

## Chapter 3: Should Reporting Be Limited During Times of War?

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Pete Williams, an NBC News correspondent based in Washington, D.C., and Victoria Clarke, senior advisor for Communications and Government Affairs at Comcast Corporation – both former Secretaries of Defense for Public Affairs – gave separate lectures on their experiences serving as the chief liaison between the Pentagon and the press. Afterward, both entertained participant questions. An account of their respective presentations follows, along with suggestions for additional reading and research to supplement the associated lesson plan on the topic.

Williams began by promptly diving into the matter at hand, suggesting that on the battlefield during times of war, the interests of the press are not paramount. His insights are drawn from his experiences with the United States' military invasion of Panama; Operations Desert Shield and Storm; and the peacekeeping mission in Somalia.

The contemporary term used to describe reporters' battlefield coverage of the U.S. military's excursions is "embedding," a word Williams considers "unfortunate" because it implies a relationship the press does not wish to convey. Embedded reporters follow and live with a single military unit for the duration of their assignment. Major news networks also assign "independent" reporters to cover military combat from a broader perspective, though their numbers are dwindling. Despite his reservations with the term "embedded," Williams allows that there is a need to keep information flowing from the battlefield via the media in order to maintain public support. In an era of an all-volunteer military, the general public is increasingly distanced from its culture. Today, he contends, in order to maintain public support for foreign interventions, "Going overseas and winning isn't enough."

Williams also holds that it is wrong for members of the military to assume that the press is not to be trusted and that their coverage of conflict is unfair. Reporters play a critical role in asking the tough questions, he argues, and in the process hold the military accountable. This relationship is naturally adversarial given the differences in culture between these respective institutions. However, common ground is attainable in an environment of collaboration.

For example, during Operation Desert Storm, the military struggled with how to report casualty information given that its practices dated back to the Vietnam War. Members of the press attempted to change the compilation process of such data in order to make reporting

more timely. The military made their task easier, too, by releasing a greater amount of information related to casualties and conducting two daily press briefings on this subject and others.

Williams next addressed the age-old question during times of war: Should there be military review of wartime correspondence prior to transmission of information? On this point, he stresses that he is not talking about censorship, merely collaboration. Williams claims that it was widely practiced previously, particularly during World War II and the Korean War. He defends such review on the grounds that commanders have a legal obligation to protect the lives of the men and women under their command.

Moreover, Williams suggests that most reporters who cover war do not have previous military experience. Some of their reporting may have military significance, he contends, and they may not realize this beforehand, thus the need for military review. Ultimately, Williams claims that most reporters travel to places of conflict in cooperation with the military. He argues that military review of their work product is a logical extension of this partnership.

Williams concluded with a claim that the adversarial nature of the relationship between the media and the military changes once reporters interact with troops. He made mention of the renowned book *Four Theories of the Press* published in 1957 by Siebert, Peterson and Schramm. The work addressed the historical, philosophical and international underpinnings of the modern press, and articulated four models of reporting: authoritarian, libertarian, social responsibility and Soviet totalitarian.

Excluding authoritarian and totalitarian models when speaking of press freedom in the United States, Williams focuses on libertarian and social responsibility theories, ultimately siding with the latter. Whereas the libertarian model places responsibility for the discerning of truth and falsehood on the backs of readers, social responsibility theory rests the burden on the media itself. It calls for moving beyond objective reporting, where the press provides analysis, explanation and interpretation.

This meshes well with the overarching theme of Williams' presentation, as he made a compelling case for collaboration between the military and the media despite their naturally adversarial relationship. He ended by holding up the fact that the United States – specifically the Pentagon – and South Korea are the only countries in the world where the press operates in the same building as the military.

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Williams then opened the floor to questions from conference participants. The first asked if the press is engaging in self-censorship and is less objective in its reporting because of embedding. Williams rejected this thesis in its entirety, suggesting that the overall claims about a state of conflict between the military and the media is overblown. Furthermore, the actual military operation on the ground is quite different from popular perception, thus the value of embedded reporters.

