas, *Watchdogs of Democracy?* p. 76

²⁹¹ Broder, David, *Behind the Front Page*, p. 165

Crouse in *The Boys on the Bus*. They tried to divide journalists from the same medium by giving the story to one on the condition of not letting others work with it, or freezing out certain reporters from covering presidential activities, or auditing certain journalists' taxes after they wrote something critical, as they did with Witcover²⁹² "Meanwhile, the White House kept building up a powerful public relations machine whose function was to compete with the press, to go over the heads of the press and straight to the people. The White House sent off tons of mailings to newspapers and individuals. The White House frequently demanded and received free network television time so that the President could present his arguments to the public and even so the Vice President could attack the press," says Crouse.²⁹³

Nixon did not give many news conferences during his two terms. He held only eight in his first year in the office and during 1970 only four, says Small.²⁹⁴ After the case of the Pentagon Papers and the Watergate investigation, Nixon did not give any other press conference. He became increasingly inaccessible to the press, holding only nine news conferences in his last 20 months in the White House, adds Broder.²⁹⁵

The lack of press conferences affected the quality of journalists' jobs. "Since few of the White House correspondents had opportunities to ferret out information, since they *were* largely sequestered from staffers and outside sources, they needed decent briefings and press conferences if they were going to do a creditable job," says Crouse.²⁹⁶ It was not only the administration's fault, but also reporters', since they "refused to assert

²⁹² Crouse, Timothy, *The Boys on the Bus*, p. 214-225

²⁹³ Ibid, p. 226

²⁹⁴ Small, *Political Power and the Press*, p. 186

²⁹⁵ Broder, *Behind the Front Page*, p. 166

²⁹⁶ Crouse, *The Boys on the Bus*, p. 228

themselves, except to write a few snipping, ineffective articles about the lack of press conferences.”²⁹⁷

During Nixon’s administration executive orders were extensively used, notably in the case of Secretary of State Henry Kissinger. He was “only allowed to speak on background at press conferences and was never allowed to appear on television until the end of Nixon’s first term,” Thomas says.²⁹⁸ These executive orders kept Senate committees away from examining Pentagon material including the Pentagon Papers. When the Justice Department tried to prevent the *New York Times* from publishing the Pentagon Papers, it used executive orders promulgated and amended by Eisenhower and Kennedy.²⁹⁹ Nixon tried to deny the special prosecutor access to the Watergate tapes under a claim of executive privilege. The Supreme Court later turned down this executive privilege.³⁰⁰

Likewise, the FBI investigated government employees who were thought to be possible sources. In September 1971, it was revealed that FBI agents quizzed officials in the State Department, and it was suggested that these public servants had to take lie detector tests after leaks related to a U.S. offer in the Strategic Arms Limitations Talks and a second story about U.S. arms being shipped to Pakistan.³⁰¹ The administration used other tools to detect leakers. “In Saigon in early 1970, four agents of the U.S. Government had masqueraded as newsmen in an apparent attempt to find out how newsmen got information from military sources. When legitimate newsmen unmasked

²⁹⁷ Ibid, p. 236

²⁹⁸ Thomas, *Watchdogs of Democracy?* p. 75

²⁹⁹ Small, *Political Power and the Press*, p. 161.

³⁰⁰ Thomas, *Watchdogs of Democracy?* p. 76.

³⁰¹ Small, *Political Power and the Press*, p. 166.

the impostors, the army said it was an isolated incident, ‘Somebody goofed’ and that it was not the policy of the military to pose as newsmen,” Small recalls³⁰²

The Office of International Security Affairs in the Pentagon reinstated the practice of monitoring conversations with journalists. Public officials could never hand reporters a copy of the rules for those monitoring sessions, says Small. The Pentagon “kept a close eye on reporters. A number of newsmen reported that telephones were tapped including their own phones in the press room. Defense denied this. Security agents have conducted investigations of news reports to find the source of leaks. Reporters have been called for questioning by FBI agents or Pentagon investigators.” Nonetheless, Small says, such interrogation was rare for journalists, and never high profile or unfriendly. But with Pentagon staff, investigators could be tougher and could threaten to use, or use, lie-detectors.³⁰³

The relationship between reporters and the Pentagon got worse during the invasion of Laos in 1971. To prevent the enemy from learning U.S. military positions, commanders placed embargoes on news. With the Laos invasion, the embargoes reached new landmarks: they were applied to all news and lasted six days. Reporters could not tell they were banned from writing what was happening.³⁰⁴ Nixon considered the press was unfair with the Laos invasion coverage. “President Nixon’s criticism, while more muted than the strident attacks of his vice-president, served some of the same functions. One, it raises doubts as to how much the public should trust the journalist, and two, it serves to

³⁰² Ibid, p. 167.

³⁰³ Ibid, p. 200.

³⁰⁴ Ibid, p. 202.

warn journalists that the product of their efforts is being carefully watched,” Small explains.³⁰⁵

Subpoenas became a frequent tool to learn what journalists knew about dissident, militant, radical protest groups and their leaders, especially during the post-1968 period following the riotous Democratic National Convention, Small explains. The author adds that in mid-1971 *CBS* and *NBC* disclosed that something like 123 subpoenas had been issued in an 18-month period, 52 of them by the government, to both broadcast networks and affiliates.³⁰⁶ During that year, Attorney General John Mitchell issued guidelines on the issuance of subpoenas to journalists, which led to a sharp decline.³⁰⁷ “The abuse of subpoena privilege by the government resulted in what the courts have called the constriction of the necessary ‘breathing space’ that a free press needs, what the courts called a ‘chilling effect’ on First Amendment rights,” Small says.³⁰⁸

Nevertheless, two incidents during Nixon administration made obvious the kind of connection the government wanted to have with the press. The first one was known as the Pentagon Papers, a 7,000-page top-secret document from the Defense Department with the history of the United States involvement in the war in Vietnam from 1945 to 1967. Secretary of Defense Robert McNamara had requested this study in 1967. Daniel Ellsberg, a military analyst who had access to those papers, leaked them to the *New York Times*.³⁰⁹

On June 13, 1971, the *New York Times* published a first article on The Pentagon Papers that did not result in much attention, Small says. But a second article was

³⁰⁵ Ibid, p. 206.

³⁰⁶ Ibid, p. 212.

³⁰⁷ Ibid, p. 215.

³⁰⁸ Ibid, p. 215.

³⁰⁹ Thomas, *Watchdogs of Democracy?* p. 17

published the following day, and the press reacted. The government reacted too, as the Justice Department sent a telegram to the *New York Times* asking it to stop releasing the document and to return all classified material to the administration. The newspaper refused to do so, and published a third article. The government asked a federal court to ban the newspaper from releasing the material.³¹⁰ On June 18, the *Washington Post* started to publish the document too, and it was also asked to cease publication. That case also ended in a federal court. “The rejection of government’s heavy hand on the eighteenth century press had its echo in the twentieth century when government moved against the *New York Times*, ultimately three other newspapers in court, and still others by threat of court, to prevent publication of the so-called Pentagon Papers,” Small says.³¹¹

During those days, the government raised issues such as how it could not protect itself from damaging publication, or how newsmen were not able to act with patriotism, Small recalls.³¹² The administration argued in court that the *Times* and later the *Post* were violating the Espionage Act since they were not authorized to have the document.³¹³ All the cases went to the Supreme Court, which on June 30, 1971, in a 6-3 decision ruled that the injunctions against publication were unconstitutional prior restraint and that the government had not proved any damage to national security.³¹⁴ “The press was to serve the governed, not the governors,” wrote Justice Hugo Black for the majority.³¹⁵

The Watergate scandal was the second big problem Nixon had with the press, which became the end of his second term. The scandal began with the arrest of five men

³¹⁰ Small, *Political Power and the Press*, p. 221.

³¹¹ *Ibid.*, p. 231.

³¹² *Ibid.*, p. 221

³¹³ *Ibid.*, p. 251

³¹⁴ Thomas, *Watchdogs of Democracy?* p. 17

³¹⁵ Ritchie, *Reporting from Washington*, p. 256.

for breaking into the Democratic National Committee headquarters located at the Watergate building on June 17, 1972. Nixon was running for re-election, which he won. At first, the incident did not get that much coverage. But *Washington Post* reporters Carl Bernstein and Bob Woodward, who did not cover national politics, discovered that the robbery was related to a scope of crimes and abuses from the government, including campaign fraud, political espionage, and illegal wiretapping, to mention a few.³¹⁶ Other newspapers later revealed details of the case, but the *Washington Post* was the one that kept doing so consistently. An unnamed source, later known as “Deep Throat,” helped Bernstein and Woodward check the story. The White House denied every story published about the Watergate, and tried to isolate the *Washington Post*. But the story grew in power and interest, and Congress started its own investigation of the case. It led to Nixon’s resignation in August 1974.³¹⁷

“The White House’s accountability reached the lowest point,” Thomas says. “It was not even managed news. It was a total blackout.” She remembers how Nixon dealt with the press on his last day at the White House: “He actually had the press locked inside the pressroom with Secret Service agents posted as guards. This was the only way he felt he could take one last walk around the White House without having to contend with the press.”³¹⁸

Post-Watergate. After Watergate, journalists came under hard criticism and many newspapers reviewed the way they covered government. “The White House press corps came in for the harshest criticism, accused of having become ‘prisoners’ of the

³¹⁶ Crouse, *The Boys on the Bus*, p. 293-295.

³¹⁷ Ritchie, *Reporting from Washington*, p. 234-235.

³¹⁸ Thomas, *Watchdogs of Democracy?* p. 78-79

presidency,” Ritchie says. “They spent more time looking for authorities to quote than in drawing their own conclusions, and they had grown too dependent on the very people they needed to scrutinize.”³¹⁹ Reporters knew they had missed many clues, says Thomas, and they were not going to let that happen again. “The White House pressroom became a lion’s den. Nothing was accepted at face value,” she adds. The following two administrations – Ford and Carter -- got “the brunt of a hostile, newly awakened press for a time.”³²⁰

President Gerald Ford's relationship with journalists was quite good at the beginning, but his decision to give an unconditional pardon to Nixon made it shaky for a while, Broder says, mainly because the White House had previously announced the opposite. But Ford kept a sort of open policy compared with previous presidents; he gave press conferences and answered questions directly from reporters.³²¹

President Jimmy Carter developed a good yet distant relationship with journalists. Carter “saw himself as an outsider, who had been snubbed and underestimated by the big shots of the press corps,” Broder says.³²² According to Thomas, that perception “led to some antipathy toward the established press corps, which in turn, often led to poor relations with the White House press.” She adds that the Carter administration ran an “open” White House, “with little effort to spin the news.”³²³ Carter held televised news conferences for Washington reporters twice a month. He also invited groups of

³¹⁹ Ritchie, *Reporting from Washington*, p.235.

³²⁰ Thomas, *Watchdogs of Democracy?* p. 145.

³²¹ Broder, *Behind the Front Page*, p. 170.

³²² *Ibid*, p. 170.

³²³ Thomas, *Watchdogs of Democracy?* p. 79.

journalists from around the country to meet him. When the Iranian hostage situation started, Carter interrupted his regular schedule of press conferences.³²⁴

In March 1979, the Justice Department obtained an injunction against *Progressive* magazine to prohibit it from publishing a story on the design and manufacture of hydrogen bombs. The Carter administration ultimately abandoned its effort to ban the article from being published, but only when confronted with irrefutable evidence that the story was based entirely on unclassified sources, says Carpenter. However, the government succeeded in delaying its publication for seven months.³²⁵

President Ronald Reagan had a cordial relationship with the press during his two terms at the White House. “Ronald Reagan’s relationship with the press evolved through almost six years of stunningly successful news management, followed by one of the most embarrassing and politically costly blowups in the modern presidency,” Broder says.³²⁶

According to authors, Reagan’s staff kept him away from having direct contact with journalists. The president appeared only when it was scheduled that he would talk in public. Many reporters believed then that Reagan was “scripted” during his press conferences.³²⁷ It was a deliberate press policy, which was based on three principles, says Broder: “limit the direct access to the President, make news management a major priority for trusted White House aides and Cabinet secretaries, and shut down the flow of information from lower levels of the administration and the bureaucracy.”³²⁸ During his

³²⁴ Broder, *Behind the Front Page*, p. 172-174.

³²⁵ Carpenter, *The Captive Press*, p. 128-129.

³²⁶ Broder, *Behind the Front Page*, p. 176.

³²⁷ Thomas, *Watchdogs of Democracy?* p. 46-48.

³²⁸ Broder, *Behind the Front Page*, p. 178.

second term, Reagan was less accessible, and the flow of information decreased, Broder adds.³²⁹

The president allowed his top aides to answer to the press.³³⁰ According to Thomas, there were two factions within the White House, which resulted in “great leaks to reporters.” Chief of Staff, James Baker was on one side and counselor Edwin Meese was on the other side, with both trying to dominate the news and to show closeness to the president.³³¹ But leaks were not always freely allowed in the administration. The *Washington Post* reported that Secretary of Defense Caspar W. Weinberger had urged newspapers and two television networks to withhold stories about a secret military cargo on a space shuttle that was about to be launched. Although the *Post* said that all the information came from public records, “the Pentagon ordered a search for the leakers.” In November 1985, Reagan signed an order authorizing “polygraph testing to thousands of government employees dealing with ‘sensitive compartmented information,’ a broad classification of ‘secret’ documents,” Broder says.³³² “Few of the threatened actions were taken, but the impulse to crack down on press leaks has been a powerful one throughout the Reagan years,” he adds.³³³

The Reagan administration developed strategies to keep secrecy and to control the flow of information, aiming to protect policies and reputations from criticism, Carpenter writes. In March 1983, National Security Decision Directive 84 required more than 100,000 government employees to take a lifetime censorship oath. Officials with access to what was considered “sensitive information” had to submit their materials for

³²⁹ Ibid, p. 186.

³³⁰ Ibid, p. 182.

³³¹ Thomas, *Watchdogs of Democracy?* p. 95.

³³² Broder, *Behind the Front Page*, p. 187.

³³³ Ibid, p. 188.

publication or speeches that might be related to such information to the government for prior review. In other words, Carpenter says, the directive gave government considerable power to prevent former employees from revealing information that could embarrass the administration. “Government hostility toward and obstruction of FOIA and the entire concept of information disclosure received a considerable boost from the Reagan administration.”³³⁴

The FOIA was a target in this policy. Reagan and his attorney general, William French Smith, unsuccessfully tried to limit the scope of FOIA, by exempting the CIA and the FBI from its coverage. In April 1982, an Executive Order lowered the minimum standard for each level of classification, and using this order, the administration reclassified documents that were already declassified and public.³³⁵

“During the presidency of Ronald Reagan, attempts to intimidate the press or deny coverage of controversial foreign policy actions increased. Indicative of the administration’s aggressiveness was its treatment of the news media during the October 1983 invasion of Grenada,” Carpenter says.³³⁶ Reporters were excluded from covering U.S. troops entering Grenada during the first 48 hours of the operation. Afterwards, military escorts were required to move around the island. The White House provided its own videotapes to the television networks. None of the tapes showed any pictures of actual combat, Thomas says.³³⁷ Even those journalists who tried to be there were turned

³³⁴ Carpenter, *The Captive Press*, p. 84.

