Reporting from Baghdad During the Gulf War: Principles for Judgment

William Blakemore

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REPORTING FROM BAGHDAD DURING THE GULF WAR: PRINCIPLES FOR JUDGMENT

WILLIAM BLAKEMORE*

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INTRODUCTION

The Gulf War was the first war in history in which the public came to expect regular daily reporting from an “enemy capital” under fire. This inevitably focused attention on the notion of journalism as a profession. It increased the challenge to a journalist’s professional self-awareness and also tested the professional principles on which foreign journalists in Baghdad would base their work as they reported back to countries that were Iraq’s “enemies.”

Would those principles be the same as principles followed by the journalists in peacetime and at home? Should they be? Or do the exigencies of war somehow justify for journalists some sort of “situation ethics”? How can the professional journalist and the audience distinguish between principled journalism, even when it comes from an enemy capital, and propaganda? Do “journalists” even have the right, or the competence, to draw such distinctions—between principled journalism and propaganda—in wartime when human lives are necessarily at risk? There is a perennial temptation to abuse the techniques of principled journalism in order to gain better ratings without really deserving them—without really having added perspective or understanding, but merely appearing to be doing an impressive job. Is this a temptation that is more dangerous during war? Can it somehow be guarded against? Can journalism, for that matter, even be considered a profession—in any sense definite enough to hold someone’s “journalism” professionally accountable?

Like other international professions such as law and medicine,

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1 During the three-month-long Falklands War (April 2-June 26, 1982) the British audience came to expect regular daily TV reports from the “enemy capital,” Buenos Aires, but, unlike Baghdad, it was not under fire. Other military actions on foreign soil since the advent of instantaneous electronic television news coverage have been too short to call a “war” (for example the U.S. invasion of Grenada, though even there the press was kept away from most of the action) or not directly threatening to large numbers of home troops (for example the U.S.-supported insurgence against Nicaragua’s Sandanista government, or the retreating U.S.-supported regimes in Iran during Khomeini’s Islamic revolution.) Edward R. Murrow’s radio reports from London during the Blitz were, of course, not from an enemy capital. As nationals from a neutral country, American reporters were allowed to cover World War II from Berlin until 1941. ROBERT W. DESMOND, TIDES OF WAR, WORLD NEWS REPORTING 1931-1945 121 (1984). Several Americans (most notably Harrison E. Salisbury of the New York Times) reported from Hanoi during the Vietnam War; although of great impact, these reports were of short duration. PHILIP KNIGHTLEY, THE FIRST CASUALTY 416 (1975).
the international profession of journalism generates among its members and its clients a constantly evolving debate about professional principles and ideals. Judgements, legal or otherwise, made about the professional actions of journalists may need to be informed about journalism's current professional principles and ideals. This article explores some of those principles and ideals, both as they were engaged in the act of reporting to America from Baghdad during the second half of The Gulf War, and in general.

I. THE JOURNALISTIC SITUATION, IN BAGHDAD AND IN GENERAL

When the Gulf War started, a number of large news organizations in America and around the world tried to provide their own coverage from Baghdad. Approximately thirty-five news companies succeeded. The rest pieced together reports as best they could using video, audio, and written news "copy" generated by employees of those news companies that did get in. In other words, whether they liked it or not, Americans had little choice: they and the world were going to be offered daily news coverage from Baghdad during this war. Why?

In the fifteen years since the end of the Vietnam War, global communications technology had advanced to the point that instantaneous "global village" coverage of any major crisis on the planet

* The advent of "global village communications" was the culmination of a 200-year-long technological growth. It can be considered the third technological revolution in the history of human communications. The first was the invention of writing, the second the invention of the printing press. The third technological revolution—the electronic global communications net—can be said to have been finally "born" in 1978. Like the two technological revolutions before it, the electronic global communications net promised to change the means of international diplomacy, the methods of fighting and resolving wars, and the reach and rhythms of mass communications. See generally Jonathan Rowe, All Splendid on TV Gulf War Front, CHRISTIAN SCI. MONITOR, Feb. 14, 1991, at 15 (characterizing Gulf War as television war). In 1978, portable videotape-editing machines were generally available everywhere. Prior to that, most TV journalists sent unedited film to distant editors. This practice was the rough equivalent of what it would be like if a print reporter had to transmit a string of disjointed words or phrases back home to the editor who would then have to join them together as seemed best. The capturing of electricity 200 years ago might be said to be the "conception" of this third technological revolution in the history of human communications, the development of telegraph, photography, movies, sound recording, radio, and television, its "fetal growth"; and the advent of spaceflight, communications satellites and undersea fiber-optics, and international direct-dial telephones, its "labor pains." Single words for "writing" and "printing" seem not to have been established immediately upon their respective inventions, and it seems still too early to know what single word we might use for this third revolution, which gives us the capacity for "eyes-and-ears-for-everybody-anywhere-at-anytime"—too long a name to stick, but not unlike some of the first clumsy German constructions attempting to label what we now call simply "printing." One can play...
was possible and even taken for granted by many populations. In the quarter century since the advent of geostationary communications satellites, many countries on the planet had been sharing with each other their news video and its attendant verbal “voice-over” copy on a daily basis. Because the video and its natural sound need no translation, and voice-over words can be rendered useful with a quick and inexpensive simultaneous translation, the TV news “spot” was far more widespread and much more intercultural from the very beginning of “satellite communications” than was generally realized. Yet a number of Americans chafed at the notion of American reporters sending daily news coverage from Baghdad during the war. Some, perhaps, remembered only that in the Vietnam War—the last sizable “war” America had fought—the only American “journalists” in the enemy country, North Vietnam, were, with very few exceptions, occasional independents or anti-administration extremists. The notion of American reporters in Baghdad may have seemed especially wrong for such Americans, particularly if they were also among those for whom the Gulf War finally provided a welcome opportunity to redress the unfair American vilification of American soldiers returning from the Vietnam War. But, in general, Americans objecting to reporting from Baghdad seemed to believe it could somehow be harmful to American military efforts and that such reporting could be used by Saddam Hussein for anti-American ends.

The notion that television coverage, and any kind of mass media coverage, can somehow have great effect on public opinion in wartime, or anytime, is of course not new. For many, it seems to be a truism. In World War I, the generals on both sides of the Battle of the Somme went to great pains to block from all populations, for some three or four weeks, the written news reports of that battle with words like “globenet” or simply “net,” but there’s no way to outguess the linguistic and probably planetary impulse that eventually label this new reality in some handy way. See Richard Zoglin, The Global Village, Time, Jan. 28, 1991, at 69 (world is limited globally through satellites and electronic networks).

During an interview for ABC’s 20/20, Barbara Walters asked General Norman Schwartzkopf how he felt about journalists reporting from Baghdad during the Gulf War and whether it was “helpful” to have American journalists in Baghdad. General Schwartzkopf responded that some of the reports, by emphasizing civilian casualties, perhaps implied intentional targeting of civilians by Coalition forces. This, he said, generated resentment in the headquarter’s staff and “still bothers [him] a great deal.” 20/20: America’s Hero; Your Tax Dollars at Work (ABC television broadcast, Mar. 15, 1991), available in LEXIS, Nexis library, Script file.
tle's ludicrously immense carnage. Some modern commentators believe that this news might have drastically altered the course of that battle, if not of the war itself. The international journalist and commentator, Alistair Cooke, has suggested that if there had been modern television news coverage—of the kind we became accustomed to during the Vietnam War—at the Battle of the Somme, then World War I might have quickly become insupportable.4

Some argued that a similar suppression of the news of war's horrors would have been virtually impossible in 1991, claiming that the "global village" effect was simply too pervasive. With more than a hundred nations generating war coverage in one way or another, and virtually every nation wanting to broadcast it, it was argued that news that somehow got out anywhere would soon be broadcast all over the world—even (as we did observe) within tightly controlled countries like Iraq where people listened throughout the Gulf War on their transistor radios to Arabic language broadcasts from the Voice of America, the BBC, and other pro-Coalition stations. But the international coverage of this war demonstrated that, however inevitable the end of the suppression of news of the horrors of war might be, such a triumph of global perspicacity is yet to come, at least in any comprehensive form.

Suppressing news from the Iraqi side during the war would apparently have been easier than from the Coalition side, had Saddam Hussein so chosen. He apparently had the political power to block most, if not all, outgoing news, but for some reason he did not want to. Saddam, like the Coalition leaders,5 chose to allow a limited kind of coverage. Like the controllers of Coalition-side cov-

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4 See Alistair Cooke, The Americans 47 (1979). Cooke asks: Had the British population viewed the opening night of the battle, would they "have simply shaken their heads and gone off to the railroad stations to wave their boys off on the troop trains?" Id.; cf. Martin Middlebrook, The First Day on the Somme 253 (1972) (first day of battle, July 1, 1916, can be described as "the most tragic day in the war" for Britain). British casualties were approximately 62,000 on the first day; about one half of the men of the 143 attacking battalions had become casualties. Id. Press revelations in Britain were credited with ending the ineptly handled Gallipoli campaign in World War I. See Knightley, supra note 1, at 100-06.

5 The American military leadership's long-planned-for success in blocking much of the news of war's horrors that might have been reported from the Allied side has been discussed elsewhere and was not directly experienced by this correspondent because I was reporting from Baghdad. For an explanation of the long planning that led to this media control, see William M. Hammond, Public Affairs: The Military and the Media 1962-68 (1988). Among the few reports which did reveal horrors of the Gulf War are the Pulitzer-Prize-winning articles of Patrick J. Sloyan, whose address, Press Restrictions During the Gulf War: "Hail Fredonia," appears in this issue, 66 St. John's L. Rev. 649 (1992), and John R. MacArthur's book, Second Front: Censorship and Propaganda in the Gulf War (1992).
verage, Saddam and his media advisors allowed little or no depiction of casualties among military combatants. Journalists on both sides failed, with rare exception, to circumvent this imposed restriction. As a result, very little of the Gulf War’s carnage and human suffering was seen from either side.

Given that we now know there was great human suffering in this war, it might be said that (to use an appropriately ironic military metaphor) the Gulf War was, therefore, American broadcast journalism’s “Vietnam.”

Once again, as at the Battle of the Somme, the national leaders, on both sides, blocked public contact with those aspects of the military action that might awaken public emotions such as horror, revulsion, and human sympathy. An exception, however, occurred when it involved the death or suffering of their own civilians or civilians of allies—specifically, the Baghdad victims of the Amariya Shelter bombing, and the Israeli victims of SCUD missile attacks.

