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

In early 2010, the *New York Times* found itself confronting one of the most confounding dilemmas in the field of journalism—what constitutes conflict of interest for a reporter?[1] The *Times'* Jerusalem bureau chief, Ethan Bronner, stood accused of potential bias in his reporting from the Middle East because his adult son had joined the Israeli Defense Forces. The critics demanded that *Times* Public Editor Clark Hoyt investigate the charges.[2]

When Hoyt did so, he found himself worried that even the appearance of a conflict of interest could threaten the credibility of the newspaper.[3] While he acknowledged that Bronner was a first----rate reporter, and that his record for objective coverage of complex issues was excellent, he could not in good conscience recommend that Bronner remain the bureau chief in Jerusalem. He warned Executive Editor Bill Keller that he would publish a column advising Keller to reassign Bronner. Hoyt provided Keller with an advance copy and invited him to respond.

Impartiality (or objectivity) had long been one of journalism's thorniest values.[4] For decades, it had been held aloft as a great moral idea—that journalists should withhold their own views from the articles they publish. But that ideal was generally acknowledged to be utopian; among other problems, pure objectivity was impossible to measure and enforce. With the rise of the blogosphere in the 21st century, critics even began to question whether it was desirable.[5] Still, for news organizations from the *New York Times* to *Fox News*, impartial reporting remained both a stated North Star and a bulwark against attacks on their credibility.

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[1] This case study was written from secondary sources. All thoughts attributed to those quoted come either from their own writings or can be imputed from those writings. The case is an educational tool, intended as a vehicle for classroom discussion.

[2] Clark Hoyt, "Too Close to Home," *New York Times,* February 7, 2010. http://www.nytimes.com/2010/02/07/opinion/07pubed.html.

[3] Ibid.

[4] Brent Cunningham, "Rethinking Objective Journalism," *Columbia Journalism Review*, July 9, 2003, http://www.alternet.org/media/16348.

[5] David T. Z. Mindich, *Just the Facts: How "Objectivity" Came to Define American* Journalism (New York: New York University Press), 1998, p. 1-14.

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Keller was taken aback at Hoyt's recommendation and strongly disagreed with it.[6] But he recognized that he had a choice to make: should he accept Hoyt's invitation to respond? If he did, that would bring the paper's internal deliberations about Bronner's ability to report fairly from the region into the public square. Would a reasoned disagreement between himself and Hoyt advance this important journalistic debate? Or would it expose the paper to even stronger charges of bias? If he did go forward with a rebuttal, what reasoning should he offer for keeping Bronner in Jerusalem?

Objectivity?

Executive Editor Keller had grappled with the challenge of objectively covering international conflicts at the *Times* for 25 years. He was the paper's Moscow bureau chief when the Soviet Union collapsed in 1991, and later Johannesburg bureau chief during the fall of apartheid in 1994. After returning from South Africa, he oversaw the paper's international coverage from several management positions, including foreign editor and managing editor.[7]

When Keller started out as a journalist in the early 1970s, writers working in New Journalism, advocacy journalism, and the alternative press dispensed with the conventional notion of the objective journalist as a neutral mediator of the facts by arguing that reporters can be part of a story, while rigorously adhering to standards of fairness, independence, and transparency.[8] Many of this new breed maintained that weaving personal experience and viewpoint into reporting was central to being fair. Certainly, this approach earned journalists new narrative freedom and prefigured the blogosphere. However, it did not do away with the ideal of objectivity and impartiality, especially in the mainstream press. Journalists continued to wrestle with some of the contradictory dictates of objectivity—be investigative yet disinterested; expert yet carefully balanced; aim for impact without expressing political opinion.[9]

Conflict of interest. At the *New York Times,* objectivity continued to be a key value. One of its central tenets was that a journalist must avoid any conflict of interest, traditionally defined as direct personal involvement in a story. Thus the *Times*, like many other news organizations, did not allow reporters to cover political candidates to whom they were related or companies in which they owned stock.[10] Leonard Downie, Jr., the longtime

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[6] Source: see case study epilogue for appropriate citation.