A second participant posed a hypothetical question: "Would reporting policies change if war was declared by an act of Congress?" The Korean War, Vietnam War, and the two Gulf conflicts were referenced as undeclared wars. Williams held that changes would be possible, as the military would be given the legal authority to employ censorship. However, he suggested that censorship is probably "untenable" from a contemporary political perspective.

In response to a third question, Williams reflected specifically on the military-media relationship in the invasion of Panama and intervention in Somalia. He remarked that media accommodation in Panama was disastrous and left it at that. In Somalia, he claims that reporters were not stationed at any one place by the military. Instead, they traveled on their own. Williams acknowledged failure in this instance, too, for there was little thought as to how the needs of reporters would be fulfilled.

The final question focused on how news organizations were to find a trusted source on the battlefield. Williams held that it is impossible to speak with both sides when embedded in a military unit. However, many news outlets have bureaus in both warring countries and can supplement their on the ground coverage with the view from afar.

Williams exited the stage and was followed by his eventual successor at the Pentagon, Victoria Clarke. She began with an admission that she panicked when she was first appointed to the position, but heeded the advice of her predecessors, Williams included, who correctly claimed that she would learn more from Pentagon reporters than anyone else. Clarke also found that she was well-staffed during her time at the Pentagon and, without them, felt that she would have been "completely overwhelmed."

Most of Clarke's presentation focused on embedding. As she tackled the issue from day one at the Pentagon, she studied what went wrong in the past and concluded that many of the problems inherent to embedding would never be resolved. Like Williams, Clarke finds a funda-

mental tension between the military and the media, but considers the tension "healthy" nonetheless.

Clarke claims that there is nothing new about journalists going into combat; rather, it has been standard practice since the Civil War. However, embedding in the past, she suggests, was both quantitatively and qualitatively different.

Like Williams, Clarke recognizes that there is no way for the military to conduct combat operations abroad without public support. With this in mind, she used the methodical planning process employed by the military to build the embedding program. It was an arduous process, but Clarke claims it produced "side benefits" like raising the confidence levels of members of the media in the Pentagon. She suggests that the military and civilian military leadership both understood the importance of these undertakings. Clarke hoped that the truth of battlefield developments would emerge and felt that the general public could "handle it." This she felt she owed to the men and women in uniform who were risking their lives on the front lines.

Unlike the previous speaker, Clarke felt that she was more "forward leaning" in terms of media access to military operations. To illustrate her point, she made reference to the controversy involving Geraldo Rivera during the early days of the most recent Iraq invasion. For drawing lines in the sand to reveal troop movements to viewers, he was thrown out of his embedded position, but returned days later upon the request of the battalion he accompanied.

Altogether, Clarke's tenure at the Pentagon spanned the first six months of the Iraq War. During this time, she concluded that the embedding process was working given the few problems it produced. She admits that its effectiveness is still being evaluated by the war colleges, but left her post with the feeling that most of the military leadership she encountered held "healthy and enlightened" attitudes regarding the institution's relationship with the press.

She did make special mention of the Abu Ghraib prison scandal which occurred after her departure. Without any specific knowledge of its uncovering, Clarke feels that more transparency in the operation may have prevented the controversy altogether. Moreover, she made note that General Peter Pace, former Chairman of the Joint Chiefs of Staff, believed that greater transparency in terms of media access to a war's prosecution would help identify the small minority of troops who did not abide by orders.



Geraldo Rivera was temporarily removed from his embedded assignment in Afghanistan after drawing lines in the sand to show U.S. troop positions.

Clarke also fielded questions from the audience. The first centered upon how the Pentagon makes certain that images of battlefield casualties disseminated by the media do not precede family notification. Clarke held that the Pentagon cannot prevent the taking of such pictures or footage altogether, but it can strongly request sensitivity on account of the media in this domain.