However, media advisors on both sides seemed to know they were playing a public relations game that was drastically different from the one played by leaders in previous wars. The White House seemed to believe that this had to be a short war, that the global public’s tolerance for the violence of war, at least when prosecuted by the world’s most powerful nations, was probably much shorter than it had ever been in the past. Washington’s careful and forceful response to the many civilian deaths in the Amariya Shelter bombing, as discussed below, was one sign of this concern. Sad-dam seemed to have a similar belief about a newly shortened global tolerance for war; it may have been one reason he was able to publicly count every day his forces held out against the Coalition to be a day of “victory.”

But why might the public tolerance for the violence of war have been shorter than in the past? I suspect that it was shorter, for at least two reasons. The first was the implications, evident to humans everywhere, of the new global communications net, the ex-

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6 This opinion, though little tolerated among American broadcast journalists in the emotions of the immediate post-war period, has begun to be somewhat more common eighteen months later. Even so “mainstream” a publication as The New Yorker commented on the institutional passivity in American journalism. The Talk of the Town, The New Yorker, Aug. 24, 1992, at 24. “The press is shocked not to find itself invited along. Eventually, the Pentagon softens slightly, and reporters are escorted by military officials to observe carefully selected portions of the battle area.” Id. See generally MacArthur, supra note 5 (reporting failure of American journalists to report on human suffering of the Gulf War).

7 See infra pt. II.B.1.
istence of which seems to imply that we can all communicate now and should thus be able to avoid the misunderstandings that seem to lead to war. The second was the implications of the concomitant emergence of a new international profession that might be termed "objectivistic" journalism—a journalism which professes to strive for ever greater perspective and ever improving objectivity and would thus portray war more realistically and so make war less palatable. The implications of both are surely that reason could prevail. Whether or not this suspicion is correct, it is vital for any discussion of the principles of modern professional journalism that it recognize not only that "the profession of journalism" has taken on this "objectivistic" challenge, but that it has done so only recently—within the past sixty years.

The decades that saw the arrival of the new "global village" communications also saw the parallel development of a new profession of communications—modern professional journalism. This new and international profession generally values objectivity and perspective as ideals while recognizing that total or perfect objectivity or perspective is never possible.

The clearest metaphor for depicting this objectivism is perhaps that in the classical story of "the blind men at the elephant": a good journalist expands on the picture of the world that the audience previously held; thus, all journalists are like blind men at an elephant, no one bringing back the same description of what the elephant (or the world) is. One blind man may say an elephant is like a snake; another, like a spear; another, like a banana leaf—or a tree trunk, or a boulder, or a big brush; but the elephant is real, and that is why a wide variety of news sources, of "blind men," is healthiest for any society, local or global.

The parallel developments of "global village" communications and of objectivistic journalism were paralleled also by developments in the philosophy of science that explain how this new system of objectivistic professional goals for journalism might work—how the genuine expansion of perspective, which does occur through good journalism, is able to occur.

A. **Journalism—A Young Profession**

In his seminal study, *Discovering the News: a Social History of American Newspapers,* 9 Michael Schudson discovered that it was not until the 1930’s that either the public or journalists themselves expected journalists to pursue an ideal of objectivity. Up until the 1930’s, it had been assumed, by journalists and readers alike, that journalists were advocates and propagandists, paid to promote the interests of the various private parties who owned the newspapers.

B. **Objectivistic Journalism Does Not Require the First Amendment**

These newly developing ideals of objectivity in American journalism may, to a certain degree, have been inspired by the United States Constitution’s First Amendment guarantees of freedom of speech and of the press; 10 but it is important to note that these ideals of objectivism do not require a legislated freedom of speech, however much they may welcome it. Some of the greatest acts of journalistic profession have occurred in countries with the most oppressive governments. Harvard’s Professor of International Law, Roger Fisher, has a memorably inverse remark about all this. He is fond of saying to journalists that “The First Amendment allows you journalists to make fools of yourselves, but it doesn’t require you to make fools of yourselves.”

The point is that our modern vocation does not gain legitimacy as a profession from the First Amendment, however thankful we journalists are for that amendment. In fact, if a journalist is leaning a great deal on First Amendment rights, it can be a sign of weakness in that journalist’s professionalism: a professional assumes the right of free speech and does not wait to be given it. He or she may well fight explicitly for the right of free speech on occasion, but all acts of journalistic profession are an assertion of that right and an implicit declaration of it.

I believe that a journalist can only gain legitimacy as a professional through acts of profession. A journalist’s acts of profession

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10 U.S. Const. amend. I.
are a kind of promise to the public. The constant fulfillment of that promise maintains or increases the journalist’s professional legitimacy. In journalistic language we call this professional legitimacy “credibility.” Credibility is all any journalist can ever offer an audience, and credibility is as close to a guarantee of truthfulness as anyone, journalist or recipient of journalism, can ever get. Truthfulness is all that an objectivistic journalist can hope to achieve—the attitude of genuinely trying to work toward more objectivity and more perspective for the audience. Absolute truth and total perspective are understood to be impossible for any one person or group of people.

C. A Definition of “Profession” as an Existential Promise

The meaning of “profession” and notions such as professionalism, degree of professionalism, and professional, are much debated. Why? I suspect it is because the most common definitions of professionalism are inadequate, and sometimes even obscure true profession, so we feel a general unease about the notion.

True profession, surely, cannot finally be determined by whether a person has a diploma or a license of some kind, nor by whether a person accepts money for doing a certain thing. These criteria may be hints that a person might be a true professional, but they can also be used as covers for a lack of true profession.

The word “profession” stems from the Latin professio, meaning declaration, and, at its core, any true profession is indeed a declaration, a definite statement—a kind of promise to try out the usefulness of what it has risked stating definitely. A true professional promises the public that he or she will be there, day after day, trying to do a certain thing—heal bodies, or wrangle through law courts, or fly planes successfully. To put it in more existentially sensitive terms, a professional says, in effect, you can count on me, in the midst of the whirl and confusions of your own life and of the world, to be here, whenever you might need, trying to do this one specific sort of thing. A professional journalist says, in effect, I promise that I will be here every day (or every deadline) trying to make some descriptive sense out of things, to report, to clarify, to add perspective, and to be interesting.12

This definition of journalistic profession generally matches Michael Schudson’s definition of the modern objectivity-seeking journalism—which he shows did not exist for the mass media in America until the 1930’s. This definition of journalistic profession also generally matches what the modern philosophy of science has shown to be the activity of successful scientists.

D. Journalism and the Philosophy of Science: “Just The Facts”
Inductivism Discredited by the “Hypothetico-Deductive” Insight

There is an old conundrum still circulating in journalism schools and news rooms: is it the journalist’s job to give the audience what they want to hear about, or to give them what the journalist thinks they ought to hear about? The answer, surely, is neither. It is rather the journalist’s job to try, at each deadline, to give the people in the audience what they did not know they would want to learn until they learned it. That may sound awkward, but there is no other way to say it. To give them what they think they want to hear is, by definition, not really news, and to give them what you think they ought to hear about is, by definition, propaganda, at least of a personal, intellectual kind.

Of course, what they think they want to hear about, and what you think they ought to hear about, may be helpful hints for the journalist looking for real news, but they are never more than hints. There is never an absolute guarantee that what you present at the next deadline will, in fact, be something the audience then agrees that they did not know they would want to know, but are glad now that they do, or at least be something they then agree they needed to learn.

This definition of the journalist’s task is not as problematic as it may at first seem. Many journalists are driven, or believe they are driven, by a desire to give the audience what the audience ought to know. Yet the journalist still needs to win the audience’s agreement with each report that something about which the audience needed to learn was indeed conveyed. And many news stories tend to “assign themselves” because of an obviously common notion of, for example, safety. If an invading army is rolling down the highway from Alaska to take over the lower forty-eight states, it is a good bet that most viewers will, upon seeing a report of it, agree that it was indeed something they did not know that they needed to learn, but now that they have, agree that they needed to learn
There is also a natural inclination in humans to want to hear what they think they generally know about as opposed to what is genuinely new and therefore representative of change. All significant change is frightening because change brings the unknown; humans, and all successful animal species, have naturally evolved cautionary responses to and a healthy fear of the unknown. Significant "news" always involves significant change, so even "good news" has a potential to frighten, at least at first, simply because it is about something previously unknown.

Alongside the healthy fear of the unknown, of course, all living creatures have also evolved the equally vital instinct of curiosity—the desire for "news," whether it be news of a new food source in the forest, a new immigration of competitors, or a new energy source in outer space. However, not only the audience, but the editors and the correspondents themselves, can never fully escape the desire to confirm calming presuppositions about the world.

Especially when thinking about journalism in war, it is important to note that, ironically, for people who have suffered repeated oppression, the most psychologically calming news may sometimes be news that the world is still as violent or evil as they have either experienced it being in the past or developed the take-no-chances habit of presuming it to be.

But however great the natural inclination to want the security of knowing what the news is, there is, by definition of the word "news," no way of knowing what is news until it has been reported. "News," in this sense, happens nowhere except in the minds of its audience.

Sometimes people are fooled, or fool themselves, into thinking that they have learned news when they have in fact been given only confirmations of what they previously believed to be reality. Such confirmations may, of course, sometimes be not only accurate, but reasonably comprehensive, and, in such cases, the news is that nothing has changed, which by itself can sometimes be important information—be "news." But even when it is important to know that previous perceptions may still serve, there is a danger that this knowledge may mask other important news about how things have changed, or divert the audience from additional perspectives that show how things have all along been also different from what the audience and journalists had thought.

Journalism works at the frontiers of perception (and therefore,
in a sense, at the frontiers of legality) or it is not journalism; it cannot be done in a paint-by-numbers fashion. The mere act of "keeping stories fresh"—that constant and proper editorial requirement which simultaneously keeps journalism worthy and consumers interested—necessarily involves pushing at accepted category lines and reexamining theories, even single words, that had been used to fix realities the day before.

How do journalists actually keep stories fresh? How do they actually find out things that are genuinely new, and interesting, and true, and worthwhile? Not, as it turns out, in the way many of them apparently think they do—by "just reporting the facts." Many journalists who have thought they worked that way have been, nonetheless, excellent journalists; it is just that they did not quite realize how they did what they did—as the modern philosophers of science can explain. These philosophers have found that many fine scientists had made the same "just the facts" mistake when trying to explain how they did what they did.

The common questions here, for scientists and journalists alike, and even for artists, are: How do you go about discovering something genuinely new (and therefore interesting and publishable or ratings-worthy)? and: How can you tell when you have discovered something genuinely new?