[7] Bill Keller, Columnist Biography, *New York Times*, http://www.nytimes.com/ref/opinion/KELLER-BIO.html.

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

[9] Brent Cunningham, "Rethinking Objective Journalism."

[10] "The New York Times Company Policy on Ethics in Journalism," New York Times Company, http://www.nytco.com/press/ethics.html.

executive editor of the *Washington Post*, famously had stopped voting and even said he no longer permitted himself to hold private opinions about political issues.[11]

Nonetheless, there were gray areas. How far should the definition of "personal" extend? With the rise of the Internet, readers increasingly were able to search through online records to spotlight reporters' personal relationships, political views, family histories, and opinions. Would reporters be obliged to terminate friendships with individuals in fields they covered? Could a business journalist, for example, have no financial investments? Was a reporter responsible for the actions and views of his relatives? These questions were germane across reporting assignments, from City Hall to foreign bureaus.

A Conflicted Beat

Few beats were as polarizing as Jerusalem bureau chief, which was arguably the hottest seat in journalism. For this reason, the *Times'* editors traditionally appointed their most seasoned reporters to the post. Between 1984, the year Keller joined the paper, and 2008, when he assigned longtime Middle East reporter Ethan Bronner to Jerusalem, David K. Shipler, Thomas Friedman, Serge Schmemann, Steven Erlanger, and James Bennet had headed the bureau. These journalists owned seven Pulitzer Prizes among them. Yet even with these imprimaturs of journalistic integrity, they were excoriated by partisans on both sides of the Israeli----Palestinian conflict.

Keller knew that these constant cries of bias reflected the intensity of the conflict.[12] But they also had to do with the stature of the position. The *Times* bureau chiefs tended to become influential opinion makers in the region. Shipler, for instance, won a Pulitzer Prize for his book *Arab and Jew: Wounded Spirits in the Promised Land*. Friedman became the *Times'* lead columnist on international affairs. Schmemann went on to edit the *International Herald Tribune*'s editorial page. And Bennet left the *Times* to become editor of the *Atlantic Monthly.*

Keller made Bronner bureau chief because he brought a similar mixture of regional expertise and high----profile reporting experience to the position. Bronner had first reported from Jerusalem as a Reuters deputy bureau chief in the 1980s. He returned in the 1990s as the *Boston Globe*'s Middle East Bureau chief. The *Times* hired him in 1999, and during his tenure at the paper he had held several significant domestic posts, including national education reporter, education editor, and assistant editorial page editor, a position in which he shared a Pulitzer for reporting on Al Qaeda.[13]

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[11] "Post News Room Leader to Retire," *Washington Post*, June 25, 2008, http://www.washingtonpost.com/wpdyn/content/discussion/2008/06/24/DI2008062401047.html.

[12] Bill Keller, "Talk to the News Room: Executive Editor," *New York Times*, January 28, 2009, http://www.nytimes.com/2009/01/30/business/media/02askthetimes.html?pagewanted=all.

[13] "Ethan Bronner," Wesleyan Trustees Biography, http://www.wesleyan.edu/alumnitrustees/trustees/bronner.html

Keller knew that Bronner was Jewish and that his wife was Israeli. Far from compromising Bronner, Keller suspected that these personal connections made him more attuned to the region, infused his stories with greater sophistication, and made him more likely go the extra mile to be fair. He was equally aware that this had not always been the prevailing wisdom at the *Times*.

A record of caution

For much of the first half of the paper's existence the Sulzberger----Ochs, the paper's Jewish owners, took several steps to ensure that that the *Times* was not perceived to be promoting a Jewish agenda: editors anglicized Jewish reporters' names; the paper was late to cover the Holocaust; and into the 1950s, Jews were rarely allowed to serve as foreign correspondents. Even after the *Times* remedied these more overt restrictions, the paper maintained an unofficial conflict of interest policy preventing Jews from reporting on Israel.[14]