³³⁵ Ibid, p. 85.

³³⁶ Ibid, p. 159.

³³⁷ Thomas, *Watchdogs of Democracy?* p. 81.

away by U.S. Navy patrols. A group of reporters succeeded in arriving in Grenada, but they were taken into custody and ordered to return to Barbados.³³⁸

The government said these actions were aimed to ensure “the secrecy of the operation and to ‘protect’ journalists”. But “a more credible reason for the exclusion was the administration’s fear that there would be critical, even hostile, press accounts of the invasion,” Carpenter adds.³³⁹ Grenada showed how dangerous it could be when the government restricts the flow of information on a military action. “Not surprisingly, there were significant episodes of misinformation during the period that the government excluded the press from Grenada.”³⁴⁰ After the Grenada assault, the Pentagon proposed the creation of media pools, to guarantee media coverage of military operations.³⁴¹

In 1986, Reagan’s credibility “was severely damaged by press exposure of secret United States arms shipments to Iran, followed by the even more stunning announcement” that the money obtained in that operation was used to support the Contras in Nicaragua.³⁴² The story was first published in the Lebanese newspaper *Ash-Shiraa*, Thomas remembers. Reagan denied it and “denounced persistent reporters as sharks circling blood in the water.”³⁴³ According to Broder, “once the story was out, the American press was on it like a horde of hungry locusts, and this time all the administration’s press management and damage-control operations, designed to keep the President at a safe distance from any controversy, failed to stem the tide of disclosures- or the consternation of the public.”³⁴⁴

³³⁸ Carpenter, *The Captive Press*, p. 160.

³³⁹ Ibid, p. 161.

³⁴⁰ Ibid, p. 169.

³⁴¹ Ibid, p. 9.

³⁴² Broder, *Behind the Front Page*, p. 176.

³⁴³ Thomas, *Watchdogs of Democracy?* p. 21.

³⁴⁴ Broder, *Behind the Front Page*, p. 192.

“If reliance in confidentiality sometimes blinded investigative reporters to their sources’ motives, conventional wisdom too often obscured the view of the rest of the press corps,” Ritchie says. “The same attitudes that had caused the *New York Times* to discount presidential involvement in the Watergate slowed its response to the Iran-Contra scandal a decade later.”³⁴⁵ The *New York Times* had strong and good tips on the story of the Iran-Contras situation, but editors thought that the president could not be doing that.

People could not know what the administration was doing because the rhetoric was absolutely the opposite, as it had been consistently hostile toward Iran. “The question then arises: how can the populace in a democratic system of government pass judgment on the wisdom or the morality of a policy that they have no idea even exists- and that in fact runs directly counter to everything they have been led to believe?” Carpenter asks.³⁴⁶ “During the Reagan and Bush years the government attempted to repeal the legacy of the 1970s with regard to the press and public scrutiny of national security issues. In a variety of ways, both administrations sought to exclude and intimidate the press, thereby reducing the prospect of embarrassing disclosures of dubious foreign policy initiatives.”³⁴⁷

George Herbert Walker Bush was a Washington insider and knew well the Washington press corps. A former vice president who became president, Bush was generally friendly and informal with reporters. He preferred to give informal press conferences rather than prime-time press conferences, Thomas recalls.³⁴⁸ But in December 1989, with the Panama invasion, journalists had a taste of what they could

³⁴⁵ Ritchie, *Reporting from Washington*, p. 237.

³⁴⁶ Carpenter, *The Captive Press*, p. 78.

³⁴⁷ *Ibid.*, p. 250.

³⁴⁸ Thomas, *Watchdogs of Democracy?* p. 49.

expect. According to Carpenter, although the pool was ready to leave, it did not depart until two hours before the invasion. Once in the place, reporters had troubles sending their stories, and by the time they could work independently, combat was over.³⁴⁹

The Persian Gulf War was Bush's main turning point in the relationship with reporters. In 1990, Iraq invaded Kuwait and a coalition of 34 nations led by the United States, forced Saddam Hussein's troops to withdraw from Kuwait. In terms of media access, Carpenter says that all the elements came together in this conflict, from successful appeals to the patriotism of news personnel to the exclusion of reporters from covering military operations independently. Government could supply its own videos of what was happening, while the press acted as the administration's "echo chamber."³⁵⁰

In fact, reporters who covered the Gulf War were immediately restricted by the Department of Defense, Thomas says. The press pool had to be escorted by Defense Department officers, and coverage was tightly controlled.³⁵¹ Pentagon officials used press pools, requesting reporters to be with military escorts on all interviews, and mandatory reviews of stories. At the same time, the Pentagon provided "information" through its briefings, recalls Carpenter.³⁵² Journalists needed approval as to where to go and who to interview. In many cases, print media had to get Pentagon clearance before printing a story.³⁵³ Before being allowed to Saudi Arabia, reporters had to sign the Pentagon's "ground rules," among which it was established that journalists should be with military escorts for safety reasons. Media later complained to the Defense Secretary Richard Cheney that military escorts frequently interrupted the interviews. Carpenter says that

³⁴⁹ Carpenter, *The Captive Press*, p. 179-180.

³⁵⁰ Ibid, p. 185.

³⁵¹ Thomas, *Watchdogs of Democracy?* p. 82 and p. 167

³⁵² Carpenter, *The Captive Press*, p. 9.

³⁵³ Thomas, *Watchdogs of Democracy?* p. 158.

those reporters who tried to reach American troops on their own were arrested and threatened with losing their press credentials.³⁵⁴ Carpenter adds that the government also tried to discredit journalists and refers to the case of Peter Arnett, from *CNN*, who was accused of being a “propaganda stooge” for Iraqi dictator Saddam Hussein.³⁵⁵

But Carpenter is also very critical of the media reaction during that war. “Such an inadequate treatment of the military issues was symptomatic of a larger failure. Instead of carefully examining and dissecting the various rationales for intervention, the media for the most part tamely accepted the administration’s interpretation of events and gave the public a steady diet of simplistic images and analyses of developments in the gulf.”³⁵⁶

However, Bush’s relationship with the press deteriorated and his advisers blamed the media for Bush’s defeat by Bill Clinton in 1992 elections. Yet, after the Persian Gulf War experience, in May 1992, the Defense Department and an alliance of key press associations agreed on nine principles on how to do news coverage during war times. Although the principles seemed to reflect quite the interest of the media, according to Carpenter it did not represent a successful negotiation of the press since “the Pentagon refused to budge one of the most crucial issues: mandatory review of all news stories from military theaters of operations.”³⁵⁷

During Clinton’s presidency, those principles were proven in situations such as the intervention in Somalia in 1993, or the military action in Haiti in 1994. Regarding Somalia, the press found an open operation to be covered without any fuzz from the military side, Carpenter says. However, when it turned out to be bloody, things changed

³⁵⁴ Carpenter, *The Captive Press*, p. 199-201.

³⁵⁵ *Ibid*, p. 99

³⁵⁶ *Ibid*, p. 189

³⁵⁷ *ibid*, p. 216

and reporters found it difficult to cover. Carpenter explains that there was no pool of journalists organized at any point, because it was a United Nations missions and not only American.³⁵⁸ In the Haiti intervention, “the relationship between government and the press was not tested in a combat setting.” But before this military action, says Carpenter, in a meeting between representatives from TV networks and White House and Pentagon members, officials demanded an eight-hour broadcast blackout, and requested reporters “to stay in their hotels until military commanders gave them permission to cover the fighting.”³⁵⁹ The military intervention did not get to the point where these measures were implemented.

As president, Clinton kept a generally friendly attitude towards the media, yet he did not have close friends among journalists, Thomas recalls.³⁶⁰ “Clinton held numerous meetings with members of the local press and geared his dispatches to specifically targeted markets. At the same time, he realized the value of speaking directly to the American people and used the talk show circuit as a forum,” arranging first certain rules with hosts.³⁶¹

In access to information, Clinton also expressed his support for reducing government secrecy early in his administration. “Presidential Review Directive 29, issued on April 26, 1993, ordered a sweeping review of Cold-War-era classification rules by an interagency task force with the goals of speeding the declassification process and preventing the overclassification of new documents,” says Carpenter. But it was not a

³⁵⁸ Ibid, p. 220

³⁵⁹ Ibid, p. 267-268

³⁶⁰ Thomas, *Watchdogs of Democracy?* P. 51.

³⁶¹ Ibid, p. 83

completely successful measure, since there was not more declassification of documents than before. The author believes Clinton acted like his predecessors.³⁶²

Nevertheless, Clinton's affair with an intern, Monica Lewinsky, while he was the president, plus his later denial of the affair, put the president under investigation and later led him to an impeachment. The Internet had broken into the media scenario for the first time: alternative sources of information and opinions were thrown into the stage. "The polarized atmosphere of the Clinton era renewed editors' tolerance for anonymous sources, while the multiplicity of media outlets, from cable to television to the Internet, allowed leakers to shop their stories around town until someone agreed to publish them. If one media outlet broke a story, the rest gained license to repeat it, with or without substantiation," Ritchie says.³⁶³ The media seemed to be more excited about the scandals of the administration than the public. "The yawning gap between the public's indifference to Clinton's impeachment trial and the media frenzy over it symbolized the press corps' isolation," Ritchie adds.³⁶⁴

To sum up, relationships between reporters and administrations have always been a source of tension, many times on high levels, such as when there was a war; other times not so high. But in different stages of the American history, it can be seen that there have been acts aiming to silence the press or the critics of the government, as well as there have been executive orders that restricted the access to information, or administrative rules that intend to detect who was leaking information from inside the government, or subpoenas to learn the name of sources, or attitudes toward reporters aimed to shut them

³⁶² Carpenter, *The Captive Press*, p. 86-87.

³⁶³ Ritchie, *Reporting from Washington*, p. 238.

³⁶⁴ *Ibid*, p. 292.

off from giving information. Controls have been most tough during times of war. In other words, from the beginning of democracy in the United States, the relationship between reporters and public officials has been shaped by each presidency with its own interests, and therefore, it has changed over time under the influence of those interests. Whether that kept happening, and how, is what the next chapter intends to answer.

CHAPTER IV

After reviewing the purpose of journalism and the role of sources in achieving it, after analyzing who are the official sources and the Washington press corps, and after looking through history to see how previous administrations have dealt with journalists, it is time to focus the analysis in the time frame purposed. This chapter intends to gather all the elements needed to understand how the Bush administration and the press was operating before and after 9/11, in order to answer the main questions of this study.

Starting point. George W. Bush had spent only eight months in the White House when the United States was the subject of an attack like no other before. On September 11, 2001, the Twin Towers in New York, and the Pentagon in Washington, D.C., were hit by passenger airplanes, while a fourth airplane was hijacked and crashed before getting to other targets. More than half an hour after the airplanes crashed into them, the Twin Towers collapsed. The attack killed more than 3,000 people. The terrorist organization al-Qaida, headed by Osama bin Laden, claimed responsibility for the attack.

For the press, September 11, 2001, was a day of pure journalistic work. Beyond the fear, the chaos and the communication problems aroused that day, journalists from every medium were outside trying to get the best possible account of the facts. And people consumed information with eagerness. News was not a commodity; it was a need.

Before getting into the aftermath of September 11, 2001, it is necessary to review how the administration and the press corps arrived at that day.

Less than a year earlier, Bush had narrowly won the 2000 election over Al Gore, former vice president to Clinton. The new president had been governor of Texas and had

a long tradition of political experience, since his father, George H.W. Bush had been president, too. But his relationship with the press corps remained to be seen. James E. Mueller in his book *Towel Snapping the Press – Bush’s Journey from Locker-Room Antics to Message Control*, has an answer to that question: “Bush is a chameleon with the press... With the Texas press, he was friendly and accessible. But when he got to Washington, he knew that there was no advantage in trying to schmooze the White House Press corps. He knew the intense competition and the elite bias of the Eastern press toward a conservative from Texas could not be overcome by joking.”³⁶⁵

Authors agree that the new president’s strategy to approach the press was simple and effective and could be summarize in one concept: control the message. “Such tenacity in controlling the message has been a hallmark of Bush’s press relations since he learned about focusing on a simple, consistent theme during his failed race for Congress in West Texas in 1978,” Mueller recalls. “After the race, Bush told Kent Hance, the only person ever to defeat Bush in an elections, ‘Hance, you had a message and you stayed with it.’ Hance was an experienced politician and won for reasons other than just his focus on message, but Bush took the lesson to heart and perfected the technique of ‘message discipline’ to an extent that amazes political scientists and frustrates journalists.”³⁶⁶

Indeed, journalists like Julie Mason, from the *Houston Chronicle*, used to say that it was “like throwing questions at a wall.”³⁶⁷ Bush’s closest circle of advisors shared that concept, such as Karl Rove. “Message was everything with Rove,” said Lou DuBose, Jan

³⁶⁵ Mueller, James E., *Towel Snapping the Press*, p. 30

³⁶⁶ Ibid, p. 32-33

³⁶⁷ Ibid, p. 34

Reid and Carl Cannon, who noted in their Rove biography that he had Bush so focused on message that in the 1994 campaign Ann Richards called Bush a “windup doll.”³⁶⁸

Ari Fleischer, Bush’s first White House press secretary, recalled in his memoir that Bush remained on message even when taking questions from reporters. “He would often repeat the same statement to the press, no matter how many different ways they asked their questions,” Fleischer wrote. “He seldom made mistakes or inadvertently created a controversy through what he said, and for many reporters, who are always looking for the next big story, the White House’s message discipline came to be frustrating.”³⁶⁹

However, the strategy of controlling the message had a deeper purpose: sealing the White House from any possible leak. “Bush no doubt developed his hatred of the practice through observing how leaks had affected not only his father but also his vice president, Dick Cheney,” when they worked at the Ford administration, says Mueller.³⁷⁰ Bush control of the access of the press to his aides started before his entrance to the White House. During his 2000 presidential campaign, “reporters were allowed access to only to designated-spokesmen, and some employers had to sign agreements that they would not talk to the press.” David Beckwith, the press secretary of the moment, was fired for being “too glib with the media.”³⁷¹

The controlling-the-message strategy and sealing leaks showed a fondness for keeping information that the administration would prefer not to release to the public. In that regard, one of the first decisions made by the president “was to issue an executive

³⁶⁸ Ibid, p. 38

³⁶⁹ Ibid, p. 43

³⁷⁰ Ibid, p. 49

³⁷¹ Ibid, p. 52

order tightening controls on the release of presidential and vice presidential records. To begin his presidency with secrecy as his priority was no accident,” Murray Marder wrote in April 2008 in the *Nieman Watchdog*.³⁷²

“The presidential press relationship, it turns out, is surprisingly simple. The president has most of the power in the relationship because he controls access to himself and his staff,” Mueller emphasizes. The author says that Bush entered the White House knowing how reporters worked, and unlike many of his predecessors, he was not concerned over press criticism of his actions. “The best example of Bush’s attitude is press conferences. . . . Bush schedules them, to paraphrase the language he directed at terrorists following 9/11, at a time and a place of his choosing.”³⁷³ (p.173)

He held only 17 solo question-and-answer sessions with reporters in his first term, without counting brief joint appearances with visiting heads of state. According to the Project for Excellence in Journalism, that was the lowest total of any president in the television age. “In the four months following the attacks of September 11, 2001, for instance, Bush held only one press conference. In all of 2003, the year the U.S. invaded Iraq, Bush held only four sessions,” said a study from Project for Excellence in Journalism released in October 2006.³⁷⁴ However, in Bush’s second term this seemed to change. In 2005 alone, he held nine press conferences with questions from reporters. “Partial explanations may be found in the president’s flagging poll numbers and difficult news from Iraq. Yet even then, the president did no press conferences between January and June of 2006, despite tough political fortunes.”