Both scientists and journalists, it seems, have made the same mistakes in answering these questions because both have believed in what philosophers of science call "the inductivist fallacy"—the belief that you learn something new by "just gathering the facts," and that you tell you have learned something new by determining whether you had "just gathered the facts."\(^\text{13}\)

E. Sir Karl Popper's Importance for Both Science and Journalism

In the autumn of 1919, in Vienna, Karl Popper began to grapple with a question that would lead him to make a vital contribution to the modern philosophy of science.\(^\text{14}\) Karl Popper asked

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\(^{13}\) This is one mistake of which artists, for all their foibles, have usually not been as guilty as scientists and journalists. Artists have generally been readier to acknowledge that the facts they gather for their form of truth-telling are not absolutes of nature untainted by the searcher's limited view; artists, certainly including the greatest, have more publicly acknowledged the subjective and intuitive aspect of their fact gathering.

\(^{14}\) As in philosophy and science, so in journalism: it is often the asking of the right new question that leads to what we later realize to have been a real "journalistic" breakthrough.
"'When should a theory be ranked as genuinely scientific?' or, 'Is there a criterion by which we can measure the scientific usefulness or quality or status of a new theory?'

This query led Popper to what he called his "Demarcation Theory". Popper used this theory to demarcate the boundary between scientific theories of real value and those that, after all, were of little real use—which were not very "interesting," to use a word common to both scientists and journalists. Such a demarcation theory for journalism could suggest which stories have real journalistic value or usefulness, and which do not.

Popper pointed out that scientists were using fallacious, circular reasoning whenever they claimed that a theory was necessarily right because the method used to reach it was "correct" ("I just gathered the facts"). Scientists do at times discover new principles about the physical universe, principles which presumably were true even before they were discovered, but for scientists to claim the principles are true because of how they arrived at them can make no real sense; if that were so, then finding new truths about the universe would be a rather mechanical process—just keep correctly "gathering just the facts." The anecdotal history of science, however, provides abundant evidence that scientific discovery has not been a mechanical affair. Instead, it has been full of astonishing stories from scientists about "little voices in the head" and accidental spills, strange dreams, and quirky suggestions from ignorant people in the street, each leading to some critical breakthrough and successful new theory.

But when asked formally to explain their discoveries, scien-

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15 Karl R. Popper, Philosophy of Science: A Personal Account, in British Philosophy in the Mid Century 155 (C.A. Mace ed., 1957). A clear and comprehensive short explanation of Popper's breakthrough is his own autobiographical account. Id. at 154-91.


17 Popper was not the only philosopher to make this and other observations reported here. But he was the first to fully systematize this "hypothetico-deductive" view of how science works—which is not a prescription, necessarily, for how scientists ought consciously to go about doing their science.
tists, Popper observed, were likely to claim that they worked “inductively,” that they started by gathering the “facts,” which they then assembled into patterns, then axioms, and finally, by a sort of pyramid construction, arrived at a crowning single theory that explained all the “facts” below it and, quite probably, many other facts like them.

Popper found many problems with this explanation. Not only was it suspiciously circular, it did not explain how it was decided what a “fact” was. And just how did such a fact actually lead to a theory? The really useful discoveries and theories not only seemed to be in no way implied by any previously known facts, but they usually produced, and relied on, new, previously unknown “facts.” The more he examined all this, the more Popper came to appreciate how amazing it is that scientists actually come up with new ideas and new theories about the universe and, even more amazing, that some of these ideas actually prove to be good ideas—to be right!

Popper, leaving aside the question of how scientists come up with ideas that are not only new but right, worked to define how we might tell which new theories are more likely to be right (or useful or interesting) and how we might distinguish them from those that are not. In general, his demarcation theory established the following:

1. Confirmation of a theory does not help determine a theory’s rightness, unless it is a special, “high risk” kind of confirmation.
2. New good theories do not disprove or replace old ones, but rather absorb them, expand upon them, and explain even more about the universe than was known before; they increase our perspective on the universe. Einstein’s findings did not displace or disprove many of Newton’s, nor Newton’s many of Ptolemy’s. Rather, each generally improved on those preceding.
3. New good theories were stated in terms so definite that it could easily be imagined how one might refute them—each was clearly “refutable.”
4. A new theory would retain high scientific status so long as it was clearly refutable and yet remained unrefuted in spite of repeated serious attempts to do so.
5. A new theory gained high scientific status if it also predicted events or observations that scientists would otherwise not expect. For example, Einstein predicted that light from a distant star would be attracted by the gravity of large bodies such as the
sun. Scientists did not expect this, but when a solar eclipse allowed them to observe that the light of a distant star was displaced against the background stars exactly as Einstein had predicted, scientists believed his new theory might well be true, or at least "truer" than Newton's had been. This same experiment would also have refuted Einstein's theory, or at least tended to refute it, had the light not curved around the sun. In any event, it cannot be said that Einstein's theory was definitely confirmed in this way, because scientists cannot be absolutely certain that the displacement of the starlight, however unexpected, was not caused by some other still unknown force.

6. Accordingly, Popper recognized that science never deals in absolute proof or absolute truth. (These are concepts that belong, in any absolute sense, only to mathematics and formal logic). Rather, science is a sometimes loose, collective enterprise, which, at its best, improves on what we knew before; it increases our perspective about the physical world, or, at least, improves the apparent usefulness of our growing, or at least changing, knowledge about it.

7. Essential to all the above is the recognition that there is no such thing as "the simple facts." A person cannot focus on a "fact" without first making or accepting assumptions—at least unconsciously. Popper calls these assumptions "observation hypotheses." An astronomer has to make or accept various assumptions about telescopes before beginning to consider the "facts" they turn up. There must be also hypotheses determining which "facts" are likely to seem important or relevant. Assumptions, or "observation hypotheses," always have to be made or accepted about where one "fact" leaves off and another begins. The apparent fact that the human brain may be predisposed to discern various sorts of phenomena as discrete "facts" would not lessen the point: those would be the brain's own "observation hypotheses."18

In summary, a scientific theory can be said to have high scientific status if it is "high risk" both in the sense of being refutable and in the sense that it predicts what previously was not expected. Expected confirmations do not mean much nor show anything new about the universe. New science improves on the perspective given to us by old science, and all science is dependent on observation hypotheses of some kind.

18 See supra note 16.
Popper called this exposé and replacement of the fallacy of inductivism the "hypothetico-deductive" view of science. New hypotheses are somehow reached; they are then granted status after passing tests to determine not only if they are refutable (a journalist might say "stated in good clear definite language") but also if they produce some surprising deductions, such as that a star’s light will bend around the sun.

Or, in journalistic terms, for example, that a close journalistic examination of certain phone records would reveal disturbing deceptions in the White House, as happened in the Watergate scandal. The point is that journalism is no less a hypothetico-deductive enterprise than is science, and that it can be dishonest for journalists not to admit it. Interestingly, a major hypothesis that the Watergate journalism seemed to prove—that Richard Nixon should leave office—is no less susceptible to being improved upon (and even partly disproved) than was Newton’s hypothesis of a linear and exact universe—a hypothesis that seemed unshakable for two centuries, until Einstein.

All the above discoveries about the hypothetico-deductive nature of science are no less revealing for modern, objectivity-pursuing journalists than they are for scientists. A good journalist always makes sure, somehow, that both he and his audience can tell what his observation biases are. Good journalism has no hidden agendas. In fact, good journalism can be generally described as the bringing into the open of hidden agendas of various kinds—both in the world and in the journalist.

In contrast, propaganda can be partly defined as a kind of pseudo-journalism that keeps its advocacy—its observation biases—hidden. The importance of "body counts" was taken for granted by journalists in the early years of the Vietnam War, but it eventually proved to be an "observation hypothesis" that itself deserved critical attention: the number of dead in Vietnam was not

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19 There is a sense in which the best new journalism and the best new science produce not only new theories or stories out of the old ones, but new observation biases as well. This can help explain Thomas Kuhn’s notion of “paradigm shift.” See Thomas S. Kuhn, THE STRUCTURE OF SCIENTIFIC REVOLUTIONS 43-51 (2d ed. 1970). It can also help describe why good journalists experience what might be called “the third week effect” when covering wars—along about the third week in a war you begin to realize that many of the basic presumptions with which you came into the war, even pertaining to who the combatants are, are woefully inadequate; reality starts working in your mind to enlighten it. Richard Wilbur’s poem Mind (which I first came across pinned to a bulletin board in a university science building) speaks directly to this common aspect of science, journalism, and art:
leading to much new (much less accurate or honest) insight or perspective, as some journalists at first thought it might.

One way of defining sloppy or second rate journalism is to say that it is journalism that is careless about choosing and using its observation biases and disregards the necessity of making them clear. The best journalistic work produces “high risk” reports that are refutable and that predict (at least in the story assignment process), then produce, findings that people otherwise would not have expected. (This is a way of describing partly what journalists mean by “a good story.”)

But Popper’s demarcation guidelines for telling a good scientific theory (or piece of journalism) from a useless one still leave unanswered the question of how you actually go about producing such theories (or reports). Karl Popper realized that you can not first decide to have a certain good idea and then have it. Einstein did not plan to discover his theory of general relativity the next afternoon and then do so.

How do you go about having not only new ideas but good ones, ideas (or news reports) that would expand our knowledge and understanding of the world? Some might at first consider this a frivolous question for a journalist, arguing that it is enough, once you have had ideas, to be able to differentiate the good ones from the bad. This argument is palpable nonsense; every good professional journalist (or scientist or artist) has his or her own running rumination on how to do the job well, not merely how to tell when he or she has done it well. There is every reason to believe that without these ruminations good journalism (or science or art) would not happen. Journalism is a consciously willed and at least partly di-

MIND
Mind in its purest play is like some bat
That beats about in caverns all alone,
Contriving by a kind of senseless wit
Not to conclude against a wall of stone.

It has no need to falter or explore;
DARKLY it knows what obstacles are there,
And so may weave and flitter, dip and soar
In perfect courses through the blackest air.

And has this simile a like perfection?
The mind is like a bat. Precisely. Save
That in the very happiest intellection.
A graceful error may correct the cave.

RICHARD WILBUR, NEW AND COLLECTED POEMS 240 (1988).
rected craft. It does not happen automatically. In fact, conversations of one kind or another about the theory and principles with which we work are constant and common among journalists, not spurred only by crisis such as wars. Such conscious thoughts about our craft are part of what make it possible for us to see “journalistically” at all.

But in the end, Karl Popper seems not to have concerned himself much with the question of just how good new ideas arise. Sir Peter Brian Medawar, however—a medical researcher in Britain who studied the philosophy of science after winning the Nobel Prize for his work in immunology—followed the ramifications of the mysterious sources of good ideas and in doing so he provided an answer for those scientists, and journalists, who, accepting Popper’s insights, might then be asking: “Well, if I didn’t get my good ideas by induction, by just reporting the facts and pulling them together, then how did I get those good ideas?”

