



Worth a Thousand Words: The AP and Lance Corporal Joshua Bernard Epilogue

AP Executive Editor Kathleen Carroll had AP CEO Tom Curley on the phone, telling her that Defense Secretary Robert Gates himself had requested that AP refrain from publishing its photograph of the mortally wounded Lance Corporal Joshua Bernard. In Curley's recollection, Carroll replied: "We've been through this up and down. We've thought about it carefully." She felt her prior decision, to release the photo along with reported context about Bernard's life and military service, should stand. Curley responded: "Good decision."¹

It would have been difficult to claw back the photo in any case. Gates had called Curley at around 3:30 p.m.—by then, the photo and accompanying material had been on the wire, albeit under embargo, for about eight hours. There was no technical way to remove it from the systems of AP's members, though AP could send out a bulletin requesting that they refrain from publishing it. Still, says Carroll,

When we push a button, it's out. It has a publication embargo, but it is in the hands of literally thousands of different people who are making their decisions one way or another... Even if there had been some reason for us to withdraw it... you can't catch smoke.²

That day, September 4, Defense Secretary Gates sent an open letter to AP CEO Curley, reiterating his objection to the AP's distributing the photo over the family's protest, and concluding:

Why your organization would purposefully deny the family's wishes knowing full well that it will lead to yet more anguish is beyond me. Your lack of compassion and common sense in choosing to put this image of their maimed and stricken child on the front page of multiple American

¹ Author's interview with Tom Curley in New York City, on June 24, 2010. All further quotes from Curley, unless otherwise attributed, are from this interview.

² Author's interview with Kathleen Carroll in New York City, on June 24, 2010. All further quotes from Carroll, unless otherwise attributed, are from this interview.

newspapers is appalling. The issue here is not law, policy or constitutional right—but judgment and common decency.³

Carroll felt that the letter, made public eight hours after the package had hit the wires, was in actuality addressed neither to Curley nor herself but to the public. She says:

The guys at the Pentagon have a political responsibility as well as a command responsibility... They are going to be the most sensitive about trying to control what the public sees because they depend on public support for the wars that they're trying to prosecute. We get that.

Most American news organizations opted not to publish the photo—some, like the *Washington Post*, published the multimedia package online only without including the image of the wounded Bernard. The entire package was available on AP's own website. AP's decision to distribute the photo ignited a fierce public debate over the role of the wartime press, with many excoriating the AP for exacerbating the pain of a grieving family, and others defending AP's determination to show the true costs of war.

Vaulted to prominence by his protest of AP's publication of the image of his dying son, John Bernard began a public campaign criticizing the conduct of the war in Afghanistan—in particular restrictive rules of engagement, aimed at minimizing civilian casualties, which put soldiers at increased risk. AP profiled John Bernard and his cause in October 2009. Bernard outlined his views for an AP reporter; he also reiterated his feeling that AP's publication of the photo of his mortally wounded son was "inexcusable."⁴

³ Robert Gates' letter to Tom Curley, http://militarytimes.com/static/projects/pages/090409_secdef_curley_letter.pdf.

⁴ David Sharp, "Fallen Marine's father wants change in Afghanistan," October 13, 2009, http://www.breitbart.com/article.php?id=D9BADD80&show_article=1&catnum=0.