³⁷² Marder, Murray, *The press and the presidency: Silencing the watchdog*, *Nieman Watchdog*, April 16, 2008.

³⁷³ Mueller, *Towel Snapping the Press*, p. 173.

³⁷⁴ Project for Excellence in Journalism, *All the President’s Pressers*, October 16, 2006. Available at: <http://www.journalism.org/node/2409>.

Like other presidents before, Bush also tried to recreate a world of public relations officials in the government. “A large part of the business done by these offices is the communications efforts that are designed to get information directly to the public by going over the heads, around the backs, and between the legs of MSM [mainstream media],” Frank Greve wrote in the *Nieman Reports*, Summer 2005.³⁷⁵ Those spokesman brief “supportive” reporters or have teleconferences with journalists with a one-question rule, “and when the daily beat reporters grow hostile, leaks to outside of Washington.”

That being so, a study from the Project for Excellence in Journalism, called *The First 100 Days: How Bush Versus Clinton fared in the Press*, revealed that despite having a very good first month of press coverage, Bush’s coverage overall was less positive than Clinton’s at the beginning. “As a whole, the press has depicted Bush as a skillful manager, more comfortable as an insider than a man of the people, who is stubbornly pursuing a sincere, conservative ideological agenda even if it is controversial,” the study said.³⁷⁶ However, the study also pointed out that Bush had more success controlling his message than Clinton.³⁷⁷ “Much of what the press has covered about Bush is the message he wanted to have them cover, the study found. Of the top five continuing Bush stories, three were his own creation: his educational plan, his faith-based initiative, and his budget address to Congress,” the study said. “This carefully managed coverage also led to positive stories.”³⁷⁸

What was happening with the press, or more precisely with the Washington press corps, before 9/11? According to different authors, the end of the '90s found that many

³⁷⁵ Greve, Frank, *Journalism in the Age of Pseudoreporting*, Nieman Reports, Summer 2005, p. 12.

³⁷⁶ Project For Excellence in Journalism, *The First 100 days. How Bush Versus Clinton Fared In the Press*, p.1. Available at: <http://www.journalism.org/node/312>.

³⁷⁷ Ibid, p.2.

³⁷⁸ Ibid, p.8.

newspapers started to reorganize themselves and to adapt to new technologies.

“Newspapers could not hold accountable agencies and departments they did not cover, and they covered fewer of them than in the recent past,” Leonard Downie Jr. and Robert G. Kaiser say in *The News About The News*. According to a study by the Project on the State of the American Newspaper, in 1999 only about a dozen newspapers still had beat reporters covering the Defense Department, the Justice Department and the U.S. Supreme Court, and just a handful regularly covered other federal agencies or departments.³⁷⁹

Ritchie has a similar reading of the reality of the newspapers and their coverage of national news. “Washington news bureaus dismantled the conventional beats at government agencies. Instead of ‘building coverage’ – for example, being posted regularly at the Capitol or the Pentagon -- reporters were assigned to follow broad issues of education, health and consumer safety that cut across agency lines. For the routine news from the federal agencies, news bureaus simply relied on the wire services,” he says. “Young reporters believed that they could gather news via e-mail, fax, and web sites rather than spending their time at press conferences or lingering in the halls of the bureaucracy. Veteran reporters complained that such a remote approach to the job missed the personal observations, inside tips and general expertise that they had developed in the past. But editors responded that the changes in coverage reflected the general loss of public interest in the type of needs the Washington had generated for so long.”³⁸⁰

And then the attacks of September 11 changed the perception of journalists and their work, especially those who were based in Washington, D.C, and saw the decline of interest in national news. “Keeping the nation informed that day reminded them once

³⁷⁹ Downie Jr., Leonard and Kaiser, Robert G., *The news about the news*, p. 242

³⁸⁰ Ritchie, *Reporting from Washington*, p. 291.

again why they went into journalism, and why reporting the news from Washington still mattered,” Ritchie says.³⁸¹ “This is why we do what we do,” Marc Fisher wrote in *American Journalism Review* in October 2001.³⁸²

Although television networks dominated the news of the day, since they were broadcasting live were the attacks had occurred, newspapers claimed the following day as theirs. “American hungered for information when their interests were at stake, and newspapers offered greater depth of coverage than did television,”³⁸³ Ritchie writes. Downie and Kaiser agree: “People that did not usually buy newspapers, devoured them. Papers were filled with information that had not been mentioned or developed in television.”³⁸⁴

Fisher described the function of the newspapers in the following way: “It was left to the nation’s newspapers, to the small-town dailies that called in all hands to pump out extras on Day One, and especially to the couple of dozen big papers that have not succumbed entirely to the cost-cutting frenzy of the past two decades, to show why this business deserves its constitutional protection, and why so many people accept sub-par wages, long hours and public disdain to practice this craft.”³⁸⁵

But the change was deeper than the following day, according to Ritchie: “September 11 reanimated national news reporting. Washington news bureaus that had abolished beat reporting suddenly felt the need to station correspondents at the State Department, the Pentagon, the White House, and the Capitol.” Official sources and official information both were now vital elements to develop the main story of the

³⁸¹ Ibid, p. 301.

³⁸² Fisher, Marc, *Meeting the Challenge*, *American Journalism Review*, October 2001.

³⁸³ Ritchie, *Reporting from Washington.*, p. 300

³⁸⁴ Downie Jr. and Kaiser, *The news about the news*, p. 63.

³⁸⁵ Fisher, *Meeting the Challenge*, *American Journalism Review*, October 2001.

moment. “Some of the reporters they sent were so unfamiliar with the territory that they had trouble finding the right doors to enter these buildings. The scramble for hard news expanded bureau staffs and refocused attention on government activities, written off so recently as yesterday’s news.”³⁸⁶

Aftermath. The attacks of September 11, 2001, left fear and a desire for unity, which reflected itself in the political behavior of the days after the attacks. The government’s reaction found little criticism as a fearful public looked upon it for answers and protection. The press was not confrontational during those first months; instead, journalists focused on facts and on looking for explanations and information.

First came the review of what had not been seen before: “In January 2001, the U.S. Commission on National Security issued a report that predicted terrorist attacks on American soil. The Bush administration, Congress, and the news media all gave the report minimal attention,” Ritchie recalls.³⁸⁷ Until the attacks, the report and its findings seemed to be destined to live among other papers in the federal agencies’ shelves, Susan Paterno wrote in *American Journalism Review* in November 2001.³⁸⁸ But once the attack happened, the commission was flooded with media calls asking for the report. What happened “raised serious questions about the media’s ability to monitor the departments of government that the public depends upon for its protection,” added Paterno.

Besides these considerations about the past, there was an urgent need to know what was happening. Media was in front of a new challenge that needed quick reactions. Many newsrooms did not have reporters who were specialized in covering terrorism. A

³⁸⁶ Ritchie, *Reporting from Washington*, p. 298.

³⁸⁷ *Ibid.*, p. 293.

³⁸⁸ Paterno, Susan, *Ignoring the warning*, *American Journalism Review*, November 2001.

new beat emerged fast enough to put reporters on the search of new sources that could help them to inform their public. The center of the action was Washington, D.C., where bureau chiefs had to figure out a way of reorganizing their resources to better cover the war against terrorism the government was announcing. They “redeployed their forces to long-abandoned and newly created beats in the wake of terrorist attacks,” Stephen Seplow wrote in *AJR* on December 2001.³⁸⁹ Many journalists had to redefine their beats and redirect them to cover terrorism, like those who were covering State Department or congressional issues, or even federal agencies that were in charge of transportation or nuclear energy. Newspapers from all over the country sent more journalists as reinforcements to their Washington bureaus, in order to extend their coverage of the war on terrorism. Small newspapers that did not have resources to do that, rearranged their reporters’ beats instead to avoid missing big stories. The creation of the Department of Homeland Security added another landmark to cover.

“In meeting the surging demand for news, publishers pleaded with government for more openness in the flow of information. Investigative reporters, rebounding from a decade of sordidness, began delving into issues of intelligence failures, international terrorism, government infringement of civil liberties, nuclear proliferation and the hunt for weapons of mass destruction,” Ritchie explains.³⁹⁰

But the reaction of the government did not seem to go in the direction the press hoped. “In the aftermath of the Sept. 11 attacks, however, secrecy has become the default status for most proceedings even remotely connected with the war on terrorism. The changed climate has made it difficult for the American public and the news media to

³⁸⁹ Seplow, Stephen, *Tactical Shift*, American Journalism Review, December 2001.

³⁹⁰ Ritchie, *Reporting from Washington*, p. 300.

monitor the fairness and effectiveness of the Bush administration's antiterrorism," said the Reporters Committee for Freedom of the Press on a special report named "*Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know.*"

According to this study, a proof of that secrecy path began with the administration's suggestion, right at the beginning of the aftermath of the attacks, that videotapes from bin Laden should not be broadcast by the networks, arguing that he could be sending coded messages.³⁹¹ The Bush administration tried the same argument with the print media, to prevent newspapers from publishing the complete transcripts of bin Laden's speeches, David Dadge recalls in his book *Casualty of War*. On October 11, the executive editor of the *New York Times*, Howell Raines, received a phone call from Ari Fleischer asking the newspaper to avoid publishing bin Laden's statement. Raines declined the request.³⁹² This is only an example of the policy of secrecy that started to show in the aftermath of the 9/11 attacks, according to authors and interviews held for this study. More examples will be described in the following sections of this chapter.

Afghanistan war. On October 7, 2001, U.S. forces started the attack on Afghanistan in order to capture bin Laden. According to the Reporters Committee for Freedom of the Press (RCFP), it was not until November 20 that journalists could join the troops in combat.³⁹³ Many journalists were able to go to Afghanistan later. "The Bush

³⁹¹ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p. 29.

³⁹² Dadge, David, *Casualty of War*, p.85

³⁹³ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.3

administration's strict controls have made it very difficult for journalists to provide a full picture of the war in Afghanistan," wrote Nina J. Easton in *AJR*, March 2002.³⁹⁴

According to her description, journalists were facing two options: either travel on their own to one of the most dangerous areas -- eight reporters were killed in only 17 days in November -- or "play by the rules of a Pentagon determined to delay and limit access to the conflict." As an example, Easton said that during the fall campaign, "Americans received most of their war news via the hall of the Pentagon, where Secretary of Defense Donald H. Rumsfeld, citing the covert nature of the war, imposed tight restrictions on the flow of information." The absence of journalists during the first period of the war had an obvious consequence, as Easton pointed out: "The critical October-November period remains a black hole, with little public knowledge or understanding of U.S. military actions in Afghanistan".

In *Nieman Reports* in Winter 2001, Bob Giles warned journalists about the risks of reporting in a war scenario like Afghanistan. "When the United States is on a war footing, there is a tendency to set aside many of our traditional checks and balances by a well-intentioned instinct for national unity," he wrote.³⁹⁵ "With Congress on the sidelines, there is no forum for a national debate on our military and foreign policy. The press remains the single institution free to independently probe for facts the government wants to shield from American citizens." He added that the administration's impulse to control information "is complicated by the nature of combat in Afghanistan," as cities come under control of anti-Taliban forces, journalists can move independently and give their own accounts of what is happening there. However, the coverage of this particular

³⁹⁴ Easton, Nina J, *Blacked Out*, American Journalism Review, March 2002.

³⁹⁵ Giles, Bob, *Reporting Clashes with Government Policies*, Nieman Reports, Winter 2001, p.3.

scenario of the war, has other challenges, said Maud S. Beelman in the same issue of *Nieman Reports*. “For reporters covering this war, the challenge is not just getting unfettered and uncensored access to the U.S. troops and the battlefield—a long and mostly losing struggle in the past- but in discerning between information and disinformation.”³⁹⁶

Indeed, “the media feared that the war in Afghanistan and the constant threat of terrorism might lead to disinformation being planted in the media,” says Dadge. And the evidence came with a New York Time story released on February 19, 2002, which revealed the creation of the Office of Strategic Influence, where the Pentagon was prepared to develop news items containing disinformation for foreign media organizations,” explains Dadge.³⁹⁷ The idea did not prosper, and the government insisted once and again that its intention was to tell the truth to journalists.

An early study made by Project for Excellence in Journalism showed that after the attacks of September 11, the media reacted with great care and not getting ahead of acts, “but over time the press (was) inching back toward pre September 11th norms of behavior.”³⁹⁸ Immediately after the attacks, solid sourcing and factualness dominated the coverage, as 75 percent of what the press reported were straightforward accounts of events. But when the story moved to war in Afghanistan, analysis and opinion started to take over the coverage. “The study found that during the periods examined the press heavily favored pro Administration and official U.S. viewpoints-as high as 71 percent early on.”

³⁹⁶ Beelman, Maud S., *The Dangers of Disinformation in the War on Terrorism*, Nieman Reports, Winter 2001, p. 16.

³⁹⁷ Dadge, *Casualty of War*, p.141.

³⁹⁸ Project for Excellence in Journalism. *Return to Normalcy? How the Media Have Covered the War on Terrorism*. January 28, 2002. Available at: <http://www.journalism.org/node/281>.

The study involved the examination of 2,496 stories on television, in magazines and newspapers in three key periods: mid-September, mid-November and mid-December. Then it examined the sourcing, verification and range of viewpoints in the coverage. Among its findings, the study showed that, “the number of sources cited as evidence in stories also declined over time, though it is still relatively high. The level of on-the-record sources has remained consistently high –three quarters of all sources.”

The report suggested that the decline in sourcing and factualness may respond to “the restrictions the government [was] imposing on journalists’ access to information. ... The evidence strongly suggests that coverage is more factual when journalists have more information and becomes more interpretative, perhaps ironically, when they have less.” The report also explained that, “As the war moved abroad, the Pentagon made access to soldiers and the battlefield more difficult than it has ever been. Web sites with previously public information were suddenly removed. Sources quit talking. Reporters say they have never seen the Pentagon as intimidated about talking to the press as they do now.”