A second question related specifically to the embedding process. The participant asked whether there was a feeling among troops that reporters embedded in their unit lack the same loyalty to the cause, making them nervous about their presence as a result. Clarke remarked that comradeship itself keeps young enlistees committed to the cause. The Pentagon took on the role of preparing reporters for their combat coverage, running them through boot camps tailored specifically to this purpose. She admits that there is no way to possibly replicate what takes place on the field of battle, yet feels that it does provide reporters with a flavor of what lies ahead.

The same participant asked a follow-up question: specifically, how does the military control reporters who blog about their experiences in combat? Clarke confessed that blogs were a non-issue during her tenure at the Pentagon. Now, she feels that there is no ready way to control their proliferation today. Instead, Clarke sees a need to establish a working relationship between bloggers and military brass in order to help the former understand the consequences of their writing. She pointed out another benefit of these blogs: they allow reporters' family members to know that they are safe.

Clarke was next asked about an April 20, 2008, *New York Times* story that implicated the Pentagon for hand-selecting former military leaders and training them to disseminate a canned message supportive of the Bush Administration's endeavors through their work as correspondents on network and cable news programs. Also, some of these individuals simultaneously sat on the boards of major defense contractors who might benefit from military interventions overseas. Clarke admitted that she was referenced in the story – indeed she was cited as an early architect of a system to recruit “key influentials” to the cause – but was never contacted for an interview.

Clarke contends that there was a great deal of public apathy about the military in a general sense at the start of the Iraq invasion, and that she made a massive effort to reach out to various constituencies as a result; for example, retired military officials, some of whom were serving on boards of defense contractors. Clarke recalls that several did not support the Bush Administration's policies when they arrived at these meetings.

Currently, this group also includes those who have regular roles as “talking heads” on news programs. Clarke admits that some were not completely honest with the networks they served. Overall, she suggests there has been a great deal of opposition and tough commentary from former military leaders on television. Furthermore, in a holistic sense, she remains a firm proponent of as much public access to the military's endeavors as possible.

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A final question centered on whether the embedding process would eventually include reporters partnering with defense contractors. Clarke responded quickly, "Not in my lifetime." Her explanation drew upon a parallel experience from her time at the Pentagon. Other governments across the world were interested in briefings on the Pentagon's process of embedding; they left feeling it would not work for them, especially when it was couched in terms of the First Amendment. Similarly, she

suggests, corporations have some degree of resistance to such scrutiny. Clarke ended by holding the Pentagon up as unique even among other government agencies in the access it provides to the press.

The sources that follow were either referenced during the course of the discussion about the media's role during wartime or offer additional insights into the subject matter.

### Additional Reading and Research:

Barstow, David. 2008. "Behind TV Analysts, Pentagon's Hidden Hand." *New York Times*. NY: Apr. 20, pg. A.1.

*Crossing Wires, Crossing Swords: The Military, the Media and Communication Technologies*. 2006. McCormick Foundation Conference Series. Available Online: [McCormickFoundation.org/publications/militarymedia2006.pdf](http://McCormickFoundation.org/publications/militarymedia2006.pdf).

Siebert, Fredrick S., Theodore Peterson, and Wilbur Schramm. 1956. *Four Theories of the Press*. Urbana: University of Illinois Press.

# Lesson Plan

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## **Topic: Wartime Reporting and First Amendment Freedom of the Press**

**Critical Engagement Question:** Should the rights of a free press be limited by the U.S. government during times of war?

### **Overview**

A free press plays a vital role in any democratic society by reporting on current events and preventing the government from operating in secrecy. The First Amendment to the U.S. Constitution prohibits the government from abridging the rights of a free press so that it may fulfill this role.

During times of war, however, the federal government has historically limited freedom of the press, proclaiming a need to preserve national security, conceal tactical and strategic military intelligence, or ensure troop safety. The government's obligation to protect American lives and interests has at times been in conflict with the freedom of press guaranteed by the First Amendment. This conflict is drawn into even sharper relief in this digital age, when the press can leverage Internet and global satellite technologies to connect Americans to the frontlines of war.

