



Conflicted: The *New York Times* and the Bias Question Teaching Note

Case Summary

One of the trickiest challenges for editors is to determine what constitutes conflict of interest for reporters. This case examines the dilemma which confronted *New York Times* Executive Editor Bill Keller when critics—including the *Times*' own ombudsman—called for transfer of Jerusalem Bureau Chief Ethan Bronner because his adult son had joined the Israeli Defense Forces (IDF).

Bronner, a reporter with a distinguished career in covering the Middle East, became Jerusalem bureau chief in March 2008. In December 2009, Bronner informed his editors that his son had joined the IDF. The paper took no action. But in January 2010, the *Electronic Intifada*, a proPalestinian website, reported the story and called for the *Times* to remove Bronner. *Fairness and Accuracy in Reporting* (FAIR), a liberal media watchdog group, followed up demanding to know if the story was true and, if so, why it didn't create a conflict of interest. They also wrote to *Times* Ombudsman Clark Hoyt and requested that he investigate.

Hoyt interviewed Keller, Bronner, and several media observers—notably Alex Jones at Harvard's Shorenstein Center and former Jerusalem Bureau Chief David Shipler; he reviewed Bronner's reporting, took stock of reader response, and consulted the *Times* policy on conflict of interest. On February 6, 2010, Hoyt proposed that the *Times* needed to consider two questions in determining whether Bronner's credibility had been compromised by his son's enlistment: (1) Was Bronner guilty of bias? (2) Was there an appearance of a conflict?

Hoyt felt Bronner easily passed the first test. However, he was more troubled by the second. A reasonable reader, Hoyt surmised, would have to wonder about Bronner's objectivity, especially if shooting broke out. This question of appearance was such a serious issue, Hoyt went on to argue, that it threatened to undermine the paper's credibility. For that reason he took the unusual step of advising Keller to reassign Bronner. Before posting his opinion, Hoyt gave Keller an opportunity to respond.

Keller had no intention of reassigning Bronner. But he did have a choice to make— whether or not to respond to Hoyt and, if so, what to say. The case asks students to weigh the pros and cons of engagement—which would drag the dispute further into the public sphere, versus remaining silent.

Teaching Objectives/Key Questions

Impartiality (or objectivity) has long been one of journalism’s thorniest values. For decades, it was held aloft as a great moral idea—that journalists should withhold their own views from the articles they publish. But that ideal was gradually acknowledged to be utopian. Still, for news organizations from the *New York Times* to Fox News, impartial reporting remained both a lodestar and a bulwark against attacks on their credibility.

The trouble was that impartiality remained a difficult ideal to measure and enforce. The only widely agreed upon bright line test was conflict-of-interest—traditionally defined as direct involvement in a story. Yet by the first decade of the 21st century, the Internet was making it increasingly easy for media watchdogs, partisans and readers to search through online records to spotlight reporters’ personal relationships, political views, family histories, and opinions as a means to point out potential bias.

This case is designed to give students the opportunity to debate how editors should define a conflict of interest and, in turn, the very nature of what it means to be impartial in an age when reporters’ personal connections to their beats are a matter of public record. The case breaks down into three key decision points, each of which raises several distinct questions:

- 1) Should Keller remove Bronner when he first discloses that his son has joined the IDF?
- 2) What position should Hoyt take in the face of public outcry?
- 3) Should Keller publicly defend the decision to keep Bronner in Israel and, if so, how?

The case also provides a basis for examining the peculiar challenges for the media of covering the Middle East, or any area of conflict. Consider the myriad ways in which bias can creep into even the best-intentioned reporting. What does it mean that the *New York Times* Israel bureau is located in West Jerusalem, rather than East Jerusalem, or Ramallah or even Gaza? What about the sophistication of the Israeli state press office versus that of the Palestinians—how does that affect a reporter’s perception?

Finally, students can discuss what it means on a personal level to be a reporter. Must one check one’s passions and commitments at the door? How does a reporter reconcile strong feelings with fair and thorough journalism? Is there one set of “objectivity” rules for mainstream media, and another set for advocacy or first-person journalists—or are all struggling to achieve genuine fairness, balance, accuracy, and thoroughness? What constitutes transparency and disclosure in the emerging world of social media, multi-platform 24/7 coverage, and WikiLeaks?

Class Plan

Use the case in a class about international reporting, ethics, or editorial management.

Pre-class. We find it useful to engage students ahead of class by asking them to post brief responses (no more than 250 words) to questions in an online forum. Writing short comments challenges students to distill their thoughts and express them succinctly. The posts also highlight talking points ahead of the class and identify specific students to call upon during the discussion. Help students prepare for class by assigning the following question:

- 1) Should journalists be held accountable for the actions of their family members?

In-class questions. The online blog posts are a useful starting point for preliminary discussion, after which the instructor could pose any of the following questions to promote an 80– 90 minute discussion. The choice of questions will be determined by what the instructor would like the students to learn from the class discussion. In general, choosing to discuss three or four questions in some depth is preferable to trying to cover them all.