F. Sir Peter Brian Medawar’s Importance for Both Science and Journalism

In April, 1968, at the University of Pennsylvania, Sir Peter Brian Medawar delivered a series of lectures on the philosophy of science. He concluded by making the following observation about how ideas that are both new and good are formulated:

That “creativity” is beyond analysis is a romantic illusion we must now outgrow. It cannot be learned perhaps, but it can certainly be encouraged and abetted. We can put ourselves in the way of having ideas, by reading and discussion and by acquiring the habit of reflection, guided by the familiar principle that we are not likely to find answers to questions not yet formulated in the mind. . . .

. . . The scientific method is a potentiation of common sense, exercised with a specially firm determination not to persist in error if any exertion of hand or mind can deliver us from it. Like other exploratory processes, it can be resolved into a dialogue between fact and fancy, the actual and the possible; between what could be true and what is in fact the case. The purpose of scien-

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20 See Paul J. LeBroy, Michelangelo’s Models 12 (1971). One notable example is Michelangelo, whose voluminous letters to his family reveal a constant exploration of his craft and creativity. Id. Such continuous examinations of craft and art are no less common among successful teachers, doctors, lawyers, architects and other professionals.
Scientific enquiry is not to compile an inventory of factual information, nor to build up a totalitarian world picture of natural Laws in which every event that is not compulsory is forbidden. We should think of it rather as a logically articulated structure of justifiable beliefs about nature. It begins as a story about a Possible World—a story which we invent and criticize and modify as we go along, so that it ends by being, as nearly as we can make it, a story about real life.²¹

Professional journalists may find it exciting that the very last words with which this eminent scientist and philosopher of science ends his summation of the scientific endeavor are words with such a journalistic ring—"a story about real life." There are other phrases in these Medawar paragraphs which will also sound familiar to the professional journalist: "a specially firm determination not to persist in error" and "a dialogue ... between what could be true and what is in fact the case."

It has perhaps been less recognized by journalists about their craft, than by Medawar about his, that all we can ever do is begin with "a story about a Possible World—a story which we invent and criticize and modify as we go along" but that is the case. We are all blind men at the elephant, and none of us is perfectly articulate.

Medawar's major contribution to the debate was the recognition of the reality and studiability of "intuition"—which, in the above passage, he also calls "creativity"—and the realization that there are certain proven ways in which we can "put ourselves in the way of having ideas."

Where Medawar says a scientist might read, discuss, or form questions, or acquire "the habit of reflection," so might a journalist who is looking for good ideas. Journalists, in fact, have a wide range of habits with which they get themselves "in the way of having" good journalistic ideas. One of them is simply to go somewhere where the journalist feels or thinks there is likely to be a good "story" and get busy trying to focus attention on it.²² If it is real news, you can not be sure what it is until you get there, but your professionally developed and nurtured intuition may guide you.

²¹ Peter B. Medawar, Induction and Intuition in Scientific Thought 57-59 (1968).
²² Medawar's words about "reading, discussing ..." and so forth might help explain to non-journalists why one of the three words that the American Society of Professional Journalists has chosen to put on its coveted journalism award (alongside the words "talent" and "truth") is "energy."
Medawar finally makes accessible (for scientists and journalists alike) the apparently frightening "intuition" that Popper's hypothetico-deductive view of science seemed to posit (though Popper could not bring himself to talk much about), and which good journalists have always known, somehow, was one of their most vital professional qualities—"a good journalistic gut." (Again, as the bracketed additions will indicate, for every instance of the words scientist, science, etc., one might read the words journalist, journalism, etc.):

The major defect of the hypothetico-deductive scheme, considered as a formula of scientific behavior, is its disavowal of any competence to speak about the generative act in scientific enquiry, "having an idea," for this represents the imaginative or logically unscripted episode in scientific thinking, the part that lies outside logic. The objection is all the more grave because an imaginative or inspirational process enters into all scientific or journalistic reasoning at every level: it is not confined to "great" discoveries, as the more simple-minded inductivists have supposed.

Scientists are usually too proud or too shy to speak about creativity and "creative imagination"; they feel it to be incompatible with their conception of themselves as "men of facts" and rigorous inductive judgments. The role of creativity has always been acknowledged by inventors, because inventors are often simple unpretentious people who do not give themselves airs, whose education has not been dignified by courses on scientific method. Inventors speak unaffectedly about brain waves and inspirations: and what, after all, is a mechanical invention [or a journalistic report] if not a solid hypothesis, the literal embodiment of a belief or opinion of which mechanical working [or editorial accountability and audience interest] is the test?

Intuition takes many different forms in science and mathematics [and journalism], though all forms of it have certain properties in common: the suddenness of their origin, the wholeness of the conception they embody, and the absence of conscious premeditation. The four examples I shall give are not meant to be exhaustive or mutually exclusive.

(a) Deductive intuition: perceiving logical implications instantly; seeing at once what follows from holding certain views. . . . [Perceiving at once, for example, that if the American government had wanted to help Ayatollah Khomeini into power to replace the ailing Shah, then it might well have organized an orderly scheduled retreat of American interests from Tehran in the months leading up to Khomeini's arrival there—something
which journalists could check into.)

(b) The form of intuition which, unless we are to abandon the word altogether, might as well be called inductive: thinking up or hitting on a hypothesis from which whatever we may wish to explain will follow logically. This is the generative act in scientific discovery, the invention of a fragment of a possible world. . . . [Such as (again to use Watergate) the hypothesis that the Watergate burglaries and related irregularities all stemmed from a pattern of conscious deception in the White House.]

(c) The instant apprehension of analogy, i.e.[,] a real or apparent structural similarity between two or more schemes of ideas, regardless of what the ideas are about. . . . [The observation that the managerial methods with which the Thatcher government kept journalists from covering the action of the Falklands War were similar in some ways to the methods with which the U.S. restricted coverage on the Saudi side of The Gulf War. Or, the journalistic observation that suburban students sometimes do poorly in school for the same reason that their counterparts in inner cities do—parental neglect. Or, the observation that audiences sometimes give closer attention to well-reported foreign disasters than to routinely reported domestic ones for the same reason that they pay more attention to seat-belt safety TV ads using wooden dummies than they do to such TV ads showing real bodies—foreign places and wooden dummies are less threatening to identify with.]

(d) . . . For an experimentalist the most exciting and pleasing act in science is thinking up or thinking out an experiment which provides a really searching test of a hypothesis. We recognize the intuitive element in such a process when we speak of experimental flair or insight . . . . [--Such as an assignment editor might use when thinking up a really good way to cover a breaking story about which people are already beginning to form all sorts of unfounded opinions.]23

All these forms of intuition, and others, occur constantly in the thought processes of journalistic activity. For a journalist to disavow this and claim rather that his thoughts are somehow the consciously produced result of some sort of strict and controlled logic would be ridiculous. Experienced journalists know that, if they do their job well, they will necessarily find even their most basic beliefs about a story susceptible to change. It is not uncommon for a correspondent to go into a major story with one set of

23 Medawar, supra note 21, at 55-57 (footnotes omitted).
beliefs about what the story is, and even who the major players are, and find three weeks or three months later that his evolving insights present him with a very different understanding of the elements of the story.

But none of the above directly addresses the question, often depicted as a thorny problem, of the role of “entertainment” in journalism.

G. The Fallacy of “The Entertainment Problem” in Journalism

It is often argued, erroneously, that journalism fails in its professional duty when it somehow gives in to the “temptation” to be entertaining, as if entertainment were somehow a frivolous or anti-objective or anti-thoughtful phenomenon. Sometimes there seems to be a pro-dullness bias in such comments, as if any “serious” or genuinely “responsible” news product would necessarily have to be dull, and conversely that the more “entertaining” or even “interesting” it is, the less serious it must be. Most disappointing is the tendency of professional journalists to use the fallacy that serious news is not entertaining as an excuse for their own failure. It does indeed require very hard work to produce something that the audience “didn’t know they would want to learn until they learned it,” something that is entertaining in the way news must be in order to be news. In a journalist, an elitist attitude (at least about literacy) or a complacent one fosters the belief that if the audience did not get it, it is the fault of the audience. But this is antithetical to our profession, which promises to be there every deadline trying to clarify issues and actions in such a way that the audience members will feel, once they have heard the news, that it is worthwhile (and therefore not boring). Good journalism has to entertain—and do so according to strict non-fiction rules.

There are several reasons for the mistaken view that serious news and entertainment are somehow mutually exclusive. For one, there is often a confusion between the notions of entertainment and fiction, as if only fiction, which is an anti-journalistic method, can be entertaining. The fallacy that the news must not be entertaining may also result partly from the coincidental terminological categorization of large media companies, at least in the typical American network bureaucracy, into “the entertainment division” and “the news division”—a division that implies that the notions of news and of entertainment are mutually exclusive. This bureaucratic division is in fact understood by most professionals to be one
between "fiction" and "non-fiction" programming. This explains one of the reasons there is some confusion in the media industry about how to classify the new spate of "infotainment" and "re-creation" programs which frighten some professional journalists (though not always this author) as being a dangerously misleading sort of pseudo-news.

Entertainment and news are never mutually exclusive. All communication seeks, and needs, to be entertaining; if news were not entertaining, it could never communicate. Communication requires the holding of attention; this is what entertainment, in a basic sense, does. The word stems from the Middle English *enter-tinen* meaning "to maintain," from the Old French *entretenir* meaning "to hold between," and from the Latin *inter* meaning "between" and *tenere* meaning "to hold."  

News has always attempted to entertain the mind, and more specifically, to entertain that expectation of becoming well informed with which the reader or viewer agreed to give some time and attention. Mathematicians seek to entertain other mathematicians. Presidential advisors seek to write memos which do not bore their president but rather entertain the president's need to be well informed. This usually means writing something shorter and punchier (and thus more entertaining) than a castled scholar might, just as it means the same thing for someone who would offer journalism to a mass media audience.

As mentioned previously, journalism is always looking for a new way to see things, not only because such "freshness" in a story will win and retain readers, listeners, or viewers and thus get better circulation or ratings, but also because it is what the public and the journalists want and like. The human mind enjoys the experience of being enlightened, and "enjoys" it in a neurological sense (so to speak) even when it is frightening or sad news. Once aroused in the mind, the drive to become enlightened can be powerful, and sometimes ineluctable, though there is no absolutely certain way of knowing beforehand when or how enlightenment will happen. The quality and nature of that enjoyment or entertainment reveals the quality and nature of the journalism. In the print medium, both *The New York Times* and *The National Enquirer* entertain their readers, but in different ways.

The way in which the television medium entertains the mind

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is frightening to some leaders and some elites. They seem to fear its ability to sway public opinion irresponsibly. Television is indeed no less capable of relaying irresponsible communication than is print, and it has at least one enormous advantage over print: television is an “a-literate” medium; it does not usually require that you be literate before it can entertain your mind.

