The Case Study wades through a morass of moral issues to focus on the issue of the relationship between the media and the government. We often think of this issue as if it involves a triangle of players: the government, the media, and the public. From this perspective, the needs of and obligations to the public are foremost. In a nutshell the media are obliged to furnish fair and accurate information to the public so that the public may in turn make critical decisions concerning the government. Fair and accurate reporting is only possible where there are confidentiality agreements between journalists and their sources since those sources often require protection from prosecution. While this perspective is crucial, it can be misleading.

The importance of the triangle-viewpoint is brought out, for example, in Deni Elliot’s “Terrorism, Global Journalism, and the Myth of the Nation State.” Elliot writes that the media is morally obliged to provide the public with information that is necessary for self-governance and thus it is necessary that this information be “balanced, accurate, relevant and complete.” Given this obligation, the news media is morally prohibited from adopting “governmental rhetoric or perspective” in their reporting; rather, the news media should report from a “global perspective” — a perspective missing after 9/11 and during the lead up to the Iraq War. It is necessary for the media to present alternatives to the government’s perspective so that the government’s perspective may be examined critically. The media can act to “raise appropriate questions for governmental speakers by leading a conversation on how to judge the legitimacy of response rather than simply repeating governmental explanations for why a particular response is justified.” Elliot also insists that reporting from a global perspective means that journalists cannot be “the nation’s cheerleaders,” insisting that while journalists, like any other
human beings, are appropriately outraged by events like the 9/11 attacks, the public needs the media to play a different role. “The appropriate role for news media in reporting 21st Century conflict necessitates distancing from a narrow, nationalistic perspective.” (196-98)

Elliot’s article casts the issue of government-media relations from the viewpoint of the public, and the considerations therein are important: the media are crucial sources of information, information from which decisions of governance, war, etc., are made and which is thus paramount to the functioning of any democracy. If the reliability and credibility of the media are necessary for self-governance, then a lack of reliability and credibility hamper the process of governance. But as the article hints, this is as true from the viewpoint of governors as it is from that of the governed.

The Case Study points to two trends that signal a change in media-government relations. First, reporters are being used as government investigators in that they are being subpoenaed with increasing frequency. Second, certain government officials are alleged to have used reporter-source confidentiality to their political advantage, as with the case of Valerie Wilson who was “outed” as a CIA informant as retaliation for statements by her husband critical to the Bush administration.

The increase in the number of cases of reporters being subpoenaed is potentially dangerous. While it is permissible that reporters be subpoenaed in rare and extraordinary cases, the routinization of such subpoenas would erode the institution of confidentiality between reporters and sources, and thus also the accuracy and reliability of news reporting. Care must be taken to curtail this trend, but to the extent that it is a reflection of a desperate government’s attempt to prosecute alleged terrorists on little or no evidence post 9/11, it is unlikely that we can rely on the government to do so. The surest way to stop the trend is for reporters to refuse to testify against their sources, and news agencies need to support journalists in these situations. In the U.S. we are fortunate to have an abundance of quality reporters and news agencies who often show their willingness to stand up for the principle of confidentiality.

In regard to the second trend, I want to point out that the Valerie Wilson case is reprehensible, not merely because it is a case in which the institution of reporter-source confidentiality was abused, but more so because it is a case of petty vindictiveness. When top government officials exploit the system to injure a woman in order to punish her husband for his political views, it is obvious that those officials have no reverence for the institution of reporter-source confidentiality. Such actions destroy
the public’s trust in its officials. Fortunately, that damage is reparable: we can elect new government officials (but we can only do this well if our information about the candidates is accurate and reliable).

These considerations arise from the perspective of a media-government-public triangle. But this way of talking about the relationship is deceptive because the distinction between the public and the government in a democracy is ostensible. The case of Judith Miller is interesting because it reminds us of what we already know, namely, that in a political system where people are self-governed, the divide between the government and the public is indistinct. Judith Miller’s activities in Iraq, her influence over military and government officials, her refusal to cooperate with the federal grand jury and the spectacle of her 12 weeks in jail all suggest that Miller has no sense of her obligation as a reporter to the public. It is right and fitting to call into question her objectivity, and thus the credibility of the New York Times.

But while her case may erode the public’s trust in the media for a time, it is merely anecdotal. More importantly, we are reminded that credible, reliable and accurate sources of information are as important to the government as they are to the public: the balanced perspective provided by good reporting is not required merely by the public’s need to critically examine the government’s perspective; governors also need to critically examine their own perspectives. So when a reporter decides to engage in propaganda, foregoing her obligation to provide a global perspective, she not only fails herself as a reporter. She not only fails the public trust. She also necessarily fails the government’s cause, because she hampers the government’s ability to be self-critical. Compliance with the governmental perspective compromises the value of the information reported, even when that information is reported to, and at the request of, the government. The Judith Miller case reveals what certain government officials failed to see: while reporters are necessary tools of governance, they fail as tools if they are not reliable reporters.

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