You might consider dividing the students into two camps. The first group would argue the case from Keller's point of view: how to handle Bronner's disclosure, and how to respond to Hoyt's public rebuke. The second group could tackle the case from Hoyt's perspective, i.e. as advocate for the reading public. Questions for a more general discussion could include:

- a) Should Keller have transferred Bronner as soon as he knew of the son's enlistment?
- b) Should appearances be allowed to outweigh reality? When?
- c) Is Bronner's exemplary journalistic record prior to his son's enlistment a fair predictor of how he will cover the conflict post-enlistment?
- d) David Shipler notes that foreign correspondents are frequently obliged to blur the line between the personal and the journalistic. Is there a substantive difference between the death of Friedman's driver's family at the hands of the PLO and Bronner's son joining the IDF?
- e) What precedent might Keller set with this decision—whether he removes Bronner or retains him?
- f) What are Keller's options and which should he choose?
- g) What factors contribute to a reporter's "identity" or biases?
- h) What concrete measures might news organizations take to guard against conscious or unconscious bias among reporters? Is Len Downie right not to vote?

- i) What is the role of an ombudsman? Did Hoyt do the job right in this instance?
- j) If Keller issues a rebuttal, what is his purpose?
- k) Keller believes that the paper's conflict-of-interest policy should give editors wide latitude to judge potential bias on a case-by-case basis. How, if at all, should he address the question of public perception?

Suggested Readings

David T. Z. Mindich, *Just the Facts: How "Objectivity" Came to Define American Journalism*, New York: New York University Press, 1998.

Synopsis: This history of the concept of objectivity follows its trajectory from the 1830s forward, placing in historical context such elements as detachment, nonpartisanship, and the inverted pyramid approach to writing news stories. It looks at what objectivity means today and questions whether the time has come to abandon it, or support it with even greater vigor.

Brent Cunningham, "Rethinking Objective Journalism," *Columbia Journalism Review*, July 9, 2003.

Synopsis: This provocative article questions whether the press has allowed the principle of "objectivity" to make reporters passive recipients of news, rather than analyzers and explainers of it. It examines the difficulty journalists have in defining, much less abiding by, notions of objective reporting, and discusses what purpose it serves today.

<http://www.alternet.org/media/16348>

Robert S. Boynton, *The New New Journalism: Conversations with America's Best Nonfiction Writers on Their Craft*, New York: Vintage, 2005.

Synopsis: This collection of interviews with the likes of Gay Talese, Calvin Trillin, and Susan Orlean gives insight into their views of the proper role of the non-fiction narrative writer. Some of the discussion focuses on whether writers who immerse themselves in a situation can or should report on it objectively.

Tom Wolfe, *The New Journalism*, New York: HarperCollins, 1973.

Synopsis: This classic account by Wolfe of the new direction taken by a whole generation of writers provides a now somewhat dated, but indispensable, snapshot of a writing revolution. With

their willingness to take literary liberties previously untried outside of fiction, the New Journalists created a new genre which unabashedly put the journalist at the center of the story, and which has had a profound effect on later writers. For purposes of case discussion, their innovations put heavy pressure on the notion of objectivity.

Alex Jones and Susan E. Tifft, "The Trust: The Private and Powerful Family Behind the New York Times," New York: Back Bay Books, 2000.

Synopsis: A powerful, highly acclaimed history of one of the most influential newspapers in the world. Excerpts from the book give students important background on the *New York Times* culture and the Sulzberger-Ochs family's view of Israel, among other subjects.

Samuel G. Freedman, "In the Diaspora: Abe Rosenthal, American Jew," *The Jerusalem Post*, April 15, 2006.

Synopsis: This article is a fine summary of the history of Jews at the *New York Times*, seen through the prism of the career of the legendary executive editor, Abe Rosenthal. Freedman describes the evolution of the paper's attitude toward Jews on its reporting staff, and particularly to sending them abroad as foreign correspondents.

Clark Hoyt, "Standing Between Enemies," *New York Times*, January 10, 2009.

Synopsis: In this Public Editor piece, ombudsman Clark Hoyt answers earlier reader charges of *New York Times*' bias in reporting on Israelis and Palestinians. The article provides good background context to the issues raised by the case.

<http://www.nytimes.com/2009/01/11/opinion/11pubed.html>

Susan Chira, "Talk to the Newsroom: Foreign Editor," *New York Times*, March 29, 2009.

Synopsis: Among answers to many questions from readers, Foreign Editor Susan Chira speaks about how the *New York Times* covers Israel and Palestine. She emphasizes the clear divide between editorial opinion pages and news pages, and assures readers that reporters do not take sides and are not influenced by the views expressed on the editorial page.

<http://www.nytimes.com/2009/03/30/business/media/30askthetimes.html?pagewanted=10>

Bill Keller, "Talk to the News Room: Executive Editor," *New York Times Online*, January 28, 2009.

Synopsis: This response by Executive Editor Bill Keller (scroll down to the bottom for the section on the Middle East) compiles multiple letters to the *Times* from critics on both sides of the Middle East issue, lambasting the newspaper variously for being pro-Israeli, anti-Israeli, proPalestinian, and anti-Palestinian. It gives an intriguing glimpse into how incendiary the region, and writing about it, can be.

<http://www.nytimes.com/2009/01/30/business/media/02askthetimes.html?pagewanted=all>

James Rainey, "Judge Ethan Bronner By His Work," *Los Angeles Times*, February 24, 2010.

Synopsis: *LA Times* media reporter James Rainey summarizes the state of play in the debate of whether to transfer or keep Bronner as Jerusalem bureau chief. This piece was written after the end of the case study narrative and provides a good restatement of views on both sides, plus Rainey's opinion that Bronner should stay.

<http://articles.latimes.com/2010/feb/24/entertainment/la-et-onthedia24-2010feb24>