The advent of global television has meant, for example, that people who are wise but do not know how to read, or do not read at advanced levels, may now acquire more information which they can use when dealing with people who are not wise but do read at advanced levels. The general quality and nature of, say, a good *New York Times* report may, if the television journalists do their work, be available in a good TV report to people who do not read at advanced levels.

There has been a tendency among many of the highly literate people in government, academia, and print journalism to have a sort of pro-literacy bias against most television journalism—the same sort of bias they may have against people who do not read at advanced levels. These biases help perpetuate, and are fed by, some of the most common fallacies about the television medium, and about the necessary economics of the medium, which are common in literate conversation. For example, the myth that the television medium shortens the attention span; that it appeals to emotions over reason; that it suffers from a debilitating need to say things short and that saying things short or with short sound bites is necessarily an inferior form of communication; or the myth that television is basically a visual medium, and that when the words and the pictures in a TV news spot contradict each other the viewer will necessarily take in the pictures and disregard the words. There has never been research to prove any of these points, though academics and others sometimes claim there has been. It may be that advancing these claims assuages pro-literacy anxieties about the frightening power of some television reporting. There is voluminous testimony to be obtained from many television news professionals to explain why these common beliefs are wrong.

The flaws evident in television news—and they are many—are in the way it is being done, not in the intrinsic nature of the medium or any necessary economics of the medium. TV news is in its infancy—barely fifty years old. Working in TV news now is somewhat like being a painter in early Renaissance Italy: TV's many “city states” around the world are each creating their own styles of
news and then comparing and competing with each other, just as leading Renaissance painters and their patrons did.

When executed with expertise and enlightenment, TV news can be no less responsibly consequential than anything in print—though in somewhat different ways.

H. TV News “Spotcraft”—What the Human Head Does: Combine

The TV news spot is the first artifact in human history that reproduces what the human head does: it performs the same combining function. A TV news spot is constructed of three parallel “ribbons of time”: sequential video shots, sequential natural sound usually related to what the video shows, and the correspondent’s “voice-over” words on the narration track. Sometimes the correspondent will go “on camera” for a sentence or two in the course of the news spot, during which time these three parallel ribbons of time achieve a potentially powerful identity: the video, the natural sound, and the correspondent’s words briefly become one in the evident person of the correspondent.

This combinative nature of the TV news spot reproduces the activities of the human head when, for instance, its body walks it into a situation to be an “eyewitness” to something. The eyes give the head sequential video as the eyes dart around from point to point; the ears give the head natural sound which is usually related to what the eyes are looking at during that moment; simultaneously, into the head come verbal ideas about what is being seen and heard, and about what might be seen and heard next. Into the head also will come suddenly awakened memories which somehow relate to what is being witnessed. These are like the bits of historical “file footage” sometimes inserted into a TV news spot. The mind may also be spurred to imagine things that might be somehow related, somewhat like the imaginative use of graphics sometimes incorporated into a TV news spot.²⁵

By what logic does the mind select where to search with the eyes? It may have something to do with the words and other thoughts that have, in the meantime, come into the mind. This intricate interaction is paralleled in the writing and videotape-editing process. For example, good TV news spotcrafters take great

²⁵ Richard Wilbur and other poets seem to have something similar in mind when they speak of a good poem as being “a model of experience.” See supra note 19.
care to have each new video shot in a sequence come in at just the right moment before or after the correspondent's words have said something.\textsuperscript{26} In other words, it is neither powerful video nor powerful writing that makes a great TV news spot. It is the powerful combination of video with words—the setting up of a back-and-forth continuous mutual revelation between the words and the video. It is the very same back-and-forth that somehow affects action in a human eyewitness—the action of searching some specific next place with the eyes and the action of the legs next carrying the head to some specific next place for more eyewitnessing.

Sometimes, of course, a piece of video emerges that needs no words to be journalistically interesting, but not often. The vast majority of TV news pieces that rivet people's attention do not contain video that would be particularly noticeable on its own. The video in these pieces is simply part of a carefully interwoven artifact also involving words and natural sound. When they play well off of each other, they may together tell an interesting or even compelling story of some kind.\textsuperscript{27}

What keeps the eyes darting around? Not only fear. There are obviously many different motives feeding the natural appetite for news.

I. The Evolution of "Taste"—in Movies and in News

Movie critic Pauline Kael provided a vital insight into this aspect of "news" in a February 1969 \textit{Harpers} magazine article enti-
tled "Trash, Art, and the Movies."\(^{28}\) Posing the question, "Does trash corrupt?" she answered, no; it just eventually bores us, after giving us what little it has to show us, and leaves us wanting something better.\(^{29}\)

When you're young the odds are very good that you'll find something to enjoy in almost any movie. But as you grow more experienced, the odds change. . . . Unless you're feeble-minded, the odds get worse and worse. We don't go on reading the same kind of manufactured novels—pulp westerns or thrillers, say—all our lives, and we don't want to go on looking at movies about cute heists by comically assorted gangs. The problem with a popular art form is that those who want something more are in a hopeless minority compared with the millions who are always seeing it for the first time, or for the reassurance and gratification of seeing the conventions fulfilled again. Probably a large part of the older audience gives up movies for this reason—simply that they've seen it before.

. . . .

[T]he big change is in our habits. If we make any kind of decent, useful life for ourselves we have less need to run from it to those diminishing pleasures of the movies. When we go to the movies we want something good, something sustained . . . .\(^{30}\)

Kael concludes: "If we've grown up at the movies we know that good work is continuous not with the academic, respectable tradition but with the glimpses of something good in trash, but we want the subversive gesture carried to the domain of discovery. Trash has given us an appetite for art."\(^{31}\)

"The domain of discovery" is also where the news audience wants to be carried, and "the subversive gesture" is a phrase that any experienced, honest professional journalist will recognize as describing something essential to our craft. Professional journalists are not necessarily iconoclasts, exactly, but they are necessarily skeptics—people who are always exploring, questioning, and examining. That is the service with which we promise to try to entertain the minds and hopes of our audience.

There is surely a parallel to be seen in the following four progressions: the progression (described by Pauline Kael) in a

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\(^{29}\) Id. at 83.

\(^{30}\) Id.

\(^{31}\) Id.
book-reader's or moviegoer's life of looking for ever more interesting books and movies; the progression (described by Popper and Medawar) among scientists of looking for ever more perspective-giving and useful theories about the world and the universe; the progression (described by Michael Schudson) in the history of American newspapers when they finally, in the 1930's, advanced beyond yellow journalism and began to appeal to their audience by promising an objectivistic approach, even though no laws required it; and the progression (commonly experienced by most all working journalists) in the efforts of the journalist who is trying to keep every next report about the story he is working on fresh and interesting.\textsuperscript{32}

Moviegoers, scientists, newspaper readers, and journalists themselves like to have their perspective improved. They all have a deep urge wanting this to happen. Somewhere in her writings Pauline Kael has said that "genuine entertainment is nothing for which anybody ever needs to apologize; in fact, it is very hard to achieve."\textsuperscript{33}

Objectivity can provide perspective and thus entertain and please the mind. As the example of all four above progressions suggests, objectivity is the child of freedom, not of laws requiring objectivity. Scientists do not discover good new theories because someone has ordered them to do so. American newspapers did not develop the ideal of objectivity because any law required it. Moviegoers do not want better and better movies because someone else decided for them what such movies would be. And successful correspondents in the field do not keep their stories truly fresh because editors back at home base told them what to write.

Objectivity in an individual is the child of freedom in that individual, and objectivity in an institution is the child of freedom in that institution. Individual journalists in oppressive societies who have made courageous individual acts of free expression must have had something in their upbringing or character that gave them

\textsuperscript{32} Skeptics about the ratings-value of such efforts may study the ratings success of the "American Agenda" series on the ABC News show \textit{World News Tonight With Peter Jennings}. The series set out to provide in-depth coverage not only of national problems but also of apparent solutions being tried around the country—"good news" stories. The audience responded by boosting the ratings over other news shows which retained a much more heavily crisis-oriented mix of news stories. John Carmody, \textit{The T.V. Column}, \textsc{Wash. Post}, Aug. 27, 1992, at C4 (ABC leads network news ratings). The audience obviously found the increased perspective of apparent solutions, given the problems, to be very interesting.

\textsuperscript{33} Kael, supra note 28, at 83.
deep, radical freedom of perception and expression.\textsuperscript{34} In America, the institution of the press was given the freedom to become objective by the First Amendment.

Is it possible for genuinely entertaining news—news springing from attempts at objectivity and expanded perspective—to be evil? (For example, what about Hitler’s propagandistic Nazi journalism?) This question goes to the heart of this article and its answer explains why there can be such a thing as “principled journalism” while reporting from an enemy capital under fire. To reach the answer, however, we must first perceive the difference between principled journalism and propaganda.

Clearly, various media—spoken, written, printed, and electronically broadcast—may be used to help corrupt individuals and groups. Many studies show that gratuitous violence on television and in the movies increases the likelihood of viewers, both young and old, becoming more mindlessly violent people. Goebbels’ work in post-Weimar Germany helped forge an evil policy of discrimination and racism. And surely Pauline Kael, if asked, would say that when she concluded that “trash” does not corrupt us, she did not mean by trash any propagandistic works that set out specifically to incite violence or discrimination, but rather just immature or simplistic mindlessly commercialistic entertainment.

Over time, of course, there is no problem—given enough memory. When a group of people discover themselves to have accepted a line of thought which diminished life and led to evil, then they may want to avoid such thought in the future.\textsuperscript{35} Over time, evil, by definition, is something people want to avoid, along with anything that might lead them into it. Who wants pain, disgrace, suffering, exclusion, truncated options, loss of freedom, and diminished life? The question for us here may be whether it is possible to identify that sort of journalism which is most likely to lead to such evil, and conversely, which is most likely to lead away from it.

\textsuperscript{34} Recent examples include journalist Pius Njawe, who, despite censorship, jailings, and threats of violence has published an independent newspaper in the west-African one party state of Cameroon, Richard Carver & Dan Swanson, Africa’s Press of Freedom: The Messenger, The Nation, Feb. 17, 1992, at 192, Chinese dissident journalist Liu Binyan, Anthony Lewis, Abroad at Home; People or Monsters, N.Y. Times, May 25, 1990, at A27, and Roberto Eisenmann, a Nicaraguan newspaper publisher who exposed Manuel Noriega’s corruption while advocating democratic reforms, The MacNeil/Lehrer NewsHour: To Catch a Spy; Policy in Panama; Junk in Food? (EBC and Gweta television broadcast, June 20, 1986).

\textsuperscript{35} See, e.g., Tyler Marshall, Germany Marks the Site Where Holocaust Began, L.A. Times, Jan. 20, 1992, at A1 (building monument will hopefully avoid future genocide).
I believe it is possible to identify such journalism, and that the answer lies in recognizing true skepticism. The word “skeptic” does not, as we sometimes think, imply in any way anything cynical or negative or pessimistic. The word stems from the Greek *skepesthai* meaning to examine or consider. Professional journalists are professional skeptics. Professional propagandists are not.