Break with tradition. A.M. Rosenthal, the paper's longtime executive editor, made a point of breaking that barrier in 1984 when he awarded Thomas Friedman the Jerusalem post. Friedman was a far----from----disinterested observer of the region. He had grown up in Minneapolis during a period, he reflects in his book *From Beirut to Jerusalem*, when "Israel was very much the 'in' place for young American Jews."[15] His parents first took him to the country as a teenager in 1968 to visit his sister, who was studying at Tel Aviv University. The trip was transformational for Friedman, and he returned home feeling more Middle Eastern than American. In high school, he organized Israeli fairs and demonstrations and spent three summers working on a kibbutz, an Israeli collective farm, south of Haifa. He went on to study Arabic at Brandeis, where he delivered pro-Israeli speeches, and then Middle Eastern Studies at Oxford.

Friedman was hired by UPI in 1978 to report from Beirut and then moved to the *Times* in 1981 just as tensions between Lebanon's Christian Phalangist government, Israel, and the Palestinian Liberation Organization (PLO) were about to explode into violence. Friedman was immediately touched by the conflict. Two days after Israel invaded Lebanon in June 1982, he came home to find a displaced Palestinian family armed with a grenade launcher trying to squat in his apartment. He managed to get them to leave by letting his Palestinian driver, Mohammed Kasrawi, imply that he could have them killed. Friedman decided he would be safer at the Commodore Hotel, where most of the foreign press corps stayed. Kasrawi suggested that two of his children keep watch over the apartment in case more refugees tried to break in. The next afternoon as Friedman was leaving the

[14] Samuel G. Freedman, "In the Diaspora: Abe Rosenthal, American Jew," *The Jerusalem Post*, April 15, 2006, http://www.samuelfreedman.com/articles/jinterest/jpost04152006.html.

[15] Thomas L. Friedman, *From Beirut to Jerusalem* (New York: Farrar, Straus & Giroux), p. 4.

Reuters offices, he was met in the stairwell by Ihsan Hijazi, the *Times* Palestinian reporter, who breathlessly told him that the apartment had been bombed.

Friedman found the six-story colonial building blown in half and Kasrawi weeping in the parking lot. "The pharmacist's wife who lived upstairs," he wrote, "a striking, tall, Lebanese blond, was sandwiched with her son in her arms between two walls that had been blown together, forming a grotesque human fossil."[16] They discovered Kasrawi's wife and children buried in the rubble. The PLO, Friedman later learned, had planted the bomb to settle a score with a rival faction of their own organization. That same week, the reporter had to set the bombing aside and report on the PLO.

Friedman's experience reporting on Israel was equally complicated. In September 1982, Friedman was one of the first reporters on the ground to cover the massacres of Palestinian civilians at the Sabra and Shatila refugee camps. The Israeli military had surrounded the camps following the assassination of the Lebanese President Bashir Gemayel and then allowed the Lebanese army to enter and kill hundreds of Palestinians. "I took Sabra and Shatila as a blot on Israel and the Jewish people," Friedman wrote.

> Afterward I was boiling with anger—which I worked out by reporting with all the skill I could muster on exactly what happened in those camps…. One part of me wanted to nail Begin and Sharon [the Israeli prime minister and minister of defense]… Yet another part of me was also looking for alibis—something that would prove Begin and Sharon innocent—something that would prove the Israelis couldn't have known what was happening.[17]

Even though Friedman had come of age as a journalist well after rote notions of objectivity had been broadly challenged, he still found himself struggling with the way his relationship to the conflict shaped his ability to report on it impartially. On the one hand, he sensed that he was not supposed to feel as powerfully as he did about the Israeli government or the PLO. At the same time, he believed that his intimacy, passion, and experience made him a better journalist.[18]

Rosenthal was betting that Friedman was right and that *Times* readers would agree. During his tenure in Jerusalem, critics called Friedman both an Israeli partisan and a self----hating Jew. The jurors for the Pulitzer Prizes offered their evaluation in 1988, Friedman's final year as bureau chief, when they awarded him his second prize in international reporting, this time citing him for balanced and informed coverage from Israel. For the *Times,* the days of classifying a reporter's faith and ethnicity as a conflict

[16] Ibid, p. 26.
[17] Ibid, p. 165.
[18] Ibid, p. 69, 70, and 165.

of interest were over. Three out of the paper's next four Jerusalem bureau chiefs were of Jewish descent. Indeed, the bureau that Bronner inherited in 2008 was staffed by a British Jew, Isabel Kershner, as well as by Taghreed el----Khodary, a Palestinian reporter from the Gaza Strip.