Access to information. On October 12, Attorney General John Ashcroft issued a polemic memorandum that reversed the policy of the Clinton’s administration regarding the release of information through FOIA requests. Previous Attorney General Janet Reno openly endorsed disclosures of government information and her memorandum instructed agencies not to use discretionary exemptions to the federal act unless they could point to a “foreseeable harm” that could result from disclosure.³⁹⁹

³⁹⁹ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p.58.

A month and a day after 9/11, Ashcroft revoked Reno's policy and instructed "federal agencies that if there were any 'sound legal basis' for withholding information from FOI requesters, the Justice Department would support the withholding," explained RCFP.⁴⁰⁰ "He had urged agencies to carefully consider national security, privacy, and law enforcement's worries before releasing information," Mueller adds.⁴⁰¹ Some congressmen were angry at the new turn of events. Ashcroft's memorandum "encourages agencies to disclose information protected under the act 'only after full and deliberate consideration of the institutional, commercial and personal privacy interests that could be implicated,' (Democrat Sen. Patrick) Leahy wrote."⁴⁰²

"Pre-Ashcroft memo, the government had to provide compelling reason why it would not release information to the public. Post-memo, the government didn't have such a responsibility: it would only release information if the public could show why they shouldn't be kept secret," further explained Lori Robertson in *AJR*, February/March 2005. According to Robertson, many public officials denied reporters information that used to be available in the past.⁴⁰³

Complaints started to show up. "Ever since September 11, 'national security' has been the catchphrase to justify unprecedented secrecy in the federal executive branch, whether or not it has anything to do with conducting successful military operations or thwarting terrorists attacks," wrote Jane Kirtley in the February 2002 issue of *AJR*.⁴⁰⁴

⁴⁰⁰ Ibid, p.57.

⁴⁰¹ Mueller, *Towel Snapping the Press*, p. 60

⁴⁰² Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.58.

⁴⁰³ Robertson, Lori, *In Control*, American Journalism Review, February/March 2005

⁴⁰⁴ Kirtley, Jane, *Hiding Behind National Security*, American Journalism Review, January/February 2002.

Other memos followed Ashcroft's, all of them with the same spirit. In late March 2002, White House Chief of Staff Andrew Card Jr. released another memorandum telling all agencies to review their safety procedures for sensitive information. "Card's memorandum also encompassed records, informing agencies that they should keep classified those types of information that were already excluded under the rules and that could 'reveal information that would assist in the development or use of weapons of mass destruction,'" explains Dadge.⁴⁰⁵ The memo instructed officials to follow this guideline even when the information was more than 10 years old. It also directed agencies to use loopholes in the classification order to protect such weapons information that is more than 25 years old, RCFP observed in its report. "It directs agencies to classify such information if it has never been classified, no matter how old it is, so long as it has not been disclosed to the public under proper authority. And it directs reclassification of sensitive information concerning nuclear or radiological weapons if, although it had been declassified, it had never been disclosed under proper authority," RCFP's report added.⁴⁰⁶

"With FOIA rules restricted and with fears of further attacks still occupying the minds of the Bush administration, it came as no surprise that a number of government agencies withdrew or altered their Web sites. These agencies included the Department of Energy, the Federal Aviation Administration, the NASA Glenn Research Unit, and the International Nuclear Safety Center," Dadge says.⁴⁰⁷ After 9/11, the Nuclear Regulatory Commission retired its entire website following a request from the Department of

⁴⁰⁵ Dadge, *Casualty of War*, p.149.

⁴⁰⁶ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.59.

⁴⁰⁷ Dadge, *Casualty of War*, p.149.

Defense. Early in 2002, the agency restored the website, yet not all the content that could be allegedly used by terrorists.⁴⁰⁸

In November 2002, the Homeland Security Act brought new elements to the table, as it had “serious implications for access by the press and the public,” Bob Giles wrote in an article for the *Nieman Reports*, Winter 2002.⁴⁰⁹ “It would create an exemption from FOIA for any information voluntarily submitted to the government,” he adds. The new law criminalized agency disclosures of critical infrastructure information without consent of the businesses that gave it to the department.⁴¹⁰

There were more moves in the same direction: a Bush order halted declassification of Reagan administration records just before they were about to become public; thousands of documents remained sealed⁴¹¹; the Office of Management and Budget was instructed to create a new classification, “sensitive but unclassified.” According to Giles, “The idea is to keep information away from the public and the press without formally classifying it as secret.”⁴¹²

The policy extended beyond the aftermath of 9/11. In March 2003, a classification order issued by Clinton was amended and it received significant changes to extend classification. According to the RCFP report, it called for automatic classification of foreign government information where disclosure was not authorized, under the

⁴⁰⁸ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.68.

⁴⁰⁹ Giles, Bob, *The Vital Role of the Press in a Time of National Crisis*, *Nieman Reports*, Winter 2002, p.96.

⁴¹⁰ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.64.

⁴¹¹ Layton, Charles, *The Information Squeeze*, *American Journalism Review*, September 2002.

⁴¹² Giles, *The Vital Role of the Press in a Time of National Crisis*, *Nieman Reports*, Winter 2002, p.97.

presumption that release would damage national security. By 2004, the government had a record 15.5 million classification actions.⁴¹³

On December 17, 2003, Bush issued another order. “This directive, addressed to *all* federal agencies, targeted their handling of ‘voluntarily submitted information.’ With no mention of the FOI Act, the presidential directive told *all* agencies that they must abide by the Homeland Security Act’s prohibition against disclosures of ‘voluntary submitted information and information that would facilitate terrorists’ targeting of critical infrastructure and key resources.’ The act stipulates that the CII [Critical Infrastructure Information] protections are for information delivered to the Department of Homeland Security,” said the RCFP report.⁴¹⁴

In the context of the measures adopted by the government to avoid releasing information to the public, many started raising their voices to the press. “A public stunned by attacks and nervous about what future threats we might face, became pliant, accepting the administration’s version of events, its secrecy impulses, and the constriction of some of our liberties,” Giles said. “In this environment of growing uncertainty and pronounced patriotism, it is left to the press to be the vigilant watchdog of those in power, to make sure that the ‘right’ to know does not become just the ‘need’ to know.”⁴¹⁵

Fear and Patriotism. The September 11 attacks left a nation in fear, looking for unity and strong command of the country. There was no room for doubts; it was a time of

⁴¹³ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p.59.

⁴¹⁴ Ibid, p. 66

⁴¹⁵ Giles, *The Vital Role of the Press in a Time of National Crisis*, Nieman Reports, Winter 2002, p.98.

coming together to fight a common and unknown enemy. American flags everywhere and a sense of shared moment was all over. Many journalists – especially in broadcast -- were wearing flag pins, as members of a shaken society. People were afraid that another attack could happen any moment. The alerts developed by the government –orange, yellow, red-- did not help to calm the nerves. Journalists were everywhere, trying to grasp each story. Yet, as human beings, many of them were trapped in the fear net that involved everyone.

Less than a month after the 9/11 attacks, “anthrax-filled letters addressed to government officials and to the news media added to the capital’s anxiety,” Ritchie says.⁴¹⁶ It seemed that Americans would not have a rest from any threat. For the press, this time the threat was at the newsroom and it was frightening. The anthrax attack seemed to become an obsession, fed from the government side too. “As bioterrorism frenzy took hold, factual information was the first casualty. A myriad of contradictions and misinformation emanated from the White House and other official channels. Mixed messages clouded news conferences and government briefings,” wrote Sherry Ricchiardi in December 2001.⁴¹⁷

The scenario was set to keep the unity going, and feelings of fear and patriotism came together. “Neutrality was not an option,” says Ritchie. “*Reuter’s* new service came under harsh criticism for declining to use the word terrorist, on the ground that ‘one man’s terrorist is another man’s freedom fighter.’ The slightest hint of unfavorable reporting about the president brought angry protests,” he added. *USA Today* reporter Susan Page quoted a historian who had criticized Bush for not returning to Washington after the attacks, and received hundreds of irate letters. “Reporters felt grateful that the

⁴¹⁶ Ritchie, *Reporting from Washington*, p. 299.

⁴¹⁷ Ricchiardi, Sherry, *The Anthrax Enigma*, *American Journalism Review*, December 2001.

firm response of the Bush administration to the terrorist attacks had made Washington once again ‘the place to be in terms of news,’ even as they struggled with a tightly controlled White House and intense security at government buildings. The reporters’ deference to those in authority surprised themselves.”⁴¹⁸

Helen Thomas asked herself several times “why the media in Washington has become so complaint, complicit, and gullible. It all comes down to the 9/11 attacks in Washington and New York that led to fear among reporters of being considered ‘un-American’ or ‘un-patriotic’.”⁴¹⁹

Few voices rose to criticize the actions of the government in the months following the attacks, and those who expressed a different opinion were pointed out as “unpatriotic.” Nina Easton wrote an article on the difficulties that liberal-left press was facing after the attacks. “Those opposing U.S. military action find themselves more isolated on a matter of national security than at any time since the months leading up to World War II. The American public’s support for the war ranges in the 85 to 90 percent range, and only one lawmaker voted against President Bush’s request to launch a military action.”⁴²⁰

A year after 9/11, a survey conducted by *AJR* and the First Amendment Center showed public support for governmental restrictions on the press during the war on terror, and almost half of those surveyed said the First Amendment goes too far in guaranteeing rights. “In 2003, two years after 9/11, the percentage of population who believed that the First Amendment ‘goes too far’ was down to 34 percent,” Mueller wrote.⁴²¹ .

⁴¹⁸ Ritchie, *Reporting from Washington*, p. 299-300.

⁴¹⁹ Thomas, *Watchdogs of democracy?*, p.41

⁴²⁰ Easton, Nina J., *Left in the Lurch*, *American Journalism Review*, January/February 2002.

⁴²¹ Mueller, *Towel Snapping the Press*, p. 58.

The study from the Project for Excellence in Journalism showed that at first, people were deeply satisfied with media work, as they perceived it as accurate, professional, moral, caring about people and patriotic. But people's approval went down because they disliked anonymous sourcing. "They want information more than interpretation. They resent journalists offering what they think rather than what they know. They dislike hype and the sense that the media is manufacturing and sensationalizing stories," said the study. In September more than 75 percent was pure facts. By November, the number went down to 63 percent and in December those levels were the same. In addition, the study showed that television was perceived as more pro-administration, while the print press was considered more circumspect.⁴²²

The government seemed to take advantage of the feeling of patriotism, and its members made statements that did not ease the situation for those who were critics to the administration. On September 26, 2001, presidential press secretary Ari Fleischer said that everybody should be careful with their comments. Referring to a comedian's remarks on the war in Afghanistan, Fleischer said they were "reminders to all Americans that they need to watch what they say, watch what they do. This is not a time for remarks like that."⁴²³ Ashcroft also said that criticism of the administration "only aids terrorists" and "gives ammunitions to America's enemies."⁴²⁴ Both comments set the tone for the way the media would be treated, and, according to Dadge, "were exhortations for journalists to censor themselves."⁴²⁵

⁴²² Project for Excellence in Journalism. *Return to Normalcy? How the Media Have Covered the War on Terrorism*. January 28, 2002. Available at: <http://www.journalism.org/node/281>.

⁴²³ Dadge, *Casualty of War*, p. 107

⁴²⁴ *Ibid*, p. 105.

⁴²⁵ *Ibid*, p. 116.

The author adds that, “As a consequence, the media were pushed further and further away from their traditional role as the watchdog for American society. Criticized by the government and the public alike, the media found themselves confined to the role of furnishing information on the attackers and the victims. Greater scrutiny was discouraged. The media, particularly the print media, performed this newly imposed role admirably. But, in acceding the public’s implicit demands, the watchdogs were acknowledging that their claws had been clipped.”⁴²⁶

With the described climate, it was difficult to express concern or a different opinion. After the attacks, reporters were reluctant to be critics to the president or his policies, said Marvin Kalb at the *Nieman Report* from Winter 2003. “Patriotism stifled the urge to ask penetrating questions of senior officials or, on the omnipresent talk shows, to voice skepticism about the buildup of the war.”⁴²⁷

Leaks. As did other presidents before him, Bush disliked leaks and did everything in his power to prevent them in his administration. But the 9/11 attacks gave the administration a powerful reason to persuade public officials to endorse a non-leak policy. For those who were not convinced, the argument of breaking the law was persuasive enough. Rumsfeld had publicly warned Pentagon staffers “against discussing military operations with the media, saying those who did so would be breaking federal criminal law ‘and should be in jail.’ His deputy, Paul Wolfowitz, issued a memo urging staffers to ‘exercise great caution in discussing information related to DOD (Department of Defense) work, regardless of their duties’, making no distinction between classified

⁴²⁶ Dudge, *Casualty of War*, p. 106.

⁴²⁷ Kalb, Marvin, *Dissent: Public Opinion, Media Reaction*, *Nieman Report*, Winter 2003, p. 73.

and unclassified information,” recalled Beelman in *Nieman Reports*, Winter 2001.⁴²⁸

According to a longtime press adviser, “Bush considered leaks especially inexcusable in wartime. Referring to a newspaper reporting that the military would attack 13 camps in Afghanistan, the president told the adviser, “There’s an act of treason in the newspaper this morning. Whoever did this is a traitor; they’re putting lives at risk.”⁴²⁹

Controlling the message and concentrating the information in a few hands was the main strategy to prevent leaks. A former Nixon aide, John Dean, wrote that Chief of Staff Andrew Card organized the White House in a way that various groups only shared information on a need-to-know basis. For example, speechwriters were isolated from scheduling and decision-making meetings. “Bush administration has ‘cobbled together the equivalent of a new unofficial secrets act more awesome than anything Congress might give them,’ citing as an example the administration’s 20-count indictment of former intelligence analyst Jonathan C. Randel for leaking unclassified information to a British journalist. ‘Clearly this was a warning aimed to potential whistleblowers in the federal bureaucracy, advising them to keep quiet or risk jail,’” Mueller says.⁴³⁰

Many believed that it was a very “buttoned-down administration,” where those who revealed information to the press could lose their jobs, said Mueller.⁴³¹ “Experts predicted such a policy would serve only to alienate the White House press corps, which would find other sources for news sources unfavorable to the administration,” he wrote.

⁴²⁸ Beelman, *The Dangers of Disinformation in the War on Terrorism*, *Nieman Reports*, Winter 2001, p. 16.

⁴²⁹ Mueller, *Towel Snapping the Press*, p. 58-59.

⁴³⁰ *Ibid*, p. 61.