Professional journalists keep questioning, questioning not only the objects of their reporting but the methods which they use; they keep examining in public their very observation hypotheses and the presumptions by which they are acting. Propagandists do none of these things, though they may pretend to. Professional journalists keep bringing into the open even their own agendas. Propagandists keep trying to hide them, and thus to coerce unauthentic action from the people who are the objects of the propaganda. Propagandists must necessarily try to keep some information in the dark, but not true journalists. It is the journalist’s job to change his mind as often and as well as he honestly can. It is propagandists’ to resist a change of mind.

At the core of this dilemma lies the question of whether greater perspective decreases the likelihood of evil? I believe that, by definition, it does, and that humans are more likely, by however slim a margin, to promote good when they are better informed about the realities of the world—about “the elephant.” This is not, I think, a declaration of faith in human nature. It is, rather, an observation about what is naturally universal in human concepts of evil and suffering, as will be further explained below.

It may well be that a population which harbors evil prejudices wants to see more and more reporting that tends to confirm those prejudices, but such reporting is not true journalism. In the language explained above, such reporting would not “give them what they did not know they would want to learn until they learned it” because it would not really give them anything they did not already know. It could fool some into thinking it was news, and help them perpetuate a sort of self-propaganda; but it would be bad journalism—not professional and not true.

Suppose a mass audience and its mass media journalists *agree* on an evil observation hypothesis—such as the hypothesis that suffering is acceptable for some people and not to be thought of as

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36 *Webster’s, supra* note 11, at 2132.
evil. Some Nazis, for example, seem to have had such thoughts regarding Jews. Journalists who then keep reporting news about what is happening to Jews under Nazi conditions but do so without constantly questioning this (evil) observation hypothesis are, like any journalists ignoring observation hypotheses, not being truly professional. The constant and somehow open or accessible reexamination of observation hypotheses is one prerequisite of honest journalism and, for that matter, of any honest communication.

J. Stories and Megastories: Social Evolution Through News Coverage

The manner in which entertainment of the mind and the discouragement of evil are brought together in any good journalism can be seen perhaps more clearly when examining how every report or “story” is also a report about one or more “megastories.” Why do mass audiences watch foreign news stories on TV that have no direct effect on their lives? Or watch any news spots that do not? The easy answer, of course, is that such stories are interesting. But why are they interesting?

Every single story or report must have at least one megastory of which it is a part, otherwise the audience could not possibly be interested in it, or entertained by it. In 1980, American audiences watched for a week as TV news reports from southern Italy showed how local inhabitants were suffering, and coping, after a bad earthquake. The earthquake clearly would have little impact on life in the United States. But the audiences seemed interested in the megastories being covered in each report—what is it like in an earthquake, how might humans handle suffering, how might relief efforts be organized, how do family groups respond when their home social base (in this case a whole village) is wiped out?

Megastories evolve, but more slowly than individual stories. For example, the plane crash megastory (What is a plane crash like?) has clearly evolved. A comparison of the coverage of individual plane crashes in 1960 with coverage of plane crashes today would reveal that journalists and audiences now find different things about them interesting. Much more is now known about plane crashes than was known in 1960. For example, questions about the fate of the “black box” are likely to run much higher in reports now, as are questions about drug testing of the crew and depictions of methods used to help people escape. Similar compari-
sons can be made of the way politics, or war, was covered in 1960’s as opposed to the 1990’s.

War is, in the post-Vietnam era, a relatively fast-developing megastory in America (What is it like? What causes it?). Early in the Vietnam War it was assumed that body-counts were necessarily interesting. That changed, as did any presumptions about necessary American superiority. During the Gulf War, it was assumed that Nintendo-like military video of precision bomb hits was critically important, but in the two years following that war, journalists and the public have expanded their view. (This is not to say that the astonishing accuracy of the new weapons technology of the Gulf War was not also an important story. It was part of not only the weapons technology megastory, but also of the very immediate global-balance-of-power megastory. For example, did not this display of high-tech hardware intimidate the nearby Soviet military?—And is it not possible that the constant display of it by the American command was meant to?)

There is a natural desire in humans to gain increased perspective, thereby entertaining their minds. They get this sort of vital entertainment, one way or another, through megastories, which are the source of their interest in most individual stories they see, read, and hear. Reporting on megastories through individual stories is a highly efficient way to increase perspective on the world (the individual story can act like a metaphor for the larger megastory) and increased perspective about the world—the true world, the real elephant—increases, in balance, the likelihood of avoiding evil. It is the incompleteness of our perspective, including our perspective over human suffering, that is our dangerous flaw and the journalist’s constant challenge.

During the Gulf War, the U.S. military offered news in one megastory—the advance of military technology—in a way that diverted audiences from vital news about at least two other megastories—the reality and ramifications of human suffering in the conflict, and the impact of current American foreign policy on American popularity among the populations of the Middle East. The American audience stayed glued to its TV sets watching military briefings of military hardware displays (“the Nintendo war”) while almost all of the human suffering in the war went unreported and unrecorded.

Some would see in this a perennial human temptation—curiosity over compassion—which is reminiscent of stories
no less venerable than that of the apple in the Garden of Eden. In this post-Eden world, however, it seems we have no choice but to recognize that a little knowledge is a dangerous thing, and to keep trying to get more, to keep improving our perspective, lest we fall unwittingly into more evil.

The megastory about the advance in American military technology was not unimportant; the problem was that professional journalists allowed themselves to be diverted by it rather than spending more energy in trying to get at other parts of the war and at other important megastories.

K. "The Media" Is Not a Synonym for "The Journalists"

It is critical at this point to distinguish clearly between the often confused terms "journalism" and "the media"; they are not synonymous. Media are physical things. Journalism is a profession, a peculiar stance of the soul and promise to society which an individual might choose to adopt and give. Many different professions use the media. For example, the professions that we currently find using the medium of television in Manhattan include "the oldest" (prostitution), political propagandists, poets, singers, math professors, painters, advertisers, jugglers, and also some journalists, each with varying styles and degrees of professionalism. To talk of journalists and "the media" as if they were the same is as silly as it would have been in 1930 to talk of anyone who used the printed word and journalists as if they were the same. This critical distinction between medium and profession is made succinctly in the affectionate quip that I heard recently about my ABC News colleague, Sam Donaldson, famous for his aggressiveness and energy, which says that "if television didn't exist, Sam would go door-to-door."

The only good thing about the fact that people so often say "the media" when they seem to mean "journalists" may be an unconscious inference that anyone who would communicate with the public has a responsibility to do so honestly and with perspective. When Edward R. Murrow made his famous remarks about how the infant medium of television had to be used well if it was not to be "merely lights and wires in a box," he was making a clear distinction between medium and profession. It is interesting to note that his comment does not refer only to the profession of journalism,

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but to any profession which might use television.

L. Professional Journalism Requires You to Give Up the Pleasure of Advocacy

It might be argued that one way to distinguish professions from each other is by the particular sacrifices each requires. I would argue, in light of all the above, that the profession of journalism requires a person to give up the pleasure of advocacy. If journalism is a constant examination of things, a constant skepticism and a constant bringing into the open of hidden agendas, then it cannot be advocacy—of anything other than excellent journalism.

Of course journalism (and all perception) requires the acceptance or at least the unconscious use of some kind of observation biases, otherwise there could be no selection of facts at all. But even these must be held constantly susceptible to examination. This is where journalism is most distinctly different from advocacy. Advocacy attempts to promote an end regardless of what might be discovered on the way to gaining that end. Journalism may pose a hypothetical end ("for the sake of argument"), but promises that it will give primacy to whatever is discovered on the way to that end that might be of interest and give the audience something they agree they needed to learn once they learn it.

Advocacy may well be more important to the world than journalism. Advocates are often risk takers and brave forgers of necessary new and better worlds. Be that as it may, the journalist promises a hopeful service of useful skepticism as he makes a journey—such as a journey into Baghdad during the Gulf War.

II. REPORTING FROM BAGHDAD DURING THE GULF WAR

A. Before Baghdad: Principles and Ideals—Foreseen

I watched the first four days of the Gulf War from the ABC TV News control room in New York (my regular assignment being to cover the education story in America). During this period, I volunteered to help out with the war coverage wherever needed. ABC News asked me first to go to Israel from where I had previously reported. On the way to the airport, the assignment desk called to say there were now enough ABC News reporters in Israel, and asked if I would go to Amman, Jordan and try to get into Baghdad
from there. After two weeks in Amman during which we pushed every contact we could think of in Europe and the Middle East, and sent various letters into Baghdad with drivers, we finally got our visas for Baghdad.

During this time in Amman I reviewed the journalistic principles I would follow, the conditions for maintaining journalistic integrity I would require in Baghdad, and discussed these with the news team we were putting together for Baghdad. Such a review is not a bad thing to do when facing the urgent and potentially deadly challenges of trying to send perspective-expanding reports out amidst the emergencies of a war.

I had at least seven “rules,” developed in the course of covering previous wars, which I reviewed before going into Baghdad:

1. It had to be possible at all times to tell my editors and audience about any and all restrictions placed on us regarding our reporting.

2. If restrictions became such that we were unable to get to what we considered was the significant story of the day, or if we had any reason to believe restrictions on our movements or reporting might significantly warp our news shows’ coverage away from truthfulness, then we would refuse to report at all and, if such conditions persisted, we would pull out—or, at least, try to.

3. I would refuse, without exception, to report anything that I had not been completely free as a journalist to decide I wanted to report. I would take no “directions” of any kind from anyone about what ought to be said in my reports. The reports had to be mine—ones I would freely own up to then and later. If any official began to make such “suggestions” or give such “directions,” I would immediately protest, making my journalistic position clear. (Throughout my three weeks in Baghdad, none ever did.)

4. I would request, if it was not already provided, military clearance (not “censorship”) from relevant local authorities. I am not a spy, but a professional journalist—and journalism is an international profession. To work freely as a journalist in war, I have found it critical that there be no question in anybody’s mind that my purpose might be secretive in any military sense; therefore, I need continuing agreement—“clearance”—that I am not dealing in

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38 This might surprise some, but it is not uncommon in war. Our Western news teams in Damascus during the 1973 Arab-Israeli war helped set up such a procedure in order to be able to get any reporting at all out of Syria.
sensitive military strategic information. Only thus is it possible to overcome the apparent paradox of being a professional journalist reporting from a field of military operations (much less from an enemy capital).