### **Objectives**

- To promote an understanding of the First Amendment and its role in protecting freedom of the press.
- To enable students to understand the relationship between press and government.
- To provide students with an historical perspective on reporting during times of war.
- To familiarize students with the inherent tension between liberty and security during times of war.
- To help students understand how technology has shaped this debate in recent times.

### **Standards**

NCHS: Era 3, Standard 3B; Era 10, Standards 1B, 1C, and 2D

NCSS: Strands 5, 6, 8, and 10

Illinois: Goal 14, Standards A, E, and F; Goal 18, Standard B

### **Student Materials**

Graphic organizer (Worksheet A)

Internet access or informational handouts on historical topics

### **Time and Grade Level**

Two 45-minute class periods with pre- and post-activity homework.

Recommended for grades 9-12.

### **Warm-Up**

1. Write 'liberty' and 'security' on the board and ask students to define each term. Ask them to brainstorm concepts and phrases associated with each.
2. Lead students in a discussion about the tension between First Amendment freedoms (particularly freedom of the press) and the government's responsibility to protect national security and ensure troop safety during times of war.
3. Define terms such as habeas corpus, sedition, prior restraint, and embedded journalist.

### **Activity**

#### **Class Period 1 (of 2)**

1. Divide students into teams of five for this jigsaw activity. (Computer lab time or informational handouts will be required. Useful Web sites may include Findlaw.com, Oyez.org and SupremeCourtUS.gov.)
2. Each member of a team is to research one of the topics listed below, using Worksheet A to record findings.
  - Alien and Sedition Acts (1798) during the "Quasi War"
  - *Ex parte Merryman* (1861) and President Lincoln's suspension of habeas corpus
  - Espionage Act (1917) and Sedition Act (1918) during World War I
  - *Schenck v. United States* (1919) and the "Clear and Present Danger" standard
  - The "Pentagon Papers" and *New York Times Co. v. United States* (1971)
3. When students have completed their research, each member should report his/her findings to the team. By taking notes on team members' reports, each student should have a complete graphic organizer by the conclusion of the class period.
4. As a class, discuss the important points of each act/case, using the board to construct a timeline of events.

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### ***Class Period 2 (of 2)***

1. Review the timeline and important points of each act/case discussed during the last class period.
2. Lead students in a discussion of contemporary issues surrounding the freedom of the press during times of war. The article “Pros and Cons of Embedded Journalism” at [www.pbs.org/newshour/extra/features/jan-june03/embed\\_3-27.html](http://www.pbs.org/newshour/extra/features/jan-june03/embed_3-27.html) may serve as a touchstone for conversation. Students should be encouraged to explore the tension between freedom of the press and the need for secrecy during times of war.

### ***Extensions***

1. Have students create their own political cartoon addressing the issue of a free press during wartime. Show examples to the students before they begin.
2. Have students write a letter to their local newspaper editor outlining their opinions on the First Amendment, freedom of the press, and the limits (if any) that the government should impose during times of war. Each letter must be typed, at least one page long, citing relevant sources, and should be an outgrowth of the activities and discussions which took place in class.

# Student Worksheet

Name: \_\_\_\_\_

## Wartime Reporting and First Amendment Freedom of the Press

**Directions:** In the graphic organizer below, please complete the column with your assigned legislation or Supreme Court case. Then, share this information with your fellow group members, as you work together to complete the graphic organizer.

	Alien and Sedition Act	Ex Parte Merryman	Espionage Act	Schenck v. U.S.	New York Times Co. v. U.S.
Year:					
What military conflict was the U.S. engaged in at this time?					
What First Amendment issues were at stake? Describe the Act/Supreme Court case.					
What was the outcome?					
<b>Your Opinion:</b> Was the right decision made? Why or why not?					