Charges of bias

Bronner, like his predecessors, was ripped by partisans on both sides of the conflict. When he reported on Palestinian suffering in Gaza, critics faulted him for failing to write that the Palestinians should blame themselves. When he wrote that the Israelis were preparing to release a report faulting both sides for civilian casualties, he was accused of toeing the government line. Within a matter of days after Israel invaded Gaza at the end of 2008, Bronner received hundreds of emails accusing him of partisanship. "Thanks to you and other scum like yourself," said one, "Israel can now kill hundreds and you can report the whole thing like it was some random train wreck." Another said, "Bronner, you're back to your usual drivel about only the poor filthy Arabs—who voted for the Hamas people who got them into this predicament—with incessant indiscriminate rocket fire on innocent Israelis."[19]

Bronner did not see these attacks as a function of his Jewishness per se. El----Kodahry, the *Times'* Palestinian correspondent, was equally savaged. In one instance she was told by Hamas gunmen to keep quiet after, right in front of her, they shot in the head a Palestinian accused of collaborating with Israelis. She refused and published the story the following day, only to be immediately attacked by Arab bloggers as a Palestinian Uncle Tom.

Bronner responded to the fusillade of criticism aimed at the bureau in a January 2009 "Week in Review" essay titled "The Bullets in My In----Box," in which he argued that even the fairest reporting on the region would always be read through a partisan lens because the two sides had no common language to discuss the conflict. He wrote:

> Trying to tell the story so that both sides can hear it in the same way feels more and more to me like a Greek tragedy in which I play the despised chorus. It feels like I am only fanning the flames, adding to the misunderstandings and mutual antagonism with every word I write because the fervent inner voice of each side is so loud that it drowns everything else out.[20]

In such an environment, he believed, critics would seize on any shred of evidence to impugn impartial reporting. That same fall, Bronner's son told him that he had volunteered for the Israeli Defense Forces. Bronner alerted his editors, as the paper's

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[19] Ethan Bronner, "The Bullets in My Inbox," *New York Times*, January 25, 2009 http://www.nytimes.com/2009/01/25/weekinreview/25bronner.html.

[20] Ibid.

ethical guidelines required. Executive Editor Keller discussed the situation with Foreign Editor Susan Chira. Keller felt strongly that Bronner's reporting was assiduous, expert, and impartial. Chira agreed and they decided to take no action.[21]

Then, in January 2010, an anonymous source alerted the *Electronic Intifada* (EI), a pro---Palestinian website, that Bronner's son had enlisted. The site wrote to Bronner seeking comment. He referred them to Chira, who responded in an email: "Mr. Bronner"s son is a young adult who makes his own decisions. At *The Times*, we have found Mr. Bronner"s coverage to be scrupulously fair and we are confident that will continue to be the case."[22]

The *Electronic Intifada* reported the story on January 25. *Fairness and Accuracy in Reporting* (FAIR), a liberal media watchdog group, followed up, demanding to know if the report was true and, if so, why it did not create an unacceptable conflict of interest.[23] Both groups contacted *Times* Ombudsman Hoyt and requested that he investigate.

In Defense of the Reader

Hoyt had been hired as public editor in 2007 after a 40----year career at Knight Ridder, where he had worked first as a national reporter and then in senior management. His job at the *Times* was to leverage that experience on behalf of the paper's readers.[24] He had received roughly 400 concerned emails in the weeks after EI's report, several of which struck him as more measured than the standard partisan attacks aimed at the paper's Middle East reporting. Bronner's coverage was "impressively well----written and relatively even-----handed," wrote Linda Mamoun of Boulder, Colorado. However, his position "should not be held by anyone with military ties to Israel." The son had the direct ties, not Bronner, Hoyt observed. Nonetheless, he wondered, was that still too close for comfort? The situation, Hoyt thought, raised difficult questions about how the paper should best serve its readers, protect its credibility, and deal fairly with its reporters.