5. *I would not take part in any reporting activity which I thought might increase the chances that ANY human—in uniform or not, on any side or none—would be injured or killed.*

6. —With one obvious exception: ourselves. But even regarding our own safety, there must be extensive precautions. Journalists, unlike soldiers, rarely, if ever, fulfill any professional purpose by getting injured or killed. It would be clear within our team that any one of us could decide at any time that we should leave or pull back or go no further; heroics were not wanted, only clear perspective-adding reporting. Our head office at ABC News in New York persistently reinforced this view to us, valuing our lives above any story. While it would not be possible to proceed into Iraq “only if it were safe,” as our head office wished, we were able to tell them that, given the above understanding of profession, we would proceed only when there was what we felt “an acceptable professional journalistic risk”—a measurement that must obviously be determined by each individual, just as each journalist must, in the end, offer a personal definition of the word “profession.”

7. It would also be important that we never let our journalistic sense of balance and accuracy be lulled by our faith that our reports from Baghdad would be editorially screened in New York and then presented with balancing and cautionary context by anchors and other reporters. Our knowledge that our reports would work through this due editorial process gave us freedom to explore, as it does anywhere, anytime, in war or peace; however, our desire for ever better access, perspective, and freedom of expression must remain urgent.

In other words, the healthiest professional response to restricted expression, even in war, is not less coverage, but more. At the same time, it is critical for the professional journalist to remain constantly vigilant to the possibility of truth-warping imbalance. On one hand, it is wise to recognize that it is never possible to report all of the truth; on the other hand, it is irresponsible not to recognize that, with diligence, it is possible to succeed in not reporting anything which is not true. A professional journalist is someone who knows how, when the deadline arrives, not to report what he does not know.
It would, as always, be very important never to give in to the eternal temptation, sometimes stronger for on-camera broadcast journalists than for print journalists, to seem to know more than we did. When we did not know something, it would be critical, especially under these restricted circumstances, to say, live on the air, that we simply did not know.

1. Propaganda Versus Professional Journalism in Baghdad

The above conditions and principles would be necessary for maintaining journalistic integrity and credibility in Baghdad, as in any war, but they would not have been sufficient. The principles by which we would select our subjects (within the openly reported restrictions to which we would be limited) and by which we would then select our words and edit our shots, would also have to be consistent with professional principles used anywhere, in war or peace.

In America's first-ever regular daily reporting from an enemy capital under fire in wartime, we felt it would be vital to show our audience that our professional practices and ideals were not some sort of "situation ethics" which could be altered for emotional convenience. After all, what might they then think of our future journalism, after the war?

It seemed that the perennial battle over journalism's professional ideals would, in the Gulf War, involve temptations to consider whether professional journalism might, in wartime, allow itself somehow to become propaganda. I believed then and believe now that it must not, and I consider this to be a vigorously patriotic belief although some Americans, including journalists, clearly felt, and still feel, otherwise. The First Amendment does not require that a professional journalist avoid propaganda, though the First Amendment's guarantees of free speech are certainly helpful for such a professional practice—for the avoidance of propaganda—as they are for those who would let themselves become propagandistic whether in pursuit of ratings or for any other reason.

The journalism that I profess—and that I believe is largely professed in post-World War II America—is one which generally considers objectivity a necessary though never-attainable goal and one which seeks to add not only information but also perspective to what was previously known. I also believe professional post-World War II journalism would claim, at least, that it selects its
subjects giving priority to crises of human rights, fairness, or justice whenever it seems urgently necessary to do so. This journalism presumes that demonstrably unfair, selfish, or pain-inflicting acts are negative and that the basic wrongness of such acts is beyond debate, whether they are the acts of individuals, local groups, or nations.39

2. A Bedrock “Observation Bias” Stated by Hallie and Warnock

As discussed previously, honest journalism needs to be open in some way about its “observation biases,” just as scientists must recognize in some way their “observation hypotheses.” The clearest and most succinct expression I have found of my own (and I believe the generally accepted) observation bias is in the opening paragraph of Professor Philip Hallie’s article, Skepticism, Narrative, and Holocaust Ethics:

In Contemporary Moral Philosophy G.J. Warnock wrote the following arresting sentences:

... I believe that we all have, and should not let ourselves be bullied out of, the conviction that at least some questions as to what is good or bad for people, what is harmful of beneficial, are not in any serious sense matters of opinion. That it is a bad thing to be tortured or starved, humiliated or hurt, is not an opinion: it is a fact. That it is better for people to be loved and attended to rather than hated or neglected, is again a plain fact, not a matter of opinion ... .

These are strong claims, and important ones, and yet they have not been discussed much in contemporary ethics. Perhaps they are too outrageous—or perhaps they are too unproblematic—to take seriously. Anyway, I think they deserve attention, especially by people who wish to understand ethics in relation to history in general and to the Holocaust in particular.40

Accordingly, I felt that whatever we selected, within our restrictions, to cover, if we did get into Baghdad, must be selected with the same healthfully skeptical pursuit of interest and concern for basic values of human rights (which protect people from being

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39 Many born since World War II do not realize that such ideals and basic “observation biases” were not generally assumed by our profession before that war, nor that the constant struggle for objectivity was not even generally accepted as an ideal for our profession until the 1930’s. See supra pt. I.A.

40 Philip Hallie, Skepticism, Narrative, and Holocaust Ethics, Phil. F., Fall-Winter 1985, at 1 (quoting G.J. Warnock, CONTEMPORARY MORAL PHILOSOPHY 60 (1969)).
“tortured or starved, humiliated or hurt”), fairness, and honesty that we try to have in selecting stories, images, and words when covering local stories inside the United States in peacetime. For example, I felt it would be important to hear what the people in Baghdad felt, to hear their side of the story. This may sound obvious now, but the American audience had never before had the experience during wartime of such reporting on a routine basis from within the enemy population, reporting about emotional public opinion, including the possible effects on the “enemy population” of the enemy's propaganda.

I felt public opinion itself should become more of a story. It felt wrong to me that our audience should not know and think more about the complexities of public opinion and its manipulation. It seemed paradoxical to me that we professional journalists in “the media” should be expected somehow to stay inside self-limited bounds of some sort of good “propaganda.” In fact, the expectation that we should do that in war might well be seen by some as a sad commentary on the professionalism of American broadcast journalism in peacetime: if people do presume in peacetime that we are, in effect, just propagandists in one way or another, why should they trust us to be honest skeptics in wartime, when shifts in public opinion might well cost lives?

It is critical at this point to recognize what Professor Hallie demonstrates about the fact that being a skeptic—someone who perpetually explores and examines—does not mean having no strong beliefs, though it does mean being open about them. Professor Hallie distinguishes between the ancient Greek skeptics and many modern, post-Descartes skeptics like Bertrand Russell who rejected

as absolutely false everything he could even imagine to be false; among these beliefs were the belief that he had a body and that there was a world around him. He had to reject—temporarily of course—the veracity of his experience. That is to say, he had to do something that would be deadly as far as his everyday life was concerned; if he were to do this sort of thing in the streets he would in all likelihood be crushed by cartwheels, or if he did it at the table (what table?) he would in all likelihood starve to death.41

Professor Hallie admires instead the ancient skeptics, whose

41 Id. at 33-34.
beliefs, I feel, come close to stating the observation hypotheses of many modern professional journalists:

Their kind of doubting was eminently practical. The ancient skeptics whose ideas we know in detail never doubted experience. Modern philosophers are so smitten with Descartes that they have for the most part ignored what we might call the “practical doubt” of the original Skeptics, the kind of doubting that is bracing to everyday living instead of deadly to it. To put their position briefly, the early skeptics would not allow themselves to be bullied out of believing in experience. What they doubted were abstractions that could neither be confirmed by experience nor confuted by it. What they doubted were any beliefs that distracted them from experience.  

Of course, professional journalists must always hold their own “observation biases” up to open examination, and bring any hidden agendas into the open. But to do that, and to state that one’s observation biases, say, include the biases of G.J. Warnock that some kinds of evil are beyond debate, is to be neither unskeptical nor unprofessional. It is rather to be open and honest, and therefore more useful as a reporter to the people attending to your reporting.

3. A Desire for Self-Propaganda?

Wartime is famous for its tendency to inflame emotions in home populations. During a war, people are more likely to assert positions passionately rather than consider them coolly. Thus, the spectacle, for the first time in history, of journalists reporting regularly from the enemy capital under fire was upsetting for some people.

This is one reason it seemed our profession might be severely tested in Baghdad. There might also be great temptations for some Americans in our audience to want to administer a curious sort of self-propaganda, as if they would ask us not to report to them anything that might divert their minds and moods, though it were true, from whatever they might think the American military and administration wanted them to feel and think.

Those who did object to even principled reporting from Baghdad, though, seemed always to fear how it might affect other peo-

42 Id. at 33.
43 See supra note 40 and accompanying text.
people’s thinking, not their own—about which they usually seemed unshakably certain. (There remains, of course, the possibility that they actually feared having their own opinions changed.) To any who might object that no matter how principled it was, any reporting from Baghdad might still increase the chances of American soldiers getting hurt or killed, my answer was simply that I would not report whenever I thought there was any such likelihood, as stated above in “rule” number five. And if at any point I had thought my actions might have increased the chances of any human getting hurt, I would have stopped.

As it turned out, during my three weeks in Baghdad I never once felt that conditions required me to stop reporting. This may surprise non-journalists or those who have not covered many wars, but I do not think it will surprise many journalists who have covered wars. There is something about the truly journalistic endeavor which does not often lead it into situations where the reporting would lead to injury or death for anybody—other than the journalists. But the reasons to report as broadly as possible, given the restrictions and our professional principles, on realities inside Baghdad went beyond the issues, emotions, and dangers of this particular war.

Whenever professional journalists cover any war, we cover not only the particulars of that war, but also the ever-returning phenomenon of war itself. This is unavoidable, and to try to avoid it, to try somehow to separate a given war from the general drift of human history and its long sufferings, would not only be unprofessional, but immoral. Nor would it even be possible. The general always provides necessary and compelling context for the audience’s interest in the specific, the “megastory” is always vital to the “story.”

Accordingly, I went into Baghdad with a definite sense that our team must not let itself be swayed, by narrow emotions and issues, from what was truly “the bigger picture,” though many of the narrower emotions and issues would, of course, need to be covered to give our audience the fullest possible picture of what was happening. In fact, it was within the particular details of this war that we would find more enduring patterns of war itself. Where

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44 I suspect this has something to do with a deep disjunction between activities which kill and activities which inform openly—but this belief is not necessary to principled journalism.