⁴³¹ *Ibid*, p. 52

“The policy undoubtedly alienated some reporters, but they have been largely powerless to do anything about it.”⁴³²

According to speechwriter David Frum, Bush generated loyalty by revealing a little of himself to his staff and also by showing that he cared about them. For example, he would make a brutally frank comment on current issues with his staffers. “These comments, Frum argued, were a gift of confidentiality that bound the staffer to him like a direct marketer obligates a survey respondent by giving him a dollar.”⁴³³

However, almost immediately after the 9/11 attacks, the government “started to turn off some of the taps through which information flowed. Moreover, with the administration’s emphasis on secrecy in the war against terrorism, and with officials displaying an increasing reticence to disclose information, institutions such as the media found it difficult to investigate the government’s activities,” Dadge explains.⁴³⁴

The policy of preventing the government from leaking got to the Congress. On October 5, 2001, Bush informed the heads of six agencies that only they or a designated officer could brief members of Congress on “classified information” or “sensitive law enforcement information.” The memorandum specified who was entitled to receive information – Senate majority and minority leaders, and the chairs and ranking members of the intelligences committees in the House and Senate. “All other members of Congress were to be excluded from the information loop,” Dadge adds. Fleischer argued that this policy was a reflection of “the reality that disclosure of information in a time of war is different from an inadvertent disclosure at a time of peace. It could literally mean the loss of lives of people who are embarking on missions.” Congress did not like the measure

⁴³² Ibid, p. 52.

⁴³³ Ibid, p. 53

⁴³⁴ Dadge, *Casualty of War*, p. 147.

and reacted by threatening to suspend all legislative hearings. At the end, the measure was relaxed to mend the relations between both branches of the government.

The Pentagon became leak-proof quickly enough. On July 22, 2002, Rumsfeld urged Pentagon employees to reveal the name of an official who leaked an alleged U.S. plan to invade Iraq to the *New York Times*. He said those kind of leaks were “inexcusable” and those sources “ought to be in jail.” During July, in a memo with unclassified assessment of war-related leaks prepared by the CIA, Rumsfeld wrote: “I have spoken publicly and privately, countless times, about the danger of leaking classified information.” He added, “It is wrong. It is against the law. It costs the lives of Americans. It diminishes our country’s chances of success.” The CIA’s report said that al-Qaida planners have learned a lot from public press information. According to RCFP, “By late July 2002, parking lot guards were stopping every 30th car leaving the Pentagon to ask if anyone was smuggling out classified documents, and the CIA has suspended two contractors for talking to the press, according to U.S. News & World Report.” Reporters faced new tighter requirements for access to the building, and only those who worked full-time within the Pentagon or who visited twice a week could have a press pass and be allowed unescorted access. Others reporters had to have an escort.⁴³⁵ All defense contractors were also contacted on behalf of the Pentagon, and they were advised to use “discretion” in their public statements. Pentagon staff members responsible for acquisition were forbidden from speaking with the media.⁴³⁶

At a certain point, many reporters feared that the government would try to go for a law to prevent the press from using leaks. In a report to Congress dated October 2002,

⁴³⁵ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p.56.

⁴³⁶ Dudge, *Casualty of War*, p. 152-153.

Ashcroft said that “there was sufficient ammunition in his arsenal to go after government leakers without having to bother with fresh legislation,” Jane Kirtley wrote for *AJR* in December 2002.⁴³⁷ “He speculates that ‘carefully drafted legislation specifically tailored to address leaks rather than classic espionage ‘could enhance our investigative efforts.’” Kirtley called attention to the fact that Ashcroft seemed to believe that “all the leaks are created equal. Nothing in his report limits the initiatives he proposes only to leaks that endanger national security. ... Gratuitously exposing military secrets is one thing; providing the public with information it needs but the government wants to keep under wraps to avoid embarrassment or controversy is another. Ashcroft utterly fails to acknowledge this distinction in his report,” Kirtley said.

As another example of this policy, in 2004 “the Department of Homeland Security began requiring employees to sign a nondisclosure agreement that stipulates they will not reveal ‘sensitive but unclassified’ information, which includes anything that if lost or misused could ‘adversely affect the national interest or the conduct of Federal programs’ or the privacy of individuals,” wrote Lori Robertson in *AJR*, February/March 2005.⁴³⁸

In the years after 9/11, the Bush administration expressed continual fears “that information leaked to the enemies would have disastrous results,” says Dadge.⁴³⁹ For the potential leakers the threat of ending up in jail was real. “Two federal government employees were fired for their comments about government actions in the face of new security needs after Sept. 11 and others have been disciplined or gagged,” said the

⁴³⁷ Kirtley, Jane, *Stopping the Leaks*, American Journalism Review, December 2002.

⁴³⁸ Robertson, Lori, *In Control*, American Journalism Review, February/March 2005.

⁴³⁹ Dadge, *Casualty of War*, p. 147.

RCFP.⁴⁴⁰ U.S. Park Police Chief Teresa Chambers was fired in 2004 after seven months of being on administrative leave, during which she was prohibited from talking about her work at the Department of the Interior. She had told the *Washington Post* that her office had less money to operate because of the extra security around national monuments after 9/11. In June 2002, two congressmen requested Ashcroft to investigate the leak of classified information from a close-door meeting with the National Security Agency. Officials had told the congressional panel that messages related to what happened on 9/11 were intercepted the day before, but were not translated until following day. *CNN* and other media reported that. By early August, the FBI had questioned nearly 37 members of the Senate and House intelligence committees, 100 congressional staffers and dozens of officials at CIA, NSA and Defense Department. In August 2004, the *New York Times* reported that the source of the leak seemed to be a Republican senator.⁴⁴¹

In May 2005, former Pentagon analyst Lawrence Franklin and others were charged in a leak investigation with knowingly disclosing information. Federal agents speaking on condition of anonymity told the *New York Times* that four reporters had been questioned in the investigation of leaks of classified information on terrorism, American forces in Iraq, and Middle East strategy to the American Israel Public Affairs Committee and the news media.⁴⁴²

Around this policy to avoid leaks from the administration, the Patriot Act, enacted on October 26, 2001, became another issue that could chill potential leakers. According to the RCFP, “Journalists should be concerned about certain provisions of the law, which

⁴⁴⁰ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p.69.

⁴⁴¹ *Ibid*, p. 55-56.

⁴⁴² *Ibid*, p. 55.

grant broad new powers to government agents to investigate terrorism and make previous statutory protections for newsrooms almost irrelevant when it comes to terrorism investigations.”⁴⁴³ The Patriot Act expanded the FBI’s ability to obtain records through secret court orders, which meant that government investigators could also give them greater authority to track e-mail and telephone calls and to eavesdrop on those conversations, said RCFP. “Although aimed at trapping terrorists, those provisions of the law could ensnare journalists and compromise their ability to report on the war on terrorism.” Even when it might not have been used with reporters, the threat was there for them and for those who contacted them, which at the end implied that the Patriot Act could have chilling effect on potential sources.

Beyond the attacks. The elements described in the above section of this chapter showed the policies adopted by the Bush administration after the 9/11 attacks that had an impact in its relationship with the press corps, particularly those working in Washington, D.C. But the war on terrorism developed through the following years to other places, with other discussions and other kind of policies that also affected the media work.

Following the war in Afghanistan, the government started switching its attention to the Iraq front. Helped by the patriotic feeling, during 2002, the Bush administration tried to build the case for the Iraq invasion, mainly on the grounds that Saddam Hussein’s government was holding weapons of mass destruction in the country that were a threat for the United States and the world, plus the fact that the country may have had ties to al-Qaida. It took several months to build the case, and Bush did not get that many other allied countries along the way, as he seemed to be hoping. On October 11, 2002, the

⁴⁴³ Ibid, p.45.

Congress passed the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, which gave Bush administration the legal basis for going to Iraq. With the evidence collected by the government on the existence of WMD in Iraq, the administration looked to engage other countries in its goal. The United Kingdom and Spain became allies, but the United Nation as a whole remained reluctant to be part of the proposed war, since its inspectors found no evidence of weapons. Secretary of State Colin Powell tried to make the case on February 5, 2003, but still, the United Nations did not have enough evidence to engage in such an action. The invasion of Iraq started on March 20, 2003. Later, the Iraq Survey Group concluded that Iraq had ended its WMD programs in 1991 and had no active programs at the time of the invasion, but that it intended to resume production if the Iraq sanctions were lifted.

WMD reporting. The war in Iraq had several fronts for journalists. One of them was the building of the case and the alleged “use” of journalists by the government in order to gain popular approval. The other front was the harsh criticism reporters received for not going their jobs after WMD were not found in Iraq. And another front was the coverage of the war itself.

Giles warned about the reporting on Iraq early in 2002 in *Nieman Reports*, Winter 2002: “What we know about this situation is, in large measure, what the Bush administration want us to know. We have read stories telling of leaked battle scenarios.” He pleaded reporters should be holding government accountable through information. “Asking the questions will force the administration to respond. It will inform our citizens about the risks and uncertainties of acting as the administration appears to want to act,”

he added. “The burden of proof must always be on the government to show beyond doubt where national security interests justify any exemptions to official accountability and transparency in the use of power.”⁴⁴⁴ One of the “most formidable challenges for nearly every journalist covering the war abroad and stateside has been covering the U.S. and British governments’ efforts to demonstrate that the Saddam Hussein regime actually pursued weapons of mass destruction,” said the RCFP. “But the press accounts of the lack of success in uncovering such weapons have subjected reporters to scorn and charges of unpatriotic reporting.”⁴⁴⁵

There was a catch with that story -- many journalists believed then. The story that led the government to raise the case appeared on the front page of the *New York Times*, and was written by Judy Miller and Michael Gordon, and it was attributed to unnamed sources. A few hours later, Cheney, Rumsfeld and National Security Adviser Condoleezza Rice were on different TV shows confirming the information. The media reacted immediately and amplified the information. Many journalists said that the story could have been leaked from the White House to the *New York Times* with the purpose of making the data a fact, Charles Layton wrote at *AJR* from August/September 2003.⁴⁴⁶ Miller kept saying that she confirmed the information.

The problem with the WMD reporting seemed to be that since the government brought the issue into public discussion, “many members of the press have stenographically reported the White House’s homeland security arguments without independently attempting to verify the ostensible evidence behind those arguments,”

⁴⁴⁴ Giles, *The Vital Role of the Press in a Time of National Crisis*, Nieman Reports, Winter 2002, p.99

⁴⁴⁵ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p.23.

⁴⁴⁶ Layton, Charles, *Miller Brouhaha*, American Journalism Review, August/September 2003.

Susan Moeller wrote for the *Nieman Reports*, Summer 2004.⁴⁴⁷ She pointed out that in October 2002, when Bush and Rumsfeld kept linking the war on terror with Iraq and WMD, the press accepted that claim without further investigation. “Press reporting on the President amplified the administration’s voice ... When alternative perspectives were presented as part of their coverage, that evidence and analysis tended to be buried,” Moeller added. Only a few journalists were exceptions – many with a lot of years of covering national security beats or government agencies, Moeller said, would challenge with other sources what the government was saying. Before the war started, many veteran journalists were asking why younger reporters at the White House and Pentagon were not asking basic questions about how the war be won and at what cost, Paul McMasters reported on *Nieman Reports*, Summer 2003.⁴⁴⁸

It was not until May 2003, when Bush made his “Mission Accomplished” speech, that more journalists were seeking “independent confirmation of the White House and Pentagon’s pronouncements.”⁴⁴⁹ And yet, having elements to believe that the evidence given by the government to go to Iraq had not been proved, it took a while until the press started reacting to that fact, wrote Gilbert Cranberg for *Nieman Reports*, Fall 2003. “The likelihood that the President had used bogus information to sell the war he was eager to launch seemed to be judged by press and politicians as not all consequential despite ample early warning that the administration had a truth-in-advertising problem.”⁴⁵⁰

⁴⁴⁷ Moeller, Susan, *The President, Press and Weapons of Mass Destruction*, Nieman Reports, Summer 2004, p. 66.

⁴⁴⁸ McMasters, Paul, *Blurring the line between journalist and Publicist*, Nieman Report, Summer 2003, p. 75.

⁴⁴⁹ Moeller, *The President, Press and Weapons of Mass Destruction*, Nieman Reports, Summer 2004, p. 67

⁴⁵⁰ Cranberg, Gilbert, *While the Watchdogs Slept*, Nieman Reports, Fall 2003, p. 54

Embedded. But the press was facing another flank regarding the Iraq war. During the months before combat, journalists were worried that the history with Afghanistan would repeat itself in Iraq, and they would not be in the battlefield until late in the action. The proposed system was called embedding, and consisted of incorporating troop units that were going to combat.

From the beginning of discussions, defense officials considered that this kind of immersion of reporters was historical. The Pentagon helped and trained journalists that were going to combat. According to RCFP, the rules for the embedding system had “a sense of vagueness” since they had been written with a language “that could offer anything from a slight to a likely possibility that curtains could fall down over transparency.” However, the organization recognized that, “The Pentagon ... refrained from taking too much advantage of vague language in the rules and allowed the news media to file thousands of reports with few restrictions during the war.”⁴⁵¹ The ground rules defined media-embed as “media representative remaining with a unit on an extended basis.” The Pentagon agreed to provide billeting, rations, medical attention and some assistance with communications if necessary “to facilitate maximum in-depth coverage of the U.S. forces in combat and related operations.” Journalists could not carry or use firearms or have their own vehicles. Commanders could not exclude reporters for safety reasons or for gender. “The rules required journalists to seek approval for transmissions in hostile situations or in combat. With the rules, the Pentagon stated that media reports would not be subject to security reviews” and that the standard for releasing information should be “why not” release instead of “why” release. All

⁴⁵¹ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005., p. 17.

interviews with officials, service members and unit commanders were considered to be “on the record,” but rules sought for “security at the source” and placed restrictions upon the release of 19 different categories of information.⁴⁵²

On March 7, 2003, the first wave of journalists to be embedded with U.S troops shipped out. On July 14, 2003, according to Editor and Publisher magazine, only 23 journalists remained attached to a military outfit. “Most journalists had struck out in their own by that time, willing to brave the hostilities of a post-war Iraq without military support,” reported RCFP.⁴⁵³

Among the shortcomings of the system, many considered the fact that the reporter could only see what one unit was seeing. Journalists could also develop strong attachments to the soldiers with whom they were embedded.⁴⁵⁴ Others believed that the articles sent by the embedded reporters could not escape a certain patriotic tone, at least at the very beginning. The embedded program was interpreted as an “impressive form of news management,” as McMasters put it. “The official imprint on press coverage of the war was achieved through a smart combination of incentives and threats. The price for more intimate and productive access to the frontlines for the press was steep: agreement to a long list of ground rules, submission to unit commanders’ authority over their reports, and practical neutralization of independent reporting.”⁴⁵⁵ According to the journalist, the “genius” of news management was “that it compromises the press while securing its enthusiastic participation.”

⁴⁵² Ibid, p. 20.

⁴⁵³ Ibid. p. 21.

⁴⁵⁴ Ibid, p. 22.

⁴⁵⁵ McMasters, *Blurring the line between journalist and Publicist*, Nieman Report, Summer 2003, p.70.