Hoyt began his investigation by reviewing Bronner's reporting. He, too, found it exemplary. Then he called Bronner, who said that he wished to be judged by his work, not his biography. "Either you are the kind of person whose intellectual independence and journalistic integrity can be trusted to do the work we do at the *Times*," Bronner said, "or you are not."[25] Hoyt sympathized with this sentiment, but he thought it too simplistic.

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[21] Source: see case study epilogue for appropriate citation.

[22] "*New York Times* Fails to Disclose Jerusalem Bureau Chief's Conflict of Interest," *Electronic Intifada*, January 25, 2010, http://electronicintifada.net/v2/article11031.shtml.

[23] "Does NYT's Top Israel Reporter Have Son in the IDF?" *Fairness and Accuracy in Reporting*, January 27, 2010, http://www.fair.org/index.php?page=4004.

[24] Clark Hoyt, Ombuds Biography, *New York Times*, http://www.nytimes.com/ref/opinion/hoyt-bio.html.

[25] Clark Hoyt, "Too Close to Home."

What if Israel launched an assault on Gaza and Bronner's son was a foot soldier? When Hoyt posed this question to Keller, the editor responded that he would have no problem with Bronner covering the conflict. He would only consider assigning a new reporter if the son rose to a commanding role. Hoyt worried that this distinction was too fine. So he called David Shipler, the former Jerusalem bureau chief, to get his thoughts.

Shipler observed that foreign correspondents operate in more nuanced circumstances than most readers know. For instance, he pointed out, reporters are often dependent on translators and fixers who have specific political agendas. They also frequently develop friendships with people who become sources. Bronner's son, Shipler suggested, might ultimately prove to be an asset to the paper by opening a conduit of information to the military. "There are always two questions," Shipler concluded. "One is whether there is an actual conflict [of interest]; the other is whether there is the appearance of a conflict."[26] Given Bronner's excellent record, Shipler thought he should keep the post and the *Times* ought to disclose its reasoning.

Hoyt was not so sure full disclosure would remedy the appearance of a conflict. Moreover, the paper's conflict of interest policy stopped well short of articulating a clear set of steps for its editors to follow in this situation. Alex Jones, director of Harvard's Shorenstein Center on the Press, Politics and Public Policy and a former press critic for the *Times*, agreed. "The appearance of a conflict of interest is often as important or more important than a real conflict," he told Hoyt. "I would reassign him."[27]

After he completed his investigation, Hoyt struggled to formulate a position. There were several considerations that seemed to favor keeping Bronner in Jerusalem: he was an excellent reporter; editors had to be careful not to give in to partisans hostile to objective reporting from the region; and it did not seem fair to hold a father accountable for the decisions of an adult son. Yet he was uncomfortable with Keller's decision to do nothing.

Finally, he took a step back from the particulars of the case and tried to view it through the eyes of the reader. The *Times* had sent a reporter abroad to provide disinterested coverage of one of the most explosive conflicts in the world, and that reporter's son had taken up arms for one side. What if shooting broke out? A sympathetic reader, Hoyt thought, could reasonably conclude that Bronner's reporting would be colored by concern for his son. A wellspring of such sentiment could imperil the paper's credibility, a problem that would not only taint its reputation, but also cast impartial reporting from the region into doubt. The *Times*, he concluded, could not afford to take this risk.

Hoyt felt so strongly that he decided to take the rare step of publicly advising Keller to remove Bronner from his post. Given the precedent----setting potential of the case, Hoyt

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[26] Ibid.
[27] Ibid.

sent Keller a draft of his column—which he planned to run on February 6—in which he laid out his investigation and reasoning and invited him to reply.