The attitude toward the press covering the war quickly changed, once things did not go as expected. Sig Christenson, who was first embedded, wrote that once he went back, the climate towards journalists was totally different. “Blame the media. Accuse us of overlooking the good news stories of Iraq,” he said in *Nieman Reports*, Summer 2005.⁴⁵⁶ Journalists in Iraq were kept on a “short leash” in their hotel rooms and were not able to do one-on-one interviews, for security reasons. Many claimed that although press was not doing a good job in the field, it wasn’t their fault as security worsened.⁴⁵⁷

According to the RCFP, the primary government support of openness and free press activities in conflict overseas was replaced “with hesitation and haphazard, unpredictable practices,” among them the “abuse and sometimes detainment of journalists covering the aftermath of the war.”⁴⁵⁸ It seemed that the press could not have a win-win situation in Iraq.

Subpoenas. Early after the 9/11 attacks, potential official sources could fear that, even coming out anonymously, nothing would guarantee that their names would not be disclosed, except the word of the reporter to whom they entrusted the information. In many terrorism-related leaks, journalists have been subpoenaed in order to learn the identity of their sources. Obviously, this also became a factor of chilling-effect among sources. “The battle between secrecy and disclosure has generated periodic clashes over leaks and confidential sources. For the news media, freedom of press implies freedom to

⁴⁵⁶ Christenson, Sig, *Truth and Trust: In Iraq War Coverage, They’ve Become Casualties*, *Nieman Reports*, Summer 2005, p. 6-9

⁴⁵⁷ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p. 23

⁴⁵⁸ *Ibid*, p. 16

use information from confidential sources,” said Daniel Schorr at Nieman Reports, Summer 2005.⁴⁵⁹

“With the increase in national security concerns since the September 11, 2001, terrorists’ attacks, U.S. journalists face an increased likelihood of being seen as government informants with no constitutional right to keep sources confidential or to withhold unpublished materials from prosecutors. Crackdowns on government leaks also threaten the availability of confidential sources,” warned the RCFP. “But journalists should be aware that since the terrorist attacks and the war with Iraq, courts may be more likely to decide that the balance falls in favor of disclosure (of sources), especially where national security issues are at stake. Leaks of sensitive information to the news media have angered government officials and sometimes the public, prompting a number of investigations”⁴⁶⁰ In fact, RCFP added, at least nine U.S. courts had faced the issue by August 2005 and seven of them had shown willingness to force journalists reveal their sources.

The Valerie Plame case became the most well-known case in this field. On July 6, 2003, Joseph C. Wilson IV, a former U.S. ambassador, wrote a column in the *New York Times* questioning Bush’s statement that Iraq tried to buy uranium from Africa. Wilson said that the CIA sent him to Niger in February 2002 to investigate the matter, and his conclusions were that the transaction was “highly doubtful.” A week later, syndicated journalist Robert Novak published a column where he identified Valerie Plame, Wilson’s wife, as a CIA operative and attributed the information to unidentified senior administration officials. On July 16, Matthew Cooper wrote a column that said some

⁴⁵⁹ Schorr, Daniel, *Journalism and the Public Interest*, Nieman Reports, Summer 2005, p. 13-14.

⁴⁶⁰ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p. 51.

government officials had told Time magazine the same thing about Plame. To reveal the identity of a CIA operative is a felony. On September 29, the Justice Department informed the White House that it had opened an investigation into the leak of Palme's identity as a CIA officer.

During the following months, special prosecutor Patrick Fitzgerald, investigating the leak, subpoenaed reporters from the *New York Times*, the *Washington Post* and *NBC News*, to mention a few. In the meantime, more subpoenas were sent to the White House, requesting the records of all the communications held two weeks before Novak published his column. "In an effort to release reporters from confidentiality agreements with possible White House sources, FBI investigators asked administration officials in January 2004 to sign waivers of their rights to have private conversations with reporters," explained RCFP. One subpoena sought records of White House contact with more than 20 journalists.⁴⁶¹

Reporters' phone records were requested for the investigation, to see who called them during the days of the leaked information. Such was the case with Judy Miller from the *New York Times*, although the newspaper filed a suit to block the request. During the following two years, many reporters who had covered government information in Washington, D.C, had to deal with subpoenas and confidentiality of their sources.

Walter Pincus, veteran journalist from the *Washington Post*, was also subpoenaed. He did not testify as to the name of the source. "The traditional government concern about the leaks has taken a new turn," he wrote in the *Nieman Report*, Summer 2005. "Journalists, including me, have been put in the middle of a highly publicized criminal

⁴⁶¹Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public's Right to Know*. Sixth Edition, September 2005, p. 51-52

investigations and civil cases based on leaks.”⁴⁶² He added: “Protecting confidential sources, who provide me with material for many of the intelligence stories I write, is a key factor that enables me to write the stories I do about national security.” But, he said, the use of anonymity should be taken carefully, because the use of it can harm the profession and it “diminishes the value of those who are whistleblowers- people who risk their jobs and jail for what they may believe is a higher cause.”

When Tim Russert, from *NBC*, was subpoenaed, the network looked to quash it because, said *NBC News* President Neal Shapiro in a statement, “sources will simply stop speaking to the press if they fear those conversations will become public.”⁴⁶³ In July 2005, Miller went to jail, as she refused to reveal the identity of her source.

Lewis “Scooter” Libby, the vice president's chief of staff, was one of the sources. He released reporters from their commitments in some cases, and encouraged them to talk before the jury. Karl Rove, a senior Bush adviser, turned out to be another of the official sources who leaked the story.

Another leak investigation that involved subpoenas to reporters was on the information that the FBI planned a raid to the Global Relief Foundation, an Islamic charity suspected of funding terrorism. Fitzgerald was denied permission in 2003 by the Department of Justice to subpoena reporters’ telephone records, but received it in September 2004 and subpoenaed the telephone records of two reporters, Judith Miller and Phillip Shenon from the *New York Times*.⁴⁶⁴ The case of Steven Hatfill, who sued Ashcroft for government leaks that Hatfill was a subject of investigation in the 2001

⁴⁶² Pincus, Walter, *Anonymous Sources: Their Use in a Time of Prosecutorial Interest*, Nieman Reports, Summer 2005, p.27-28.

⁴⁶³ Reporters Committee for Freedom of the Press. *Homefront Confidential. How the War on Terrorism Affects Access to Information and the Public’s Right to Know*. Sixth Edition, September 2005, p. 52

⁴⁶⁴ *Ibid*, p. 53.

anthrax attacks, also involved subpoenas of reporters. Hatfill was not charged, but after the information was leaked, he lost his job as a contractor and was not able to get another job. The subpoenas to reporters were withdrawn after the government made federal employees witnesses in the case.⁴⁶⁵

Relationship with sources. Having gone through the aftermath of the 9/11 attacks until 2005, what remains to be analyzed is if all that was described above, somehow affected the relationship between Washington, D.C., reporters and their official sources. For that reason, a group of persons who could offer different points of view on the subject was interviewed for this study. The interviews were done during May 2007.

Articles and literature showed that the immediate aftermath of September 11 attacks was signaled by a climate of fear and increased patriotism. Under the guise of the War on Terrorism, two wars developed in less than five years, one in Afghanistan and another one in Iraq. Authors and reporters agreed that the Bush administration enforced restrictions in the flow of information, through limitations in the data released through FOIA requests, among other examples. A tough policy to control the message from the administration, as well as to prevent leaks from the government, plus the constant threat to go after those who released information and the subtle pressure of subpoenaing journalists to learn the identity of their sources, completed a complex picture for journalists to gather information.

Many of the interviewees agreed that there is something that would never be known, and that is if Bush presidency was or was not leaning towards this kind of relationship with the press before the 9/11 attacks. A group among those persons

⁴⁶⁵ Ibid, p. 53.

interviewed for this research works with journalists and their problems, and have seen the evolution of these issues through time.

For Lucy Dalglish, executive director of RCFP, an organization that provides legal defense to reporters, “there is no question that things have changed” after 9/11, “particularly on the federal level. A lot of information was put off limits by federal government.” According to Dalglish, “Had 9/11 not happened, things would still be considerably different because George Bush and his administration placed a very high premium on message control and secrecy. When 9/11 happened it just gave them much more, it made it easier for them to shut down things they were inclined to shut down anyway ... [9/11] accelerated what Bush was able to do.”

From her point of view, the Ashcroft Memo, plus other measures that restricted the access to information were indicators that “things were going to be bad” after the attacks. “Officials were just clamming up,” she said. “They were all told message control was very important. It took two to three years for us to figure out what all this secrecy meant for confidential sources because people within the government then started to get really concerned that the public didn’t know what was happening.” Dalglish said that there might have been more “confidential, high stakes confidential sources than ever before.” According to the attorney, that also caused certain problems since there was no federal shield law that could prevent journalists from being asked to reveal their source's identity. Because of the administration policy, Dalglish said, journalists were having “more detailed conversations with their sources about precisely what the agreement is” in terms of revealing or not the identity of the sources and under which conditions. Among the recommendations that the RCFP gave to journalists back then was to “stay off the

phone that can be traced to you,” as well as “don’t put stuff like that in your e-mail.” The risk, she said, is that the phone company could be subpoenaed to give a log of the reporter’s calls to determine the source. “So if you are not using your home or office phone to talk to sources, they can’t get the information. [We are] telling people to have face-to-face meetings in park benches in scheduled locations.” Dalglish knew reporters who would not write an article just because they could not agree with the source to a waiver under any circumstance.

On the other hand, Dalglish said that reporters were hard to convince that there was a problem of access to official sources or information in general “We can write newsletters, we can write magazines, we can send out press releases, I can be on television, I can give speeches at conferences. If they don’t face the problem, they don’t believe it exists because they think they’re going to be the one who gets it,” she explained. She recognized that by then (2007) journalists were starting to see the effects, “but for the first couple of years after 9/11 it was virtually impossible to get their attention.”

Former editor of the *New York Times*, Bill Kovach is now the acting director of Project for Excellence in Journalism. He agreed that the relationship between reporters and sources have changed significantly, “in the sense that the amount of information that the government is willing to share with journalists has decreased enormously. The government has systematically taken more and more information about government affairs, about government decisions, about government programs, that used to be freely available to journalists, and through journalists, to the public. They’ve taken more and more of that information off of their Web sites, out of their releases, and in conversations

with journalists refuse to share information ... Access to government officials by journalists has declined significantly as well. They refuse to give interviews consistently and more often just simply refuse to talk to the press.”

Although Kovach thinks this has been changing over the past administrations, he emphasized that during the Bush administration, there was an open talking about “their dismissal of the press as an institution. They would much rather have information controlled directly from the government to the public and avoid the one true, organized press.” He added that the attacks of September 11, and the subsequent war on terrorism, “under that theory of governance they feel that the executive branch [was] entitled to withhold considerably more information from the public than they normally would.” According to Kovach, those changes in the relationship with official sources could be grouped as follows: “Fewer people in the government know what [was] going on”; more information was classified, even information that previously was public; there was an intent “to manipulate the press in order to propagandize the public.” An example of that was when the government was making its case for the war by making available “people ... at a certain level of government, to describe the situation in the way that the government wanted the public to believe it. And some journalists took that information and didn’t document it sufficiently and helped mislead the public. So it’s set up a process to, in effect, control the public’s knowledge about events.”

Kovach said that “government officials who disagree with the policy set by the administration are much more reluctant to speak to the press even on a background basis for fear that they’ll lose their jobs.”

The former editor summarized the situation in the following way: “The two fundamental elements that make journalism a service to democracy are: one, independence of control by the government or any other source, and two, a process of verifying information before you release it. Those two principles of journalism, independence and verification, suffered considerable diminution during the first two or three years after the attacks on 9/11. A number of journalists did not sufficiently do their job in that sense.”

Howard Kurtz, media reporter from the *Washington Post*, who covered reporters’ attitudes after 9/11, picked the issue from the point of view of the media attitude during those years, which also could have had an impact on the relationship with official sources. Kurtz believes that the attacks “had a significant impact on the usually contentious relationship between journalists and government officials. The country had been attacked in a way that had never happened before, and particularly as America geared up for war first in Afghanistan and then in Iraq, there was a certain restraint shown by most journalists.” Although he did not think that reporters were intimidated, he did see “a kind of jingoistic environment in the country, particularly during the run up to both wars. And there was perhaps a self-imposed restraint on the part of many journalists and news organizations who did not want to appear unpatriotic in a time of national crisis. Many reporters still did their jobs and it wasn’t like skeptical questions were never asked, but clearly the Bush administration enjoyed a period of a somewhat less aggressive press corps.” Kurtz said that many of those stories that contested what the Bush administration was publicly saying ran in some newspapers, yet not with the prominence they deserved.

But Kurtz did not see a big change in, for example, quoting anonymous sources: “The difference was that the reliance on unnamed sources in the run up to the war in Iraq was to some degree giving a pass to senior officials to make the case that Saddam [Hussein] had these weapons without having their names attached. And so it was just a more serious example of what reporters in the capital do far too often, which is let people make assertions and make charges without having to go on the record.”

However, he acknowledged, the Bush administration “pushed the boundaries when it comes to secrecy,” since it only authorized few people in each department to speak to the press, “cutting off access to career officials and experts that we ordinarily rely on.”

Having prosecutors trying to find out how journalists got their information “has had a chilling effect, not just on reporters who have to think twice and three times about whether a story based on confidential information or unnamed sources might make them the target of future prosecution, but on the sources themselves, who may not want to risk being dragged into some legal proceeding and maybe were more reluctant to talk to reporters at all.” After the Valerie Plame case, said Kurtz, even when it did not have the chilling effect it could have had, “certain news organizations have declined to publish explosive material out of concern over such a prosecution and certainly some sources have refused to come forward, but by and large the kind of confidential transactions that have long taken place between reporters and their sources are still going on. Everyone’s being a lot more cautious. Reporters are not necessarily keeping their notes. They’re being more careful about calling people from an office phone because they’ve seen the ways in which they can have the tables turned and come under investigation themselves.”

National security was the beat that seemed to be more affected by all the restrictions and provisions to avoid leaks from public officials. Therefore, it should be one of the most difficult beats to have access to official sources. Walter Pincus, who has been working for almost 30 years covering this information and, most recently for the Washington Post, was not so sure about a change in the relationship with official sources during this administration. For him, the problem is rooted somewhere else and combined with other elements.

“Print’s role now is to tell you why something happened or what happened in depth or what’s going to happen next, analyze what’s happening. To do that you need people who understand the subject matter,” he explained. “But this is going on at the same time that people spend less and less time becoming expert in the subject and more and more time switching around.” Since Pincus had spent so much time covering national security issues, “There are a number of people, who if you do it as long as I’ve done it, [you] know people from the time they came here to the time they get higher and higher in government. I know people who started on the Hill and ended up secretary of defense.” According to Pincus, that is why it is important for people to stay in their beats for a long time, “so they’re not totally dependent on the people that the administration puts out to talk to them. If you just begin to cover intelligence, there’s nobody you can call except for the public affairs people.” He also said that it is a mistake not to socialize with potential sources. “This whole idea that we’re different and you don’t socialize with people in government, I think that’s foolish.”

Pincus thinks that each administration gets more sophisticated in covering the press. “The thing that’s different about this one is that they are actively using PR to

promote issues starting with weapons of mass destruction and all the rest of it. There clearly was a public relations campaign to sell the country on that and on terrorism,” he said. And he had been a victim of those. “I’m dealing with public affairs people who are in Iraq. You have to send e-mails. Nobody wants to talk on the telephone. If you’re asking a question that hasn’t been asked they then have to play reporter and go to their own people in the military. You go back and forth and the answer may raise more questions. You then have to go through this very frustrating exchange because nobody who knows the answer will get on the phone.”

But Pincus preferred to talk with the people he knew from ever and had been his sources since before the Bush administration. “I generally deal with people I’ve known for a long time. It’s not a matter of somebody just whispering something to you; it’s a matter of having a conversation, raising questions and getting honest answers,” he explained. And with those long-time sources, “there’s a general understanding that you don’t quote them.” Those conversations, he said, did not change after 9/11, and neither did the care he always took before printing a story where unnamed sources are quoted.

“It doesn’t matter if it’s 9/11 or pre-9/11. The fact that people want confidentiality doesn’t make what they say true. Therefore you have to check it out. What people forget in general is that when we print a story that has this kind of information, you go to the administration for comments so they know what you’re doing. Somebody doesn’t just whisper something to you and you print it in the paper and that’s it. You generally go to official sources so they have an understanding what you’re doing. If it’s a real secret, and those few times it is, they’ll either tell you or go to an editor,” he said.

Josh Meyer covered national security and terrorism for *Los Angeles Times*, but started just a year before the 9/11 attacks. Yet, he moved to Washington, D.C, right after the attacks, but he already had sources around the capital. “It was a lot different then than it was after 9/11. People were much less guarded in their comments. Many people were still guarded, the FBI in particular. But I did find people in Washington in the national security apparatus who were more willing to talk. They almost seemed relieved that I was asking about terrorism,” he recalled.

Once in Washington, Meyer had a hard time getting people to talk and trust in him, when they did not know him. “But 9/11 made it much worse, especially because both the FBI and CIA were accused of screwing up and having big mistakes and both each blamed the other. So in some ways you could get the FBI to talk about the CIA and you could get the CIA to talk about the FBI, but not much.” His main strategy was to “try to get them outside the building.” The reporter went to several retirement dinners, or congressional hearings or background briefings to get to know potential sources in person. The face-to-face contact seems to be unbeatable compared to other ways of contacting sources, like phone calls. “In the past couple of years because there’s been a lot of leak investigations ... people that I know in the Justice Department and other government agencies believe that their phone calls are being monitored, that if they actually place a call out to a journalist that somehow somebody will find out about that.” According to Meyer, “it doesn’t matter if it’s true or not. If they’re afraid that it’s true, then they won’t call you. And in many cases they’re afraid that even if you call them, it will show up. So it’s had a very chilling effect. But I think that’s what the government

wanted. They don't want these people to talk. And so by doing things like that, I think it has the desired effect.”

Like Pincus, he had to deal with public relations officials. “What they want us to do is go through the media office instead of calling around them. And they get mad at you if they find you're calling people directly that are outside the media office.” Meyer said that if you actually did it, they would not give an answer. “It's called compartmentalization. The only people they let talk to the media either don't know anything or won't say. They'll tell you it's not their job to ask, that it's none of your business.”

An additional problem Meyer found was a direct effect of the subpoenas to journalists. “Washington has always been a place where covering intelligence and national security, you have to promise people anonymity, because they'll get fired if you don't or they'll get retaliated against. But even the promise of anonymity no longer does the job. Because they're afraid that these investigations will find out who they are even if you don't quote them by name in the paper. It's made it much, much harder.” One of his sources, he recalled, had been investigated at least four times in leak investigations, even when the person had nothing to do with the leak.

However, Meyer said he had to be really careful to get independent confirmation in each case. “It's very important to confirm or triangulate information from a variety of sources, especially sources in different government agencies or from the top and the bottom of a government agency.”

Meyer said that when you cover a beat like his, “ there's a concern that if you alienate your sources they won't talk to you anymore and you won't be able to cover your

beat... I think some other reporters bend over too far backward the other way and are too concerned with offending people. But for every reporter like that, there's another very good, courageous reporter who does. There's some of the best journalism work I've ever seen being done in Washington right now. It's just hard to do."

John Harwood, then from the *Wall Street Journal*, had been covering politics in Washington for almost a decade. He believed that the Bush administration was running the White House pretty much like other administrations before. "This White House has been more disciplined than most. Probably the least disciplined of the White Houses that I have interacted with was the first Bush White House and I think the experience of that time influenced this president to try and control things more tightly." By disciplined, he referred to "the ability of the White House staff to only put out information that is authorized by the White House communication officials..."

"When I say discipline I mean when the administration is making a personnel choice or unveiling a policy initiative they are disciplined about not letting that get out ahead of time unless they want it to. They are effective in keeping people from talking to press who they don't want to talk to the press. In White Houses that are looser, you can call people, they will return your call and they might tell you something. Here it's much more likely that the press office will intercept the call and they'll return the call and they won't tell you anything interesting."

Like others interviewees for this study, Harwood believed that controls in the release of information may have been happening since, and that the attacks probably just accelerated the process. "There are fewer people in this White House with access to good information and there are fewer people willing to share it."

Regarding the criticism of the press coverage of the administration after 9/11, he said that journalists usually are “at the mercy of the information that they have. If reporters had access to information that would have shown conclusively that Saddam Hussein didn’t have weapons of mass destruction we would have reported that. It’s not that we didn’t try to report that. We were reporting what government officials, Democrats and Republicans, believed at the time. Not all of them, but most of them.”

For Matt Wald, who writes about nuclear power and commercial aviation for the New York Times, the 9/11 attack implied new challenges in the information field. “It made some people in both the private and the government sector less willing to talk,” he said. Early after the attacks, Wald tried to do an article for which he needed to fly in the pilot's cabinet. Although he got the approval from the airline, the FAA denied that idea, even though he was well known among these officials, for security reasons.

The reporter also thinks that many of the policies toward giving away information had more to do with the Bush administration than with the attacks. “They want to make sure that all communication is centralized and that there’s a gatekeeper, someone who knows what questions are being asked and what answers are being given.” Wald said that if the office where you made a request for information was related to security issues, then it was explicit the reasons they would not give you an answer. “But there are parts of the Department of Transportation that don’t have a big security significance where they won’t answer any question until one person who’s in charge of public affairs decides whether they’ll answer it or not. It goes up and down the chain of command before they spit out an answer, or before they spit out a decision about whether there will be an answer.”

Nuclear information also became a difficult beat to cover. “It’s a lot more difficult to get a tour of a nuclear plant. Companies used to be very happy to show you all the shiny new equipment, but not now,” Wald explained. Once he tried to see a plant where a lot of money was invested to reopen it, he could not get permission “So I did not go. And they gave the excuse of September 11. I wrote a story, but I was not able to see the plant,” he said. “They say 9/11 more often. Well, nobody said 9/11 before 9/11. They say security more often. And I think sometimes it’s an excuse. Not always, but sometimes.” Wald also admitted that it has been more difficult to gain access to documents than used to be accessible before the attacks.

As an investigative reporter for *Los Angeles Times*, Deborah Nelson considered that the biggest change after the attacks “was that you had to rely on sources more extensively because it was harder to get information through FOIA and through the front door of just asking.” Nelson believed that was a direct impact of the Ashcroft memo, which recommended not releasing information. “What’s happened in the last few years is it’s gotten harder and harder to independently corroborate information involving the federal government.” Nelson would take anonymous sources as tips and “when you write the story nobody ever knows that an anonymous tipster gave you information because you’ve documented on the records, through records, on-the-record sources. It takes more work to do that, but it’s worth the effort because you know you’re right and you’re protecting the person who’s giving you the information. “The problem after 9/11, she said, was that “you have to end up relying on inside sources to give you documents, to give you information. And of course the downside of that is that the inside sources then control what information you get.”

If we add to that perspective, the fact that many sources would not be willing to talk to reporters, the process of getting information becomes a nightmare. She added that many times you ended up with half of the checking, for example, in terms of confirming your information with the person who has it firsthand and would not say anything to avoid troubles. “Until the last, maybe, two years, did sources start rising up because they felt like they’d be investigated if something leaked? For the most part, even though there’s been all this talk of a chilling effect, for most reporters the chilling effect I think has been on documents and being able to get information in a straightforward way from the government.” Because of that, she believed that the ability to judge whether information is correct, accurate and complete “has been really hurt.”

Others journalists did not go through such a hard time to get their sources to talk. David Lightman, the *Hartford Courant*’s Washington Bureau Chief for 23 years until October 2007, did not really find a difference in the relationship with his sources after 9/11, but then, his main arena of coverage was Capitol Hill and the representation of Connecticut, where his newspaper was edited. “I know people think there was, but no. I think, because you still had partisan sniping, you still had conflict. There was more unity of purpose I think, but no, the kind of things we cover on the local level, there was still the same sort of thing.”

However, since one of the main interests of the state is the defense industry, Lightman did find a change in content of what he had to cover after the attacks. “Instead of trying to figure out, for example, how to adapt to a peace time military or should the U.S. be building up its Navy for example, all of a sudden after 9/11 the argument

changed radically. It wasn't so much a question of gee, do we need X number of military helicopters; it's how many do we need and how fast can we get them."

Lightman also found more difficulties getting documents. "It did become harder to make freedom of information requests because all of a sudden things could be made secret in the name of national security. It's a problem that's still going on. It's very hard for us as journalists on the outside to say please give us this because it won't compromise national security, because how do we know? Maybe 20 years from now the files will be open and we'll say gee the administration just went crazy classifying everything. I don't know that, but it's made people much more wary of giving you data easily."

Not long before the interview, Lightman asked to look at records of chemical plant inspections. They finally let him see the documents, but under the condition that he could not take copies, but only notes in a legal pad, and a person would be with him all the time. "If in fact those documents contained material valuable to terrorists, what's the difference if I sat there taking notes or if I Xeroxed it?... Ultimately there was no story there because frankly the material was rather dull and didn't tell us anything."

Glen Justice, a former reporter who was based in Washington, D.C, for *The New York Times*, used to cover campaign finance and lobbying and had to deal with official sources during 2004 election. Although he did not find great changes in his beats after 9/11, he commented that lobbying was impacted quite a bit, "because of the access rules that changed, in terms of physically active in government buildings. A lot of lobbyists [were] not as free as they used to be to literally roam the halls of Congress, roam the administration buildings and the congressional office buildings to buttonhole people in

the hallway. It became physically tougher to get into the building.” It also became difficult for reporters to get into buildings to chat directly with official sources, he added.

Justice believed that Bush’s White House has never been especially good in giving information to the press. “Having said that, I think it’s a matter of opinion as to whether things clamped down harder after 9/11.” One of his missions was to cover the Bush 2004 re-election campaign from the financial perspective. The atmosphere, Justice said, was to give as little information as possible. He tried to write a story about “the making of a fundraiser, the anatomy of a fundraiser.” The campaign connected with a fundraiser in Texas. “But they literally flew a press person out to babysit me on the first two interviews, to sit there with me. It was utterly ridiculous. And it was a young kid who really had no business being there,” Justice said. “Eventually the kid went away and I was able to do my interviews with the fundraiser. But I will say this – I never did do the anatomy of story because they didn’t give me enough access. They weren’t willing to give me enough information to write a proper story.”

For Rafael Lorente, the correspondent for the *South Florida Sun-Sentinel*, the challenge was different. He was part of a two-person bureau that was expected to cover the whole government. Ironically, his relationship with sources improved during Bush administration, he said, but in part was because he did not have that many before as he had arrived a few years before and was finally getting settled.

The aftermath of 9/11 added another focus, and for a small bureau like his, it meant that other beats were eliminated. “Where the source development from my point of view became more difficult after 9/11 – and this was happening before 9/11, by the way – is that every week or every year in Washington they add more security. ... Now

everywhere you go somebody wants to look in your pocket to see if you've got a knife. Somebody wants to walk you through a metal detector. There's a lot more barriers." According to Lorente, that kind of barrier "slows you down and it discourages you from going" and try to develop your sources. Another evidence of the closeness of the administration, he said, was the difficulty to obtain a White House pass. "It was much harder with them to get hold of people further down the line. Every time you wanted to talk to somebody you have to talk to a spokesman or spokeswoman. You can't get the actual person; you have to get their mouthpiece. So in that sense, it was much more difficult."

Lorente insisted that once you "get through security" and get to know your source on a personal basis, you might have a chance to develop a good relationship. "You've got to get to people, which makes it difficult if you're not the *New York Times* or the *Washington Post* or the *L.A. Times* and you're not there every day. Or you don't have that name," he said. "Making sources was always a challenge if you came from a small newspaper because you had other things to do."

Remembering the aftermath of the 9/11 and the reaction of the press, Lorente said that, "The government really, whether we wanted to admit it or not, really kind of intimidated us a little bit. In part you have the patriotic stuff. ...But in part you also have this fear that, What if they're right? What if my reporting really does get 3,000 more people killed? What if by writing this story, the terrorists really do win? And if you sit and think about that for about 35 seconds, it's illogical. But in that atmosphere, it was difficult." That being so, he also thinks that Bush administration "was closed to begin with, and 9/11 just gave them an excuse to be more closed."

The testimonies and opinions given by this group of journalists and specialists in media issues tend to confirm that, at least after the attacks of September 11, there was a change in the relationship between reporters and official sources, but at different levels and with different emphasis. That change remains to be seen in different contexts. If a reporter is well experienced in his beat, his relationship with his longtime sources would not be affected. However, he might find more trouble in meeting or in having access to paper documents or he might be afraid of being subpoenaed to release the identity of his contact. If the journalist was new to the beat, he then may find more difficulties in getting someone to talk, besides public relations officers. Perhaps, with the policies applied to access to information, a reporter may find it more difficult to corroborate what a source had said in condition of not using until you get it from a different source.

There seemed to be downsides for every case where a reporter had to deal with official sources from 9/11 to 2005.

CONCLUSIONS

With the terrorist attack of September 11, 2001, many things changed for the American people. Many of those changes affected the media and the way journalists did their work. Considering the data gathered, the interviews held for the study, and the analysis that resulted from reviewing these elements, it can be said with some certainty that, from journalists' perspective, the relationship between official sources and Washington, D.C, print reporters changed after 9/11 and until 2005.

Unexpected and shaking as the attacks were for people, they made the government and the press, rethink their approach to each other. And the result seemed to have affected the way journalists and official sources related, one to gain access to information, the other to reveal it. According to the sources taken into account for the study, the change in the relationship happened in comparison to the way they related before 9/11. Although it is difficult to generalize about the relationship between reporters and public sources on the whole, this research tries to give examples of those changes, based on the elements found during the research.