The Counterargument

Keller strongly disagreed with Hoyt's advice and welcomed the opportunity to respond.[28] The question was: How? Historically, the decision to keep Bronner in Jerusalem would have been an internal and, in Keller's view, straightforward one. He believed that Bronner had covered this most difficult of stories extraordinarily well for over a quarter century. Moreover, he considered Bronner's fair----mindedness to be courageous and a precious commodity for the paper. Finally, he hated the idea of capitulating to the partisans who made the Jerusalem assignment so difficult. But was such an executive evaluation enough to rebut Hoyt? The Internet as global echo chamber had brought the debate into the public square, and in so doing it had raised two questions that transcended the particulars of this case. Keller felt compelled to address both: Where should news organizations draw the line on conflict of interest? To what degree should they factor public perception into their deliberations?

On the first question, Keller felt it essential that the rule book give editors—whose job it was to serve as custodians of the paper's mission—wide latitude in defining and acting on a conflict of interest. This was in part because it was difficult to develop rote prescriptions for conflict of interest cases that were almost invariably multifaceted and involved nuanced considerations: the nature of the reporter's personal or family involvement in a story, the real potential for undue influence, the reporter's track record for fairness, and the risk to the paper's reputation. But he also disagreed with Hoyt about how a paper should define and enforce objective reporting.

Keller believed that reporters always bring their lives, histories, ideas, relationships, and beliefs to stories. He was happy to concede to Hoyt that the first discipline of journalism was to set those aside and follow the facts. However, he also believed that a journalist's life could seep into his work to valuable effect. This had been the case for Friedman in Jerusalem and he could point to several reporters at the paper for whom he believed it was equally true. C.J. Chivers, who was embedded with a military unit in Afghanistan, was a former Marine. Anthony Shadid, a Lebanese---- American, had covered the Israeli invasion of Lebanon for the *Washington Post.* Perhaps the case most analogous to Bronner's was that of Nazila Fathi, the paper's Iranian----born Tehran correspondent. She had been ousted from her native country after the Islamic revolution. To Keller, this made her more qualified to report on Iran because she knew how the government operated. Hoyt, though, seemed to be suggesting that it disqualified her.

Keller must have worried that enforcing a blanket standard of objectivity could have pernicious consequences for the paper and its reporters. Rosenthal was a Zionist.

[28] Source: see case study epilogue for appropriate citation.

Did that compromise him as an executive editor? Bronner's wife was an Israeli whose family had fled persecution in Yemen. Was that so different from his son joining the military? Should black reporters be excluded from writing about racism?

Keller appeared equally troubled by Hoyt's suggestion that public perception trumped reality in conflict of interest cases. Hoyt and his sources agreed that Bronner's reporting remained exemplary. Yet he still recommended removing Bronner from the post. This seemed to imply that serious, fair----minded readers could not distinguish reality from perception as readily as the so---called experts. Such logic, in Keller's view, was not only disrespectful to the paper's readership, but it also threatened to hold the *Times* hostage to a minority of partisans who would use the cloak of the appearance of conflict to deprive the paper of expert journalists like Bronner.

Finally, Keller felt that Hoyt had mischaracterized the very nature of the decision to keep Bronner in Jerusalem. In Hoyt's telling, it was a binary choice between removing Bronner from the beat or doing nothing. To the contrary, the paper's editors were prepared to take several courses of action, ranging from monitoring the son's role in the military to removing Bronner from specific stories in which he was genuinely compromised.

Keller was eager to publish his rebuttal alongside Hoyt's column. But first he had to stop and ask himself how he should construct his argument. Would readers respond to his thesis that a reporter's biography can add to his expertise and intellectual honesty? Or would it add fuel to the argument that the paper's editors were blithely ignoring reportorial bias? Should he use the example of Friedman's personal connections to the conflict in the Middle East to make the point that American Jews were hardly monolithic in their attitudes toward Israel? How about Chivers, Shadid, and Fathi's connections to their beats? Would readers acknowledge their record of excellence? Or would it cast doubt on their work as well? For that matter, was it his job in this rebuttal to advance public understanding of the journalistic mandate to be impartial? Or was it to insulate the paper against further criticism? Pressure was mounting on Keller to answer these questions correctly. The blogosphere was alive with debate about the Bronner decision. Hoyt's column was sure to spark a media firestorm. The paper's reputation was on the line. It was time to stake out a position.