Where this change could be seen in the relationship mentioned above? According to the information reviewed, fewer public officials were willing to talk to the press during the period of time considered for this study. Many of them did not want to talk because they were afraid of losing their jobs, or because they were committed to the Bush administration and therefore, they would not pass to the press information that the government did not want to give away. Or they feared the effect that leaks could have on the security situation of the moment, to mention a few examples.

Moreover, after the attacks, there were more restrictions to getting to sources, in the sense of having access to public buildings without being announced or previously checked by security. Getting press credentials to cover certain places in the government was more difficult for reporters than before, and most of the times these restrictions were attributed to security reasons. Others stories could not be investigated or sources could not be reached allegedly for the same security reason; a reason many journalists felt was an “excuse.” Because of all these measures, reporters found it more problematic to have access to their sources and also to build relationships with potential ones.

Another feature that strongly developed during the period considered by the study was the existence of public relations persons, who acted as walls between reporters and official servants in government offices. Many persons within the government would not answer questions of reporters directly, but only through a public relations staffer. This PR person would go for the information required whenever was considered that could be released to the press. Yet, the reporter would not have access to the person who actually held the information, and therefore, would not develop a relationship with a source. Many felt that these new elements – restrictions to get into public buildings and public relations officials -- had a considerable impact in the way they used to relate with sources in the government.

Most of those public servants who did talk with the press might be afraid of being caught speaking to a reporter. Therefore, the negotiations between journalists and sources started to be more laborious, as more things had to be considered before releasing the information. On the one hand, sources would be careful of the place they would meet with journalists –not their offices, for instances; the way they would contact each other –

not through the office phone calls, not through the official e-mail, as both could be investigated later; the terms of their conversations –which issues were not going to be mentioned; or the way the information would be attributed once the article was ready. On the other hand, because of the trend to discourage terrorism-leaks cases within the government, what would happen if the journalist were subpoenaed to reveal his sources' identity became another issue to negotiate. It could be seen that a source may have problems speaking if the journalist was not going to keep secret his or her identity before a grand jury, as well as it could be considered that a reporter may have problems to keep the source's identity if he or she might end in jail for not disclosing it.

Another external issue affected the relationship with sources during this period of time. A lot of public officials would give tips for journalists to confirm with other sources, mainly with official documents. However, since there was a new policy that ended up restricting the release of government documents, many of those tips could not be confirmed or released on stories. Furthermore, the lack of documentation could have an impact in the accuracy of many other stories, since journalists saw themselves depending on fewer sources instead of written documents. Likewise, in terms of accuracy, the lack of primary sources also could have affected other stories. Journalists would have to rely on secondary sources, which might not have been directly related with the subject of the story and might be echoing – with the risks that could bring -- what other officials said.

Considering these examples of changes in the relationship between journalists and official sources, why have these changes happened? Which were the conditions that might have contributed to these changes? Three factors could be mentioned as having an

impact on the subject of this study, and have been reviewed in previous chapters. The interaction of the three of them seemed to create conditions for a “perfect storm” of circumstances that had an effect on the mentioned relationship.

The government itself was a factor. As it has been said before, the Bush administration developed a strong policy of controlling the message delivered to the public by the presidency. This policy translated in fewer persons holding information, and many of them holding it in a need-to-know basis, meaning they had a partial view of the whole picture. The fewer the official servants having information, the fewer the potential sources reporters could go for information. In other words, if the press had not developed a strong relationship with an official source before, it was going to be really hard to get a tip, for example, from the White House, where the control of the message seemed to be tougher than in any other part of the government.

In addition, after 9/11, the administration sent a severe message to all public employees: Leaks would be severely punished, especially those related to security issues. Every public office was under vigilance and the possibility of losing a job or being investigated, surely had a chilling effect on potential official sources. There were enough public examples to assure that the administration intention of sealing the government from any kind of leak was serious. The fact that many reporters were subpoenaed to reveal their sources’ identities in cases related to leaks may have fed the fear of being caught passing information to the press. Therefore, fewer public officials may have been willing to talk.

The administration sent other signs, such as the restrictions imposed on the release of documents from the government with different memos. The new difficulties to have

access to information gave fewer documents as sources that could be used to check tips from within public offices. And again, it may have also had a chilling effect on officials.

Meanwhile, those policies were developing in a war context that, in a certain way, could validate the restrictions for security reasons. Wars had historically been a scenario of restrictions for journalists, from their access to sources to their access to combat itself. And this one did not seem to be an exception.

On the other hand, another factor that seems to have helped to change the mentioned relationship was the climate left by the 9/11 attacks. As it was said before, the United States entered a war scenario, after being hit by shocking attacks. People feared that a new attack could happen any moment. Many felt the necessity to enforce the unity of a nation. Those were times of patriotism, and that seemed to be expected from journalists as well. So neither the restrictions to the access to information, nor the difficulty to engage public officials to talk might have been perceived by the people as problem, but as a sort of patriotic duty. It can be seen how many reporters could have felt discouraged to pursue public officials for information, since everyone was expected to be “on the same boat” against terrorism.

Likewise, fear was another factor that may have held journalists from going after sources for more information. Reporters may have felt the same fear everyone else was feeling at the time. And then, they could have felt an additional fear: What if they released information that could kill people? In any case, the climate that followed the attacks was not inviting to go aggressively after public sources that were clamming up.

The state of the press after 9/11 could have been a third factor that impacted the relationship with sources. Besides the feeling of patriotism that could have affected their

work at least at the beginning, of course, journalists were not prepared to cover the aftermath of terrorist attack that led to a war on terrorism in two different countries. But certain circumstances seemed to aggravate that. Reduction of employees at the Washington, D.C., bureaus had left fewer reporters, many of them too young to have already a network of official sources. And to add something else to the complex situation, before the attacks the center of Washington's bureaus coverage was not so much the traditional beats, like national security or defense, but others more direct to social and diverse issues – education, environment or health, to mention a few examples. Once the new beat – national security and terrorism -- arrived at newsrooms, many could have found that they did not have an old and secure network of longtime public officials as their potential sources. This could also have had an impact on the journalists' perception that their relationship with official sources changed after 9/11.

Even so, there are certain issues that ought to be considered within the context of this study that could explain why the change in the relationship may not apply as a whole to every situation. A reporter who has been covering the same beat for years might not have had any problem to get to his old sources, as he usually did before, as they may have grown up together professionally. However, the same person could find problems in trying to reach new sources within the government, especially those that depend on the administration itself. If the journalist was working in a small bureau, he might have found it difficult to pursue official sources for the big stories. But for the stories that he had been working before – and which might not be directly related to the war in terrorism -- then he might have not seen any noticeable change in the contact with those sources. It also depended on the sources the reporter had to deal with: If he was covering issues for a

local newspaper, the congressional beat would be his best source for public information, or if he was after information that could be contrasted between public and private officials, changes might not have been so evident. In other words, the perspective of the coverage could save the reporters from having trouble getting access to their official sources.

Another issue that must be considered is that there was little time between the beginning of the Bush administration and the attacks, so many authors and journalists consulted for this study found it difficult to be absolutely certain that the change in the relationship with sources happened as a result of 9/11. Many believed that there had not been enough time to fully discern whether the administration policy was going to be this one anyway. However, there is a considerable agreement that the events of September 11 accelerated or established these policies with the press.

Nevertheless, the change mentioned at the beginning has to be considered in the context that was developed in this study. What could be the consequences of a change in the relationship between sources and reporters? As I said before, the purpose of journalism is to provide people with information they need to make their decisions for them and their society. For that reason, the authors agree that journalism helps build democracies. In order to achieve this purpose, reporters have to get the information from sources and verify the information independently, to ensure that the data is trustworthy for their public. So what happens if a reporter does not have a proper access to official sources? It is more difficult to get information and to verify independently. Therefore, the amount and the quality of information released to the public might be compromised because of the lack of sources. Considering these elements, it can be said that not having

access to a variety of sources from the government prevents reporters from accomplishing the purpose of their work, which means that it becomes more difficult to inform the society about what is happening, thus affecting the process of making decisions.

However, can it be said that these changes in the relationship of reporters and sources are new? And can it be said that they did not happen before in the United States? As the study showed, many factors are like other moments in history, where reporters complained about similar situations. A lot of the policies applied by the Bush administration have been applied before in similar contexts: with wars and national security issues on the front line of government. Official sources have clammed up in previous administrations where leaks were fought with every resource the government of the moment had.

In that regard, William J. Small wrote, “It is thus that an adversary relationship is inevitable between a searching press and a government in power. Each is suspicious of the other. Each sees the weakness of the other. The press suspects government of wanting to lie and to cover up while government suspects the press wanting to expose, embarrass, and entrap it.”⁴⁶⁶ He also said that, “Periods of war and national hysteria lend themselves to political moves against the press. Unfortunately, a troubled electorate at such times is willing to look the other way when this happens.”⁴⁶⁷ He wrote these concepts in 1972. And in the particular situation that has been analyzed in this study, they apply again.

But just because this situation affecting the access to public sources may have happened in the past, does not mean it should not deserve to be highlighted in this

⁴⁶⁶ Small, *Political Power and the Press*, p. 52

⁴⁶⁷ *Ibid.*, p.71

particular moment in history. In fact, it becomes a stronger reminder, especially for journalists, of the importance of journalism during these periods where information is vital for a society. It does not matter how much governments change their policies to make it difficult to have access to sources, because reporting has not changed its essence. For reporters this should mean that in the worst scenario, when no source will speak to them, they ought to have the patience and the tenacity, and sometimes aggressiveness, to overcome the difficulties and go for it.

LIMITATIONS AND FUTURE RESEARCH

Additional research can be done on this subject, which offers a rich potential for further examination from different points of view. Factors such as time, logistics and access limited the scope of this thesis to the proposed subject of study, leaving unresolved issues that could be picked for future research. The focus of the study is the journalist's perspective; so there are no interviews or opinions gathered from the official sources' side. Members of the Bush administration and public employees that have been working in the government for years could add their perspective to the issue, and add more information on which kind of changes they felt in their relationship with reporters during those years.

The thesis does not include any quantitative analysis to develop the argument. A quantification of the number of FOIAs presented and rejected during that period of time, at least in certain governmental offices – like the Department of Defense or Transportation -- could give an idea in numbers of the policy on access to information.

Moreover, counting the number of journalists who received subpoenas during that time in cases related to leaks, compared to the number in previous administrations, could be a way of going deeper into the effect of these actions over potential sources. Another quantitative analysis possible within this subject could be to follow the use of anonymous sources in stories on the government, again, comparing administrations, or even during the same administration, both before and after the 9/11 attacks.

The study only took the print press as the subject to apply the primary hypothesis. Even though newspapers and magazine reporters can deal in a different way with their

sources, it might be really interesting to see if the same hypothesis could apply for radio and television journalists, and how they handled these problems in the period of time.

On the other hand, the scope of the thesis was restricted to the Washington press corps, but in further research it could be extended to other press corps outside the capital, or to foreign correspondents that also had to deal with public officials during that period.

The selection of the interviews for this thesis looked for variety within print press members. Thus, there were reporters who were covering the national security beat or a local beat or something associated. The ages within the group were different, as well as their time in the beat. The study within journalists could be systematized in several different ways in future research. For example, newspapers and magazines could be part of a survey on how much the relationship with public officials changed after 9/11. Every reporter who was covering the terrorism beat, for example, could be asked a group of questions on the subject to compare their answers. Journalists who were covering other beats that somehow touched the government would have the same questionnaire, so answers of each group could be compared.

In addition, the study did not attempt a review of the coverage done by the newspapers at the time considered. Possible research might review the tone used in the articles right after the attacks to the end of the administration. The idea of the feeling of being patriotic during those months could be measured by what the editorials were saying about the government and how that changed over time. To take one issue, like the weapons of mass destruction in Iraq, and follow the coverage in two different newspapers and the amount of official sources they quoted, could be another comparison possible that may help to bring light to the object of this study.

An element that was not considered in this study was the effect of technology on the proposed issue. With many news outlets demanding news almost to the instant, to beat the competition, the work of journalists with their sources could have been affected in some way, and it may have been a considerable problem to keep a normal relationship with a source in an already complicated environment to get information.

Likewise, the research for this thesis was done too close in time to the period studied. It is most likely that in a few months, if not already, more information could be collected for broadening the analysis of the topic.

Regarding the historical context and as the administration changed, there will be more elements to do further research, as it can be compared with what was happening before. However, in the same sense, a comparison between a past administration and the Bush presidency could be done in each of the elements of the policy toward the press, in order to establish which elements remained the same as before, and which were added after 9/11 to restrict the access to official sources.

A final point that might be analyzed in the future would be how much information could not be released at the time studied, because of the changes in the relationship with sources, considering there is a new administration with a new policy. That may be a way of measuring to what point a restrictive interaction with official sources could prevent a society from learning what it needs to decide its future.

Appendices

Questionnaire (example)

1. Name?
2. Which is your current position (Specify since when and where)
3. Can you give me a summary of your previous work experience?
4. Which is your current beat? Could you describe how do you normally cover that beat?
5. How would you describe your relationship with government sources in a normal basis?
6. Do you think that the relationship with the government sources have changed since 2001?
7. If yes, in which way? Can you give me concrete examples of that change?
8. In your experience, when did this change started to happening?
9. In your opinion, why this relationship has changed?
10. Which would you consider turning points for that relationship to have changed?
11. Is it better or worst than before? Why?
12. Have you covered government during previous administrations? If so, was it different? How?
13. How this change affected your daily work?
14. What did you do to get through those obstacles?
15. Did the sources change their behaviors? Are they leaking less information?
16. Are those sources asking more often for anonymity?
17. Did you have to use more anonymous sources? In which cases?
18. Do you think the use of anonymous sources is affecting the credibility of the press?
19. How do you balance your information within your sources? Do you have to find more people to confirm something than you used to?
20. Are you using any sort of new practice to get information from your sources?
21. Do you think journalists let this change happen? How? Why?
22. How is affecting the readers' access to accurate information?
23. Which will be your main critic to journalists? And to yourself?
24. Do you think this change may affect this interaction between journalists and government sources beyond this period? In which areas or which examples can you give me of things that will or will not change in the future?

INTERVIEWS

All the interviews were held in May 2007.

- Lucy Dalglish, executive director of *Reporters Committee for Freedom of the Press*
- John Harwood, reporter at *The Wall Street Journal*.
- Glen Justice, former reporter based in Washington, D.C, for *The New York Times*.
- Bill Kovach, acting director from *Project for Excellence in Journalism*.
- Howard Kurtz, reporter for *The Washington Post*, covering media.
- David Lightman, *Hartford Courant's* Washington Bureau Chief for 23 years until October 2007.
- Rafael Lorente, former Washington correspondent for the *South Florida Sun-Sentinel*.
- Josh Meyer, reporter for *Los Angeles Times*, covering national security
- Deborah Nelson, former investigative reporter at *Los Angeles Times*
- Walter Pincus, reporter for *The Washington Post*, covering national security.
- Matt Wald, reporter for *The New York Times*, covering transport and nuclear information.

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