45 See supra part I.J.
In other words, we must never let ourselves feel complacent about suffering, never allow ourselves to accept, with traditional wartime complacence, that “these are the sort of things that happen in war.” There was no escaping the fact that the problem of war itself was the “main” story. If the bedrock “observation hypotheses” of modern journalism—the principles on which we select facts and images from an infinite field of facts—include the principles that suffering and loss of human rights are to be avoided and that justice should prevail among people, then to ignore the more familiar and universal pains of war itself would have been to ignore, as it happens, the very principles for which the Coalition leaders said—at least some of the time—they were fighting this war.

We knew, going in, that some in our audience would not be able to distinguish, at least at first, between principled professional journalism from Baghdad and “pro-Iraqi reporting” or Iraqi propaganda. Some people might mistakenly presume that any reporting that showed that the “enemy population” had a variety of complex and human faces and emotions would work against any good forces in their own country’s battle. But we also felt that as long as all the above-stated conditions and principles could be met and followed, then vigorous, rigorous reporting from Baghdad would be good, right, and professionally honest. There seemed, in any case, to be little doubt that it would be genuinely interesting to our audience, and genuinely “interesting” is almost always a sign of good journalism.

I also knew what experts in the growing field of Conflict Resolution and Analysis have determined: in balance, the presence of vigorous international reporting in international conflicts helps prevent those conflicts from growing even worse, and increases the chances that there will be less loss of life, resources, and options—for all parties and all sides. I do not believe that it is the job of the professional journalist to stop wars or end famine or save the ecosystem. However, I do believe that there is nothing unprofessional about believing that if we do our jobs well as professional journalists—professional skeptics—that it will greatly increase the chances of those good ends. It must be acknowledged, however, that this belief is based on a belief in the ultimate goodness, by

however narrow a margin, of human nature when it is well informed.

None of the above is any different from the professional principles I would pursue in peacetime coverage, but the extreme emotion, dangers, and emergencies of war make it prudent, when possible, for the professional journalist to project his principles as much as possible into the imagined particulars of the imminent battle he or she is about to enter—as we did in Amman. For example, cameraman Rupen Vosgimorukian and I, over one very long lunch in Amman, tried to imagine what we could shoot that would be worthwhile, given the severe restrictions we expected under the heavy bombing we had heard was occurring in Baghdad. We concluded that there might be a worthwhile story on every street corner—if we could only get in.

B. In Baghdad: Test by Action

Two reports we filed from Jordan during our wait there—on Jordanian attitudes toward Saddam and toward the U.S.—helped us prepare editorially. Those two spots would help give us a fix on how to differentiate between general anti-Coalition points of view of the non-Iraqi Arabs and those of the Iraqi Arabs.

When our visas finally came through at the end of the third week of this six-week war, we drove in across the much-bombed Amman-Baghdad desert highway in a scattered convoy of some twelve vehicles carrying journalists from five continents.

There were five ABC News vehicles, including two small trucks containing a satellite ground station, generators to power it, and several barrels of gasoline to fuel the generators. This ground station would break the CNN monopoly on satellite transmissions from Baghdad—a monopoly that had blocked all non-CNN transmissions from Baghdad which might be seen in North America and had greatly limited any Baghdad-originated transmissions to the

"I am taking care in this analysis to use the words "I" and "mine" instead of "we" in certain places for two reasons: the individual journalist's integrity is as close to a guarantee of truthfulness as journalism can ever get; and just as the approval of each one in our four-man-team would be a kind of "necessary condition" for getting our reports out, so each one would know that his safety or professional judgment alone could be a "sufficient condition" for stopping our production or leaving.

In any case, TV news is most often a team game or it is nothing, and, as what follows will indicate, it was most visibly so for us in our ABC newsteam in Baghdad. It may also be that a journalism which reflects teamwork between individuals may have its own special way of detecting teamwork between nations.
rest of the world. This fact only stiffened the resolve of ABC tape editor/engineer Vladimir Lozinski to “refuse to go one step backwards” when, at the mid-desert Iraqi border post, Iraqi immigration officials told us there were complications with our visas and that we should go back inside the Jordanian border (some miles back) and wait. All the foreign journalists in our convoy quickly followed Vladimir’s indignant lead; this meant we had to sleep the next two nights in the desert in our cars during near-freezing winter downpours, but it also meant that we all got into Baghdad without what threatened to be another week’s delay.

We arrived late Sunday afternoon, February 10, 1991. Lozinski and our satellite dish engineer had our ABC ground station assembled and broadcasting to five continents, for a number of companies, within two hours.

My first act upon arriving in the lobby of the Al-Rasheed Hotel, which we were told was now the base for representatives of about thirty-five news companies from around the world, was to seek out the man who was directly in charge of clearance and procedure for all foreign correspondents. He told me that there were three basic ground rules:

1. Reports must not contain “military strategic information” of any kind—no exact measurements of distances to bomb hits, no exact location of bomb hits and no reporting about significant movements of obviously military equipment or personnel. All scripts and cut spots must be cleared by one of their people before transmission to assure them that this military restriction was not being violated.

2. We must never do a live broadcast, nor talk on any of the satellite telephones, without one of their people present—whose job, we were told, would be to make sure we did not violate the above rule about military strategic information.

3. We must never leave the hotel grounds without their permission and without one of their people as an escort.

I told him I could live with these restrictions as long as I would always be free to tell my editors about them—which I always was throughout my entire stay. I regularly discussed all such restrictions on pre-feed phone calls to New York and London, and, especially during my first few days in Baghdad, I discussed them on the air with anchors so that our audience would become generally aware of them. During our very first live on-camera correspondent-to-anchor discussion, on Monday morning, February 11, I was
even able to coax an Iraqi "listener" to come on camera with me so we could better demonstrate this process to our audience.

There was a fourth restriction which was not often discussed between us and the Iraqi officials, though I did discuss it quite openly on the phone with my editors and on the air with anchors: the understanding that the Iraqis would not clear any reports that they felt were somehow directly critical of Saddam Hussein or his regime.

We were also permitted to discuss freely on the air, live and in cut spots, the fact that we were never allowed to go to military targets and thus that we presumed much or all of the heavy bombing we heard most nights was on such targets—while on a few occasions we were taken to see damaged civilian targets.

It was not true, as some reported, that we were allowed to go only to places the Iraqis suggested. On many of the days I was there, our ABC newsteam told the Iraqis where we wanted to go and they agreed to let us. Our most frequent chosen targets on such occasions were the neighborhoods of Baghdad, and we managed to roam with our camera through about a dozen of them during the two-and-a-half weeks of bombing before the war ended. We always had an Iraqi escort with us. He was never in uniform and in my experience always held himself back, never interfering with our ad hoc interviews with the people we came across, letting us ask what we wanted of whom we wanted. I did not, however, presume that this person's presence might not influence our subjects to speak less than freely. This had to be a judgment call, and I never put any ad hoc interview sound bites on the air that I felt were not genuinely heartfelt and representative of significant attitudes in the city. It was clear to me that many of the Baghdadis did not like Saddam Hussein's police state rule. But it was also clear to me that so long as there was loud, nightly bombing on their city, many Iraqis felt that at least Saddam was an Iraqi standing defiantly against what many Iraqis saw as the latest onslaught from an oil-dependent West in an eighty-year-long war over domination of the oil fields. We reported all of this, in spots and in live exchanges with anchors. I had an impression that even anti-Saddam Iraqis might be experiencing that sense of cohesion under aerial bombardment which has been seen in other wars (such as Vietnam) and I reported this impression.

We felt that a regular treatment of the human life of the city was a worthwhile story, and pursued it every day when there was
not some more urgent breaking story demanding our attention. We also kept up our requests to meet with high-ranking Iraqi officials. These were never granted us nor, as far as we knew, granted for any other journalists either, during the last three weeks of the war. We also kept probing for permission to get closer to the Iraqi side of the battle in Kuwait, which was never given.

1. The Amariya Shelter—No Mystery (We Hope)

Without even going to the "front," we and other foreign journalists in Baghdad provided what turned out to be some of the only video showing what it was like for people at the receiving end of what were otherwise presented to Americans as Nintendo-like bomb runs—the video of the blown roof and civilian casualties at Baghdad's Amariya air-raid shelter. Surprisingly little such video exists for a six-week war which was turned by the Allied aerial bombardment into what professional analysts publicly called "the most firepower intensive conflict since World War II." By subsequent Pentagon estimates, tens of thousands of Iraqi soldiers died in this war.48

On the morning of February 13, Iraqi press officials in the Al-Rasheed Hotel informed all foreign journalists that there had been a disaster with many civilians killed and that we would soon be taken there, or allowed to go in our own cars with escorts. By mid-morning we arrived at a scene of turmoil and attempted rescue.

It was immediately obvious to me at the scene that there were numerous civilian deaths; many of the bodies being brought out were clearly those of children and women. We interviewed many different people waiting outside who each told different and detailed stories about how women, children, and old men in their families had been using the bomb shelter, many since the first night of the war three and a half weeks earlier. There were also tarnished plaques over the entrances identifying the building as the neighborhood civilian air-raid shelter.

It was therefore immediately clear that, whatever the Allies' reason for hitting the shelter, this was a major "tragedy"—regardless of whether it occurred during a war. This was also precisely the sort of wartime event that people might be tempted to brush off by saying "this is the sort of thing that hap-
pens in war"—as they frequently have in previous wars.

The bottom line seemed pretty clear right away. General Thomas Kelley, the Coalition spokesman, said in a briefing that day that the Coalition “did not know the civilians were in there” and that if they had known they would not have bombed it. In other words, whatever the Coalition’s reasons for hitting it, it was, technically, a “targeting error.” General Schwartzkopf seemed to reconfirm this two months later in an interview on ABC’s 20/20 in which he said he had resented any implication by reporters that the Allies had meant to hit any civilians in the shelter.

It was, apparently, one of “those horrible accidents that happen in war” which, I felt, was important to report, and to report with especially demonstrable accuracy. I went back to the shelter several times over the next three days to keep reassessing various claims and counterclaims.

Neither the Coalition nor the Iraqis could, or would, prove conclusively to the public that the Amariya shelter was or was not also being used as “a command and control center.” Some of the potentially related questions, such as whether there was or was not camouflage painted on the roof, were in my opinion irrelevant to the central facts: a large number of civilians had been killed and the Pentagon had said, in effect, that it was an intelligence error and that they would not have targeted the building if they had known about the civilians.

After the Coalition said they would not have hit the shelter if they had known the civilians were inside, they then repeated their assertions that the shelter had military markings. On the day after the bombing, reporters found camouflage patterns painted on the roof, under the gravel-like coating of decimated concrete which two bomb explosions had strewn across the entire roof. From the first day, we observed that there was barbed wire on the fence around the shelter. None of these observations could confirm for reporters whether there were military activities in the shelter. Camouflage painting and fences—even with barbed wire—were a common sight on many buildings around Baghdad even before the Gulf War started. Many of these signs of wartime had appeared during the years of the Iran-Iraq War.

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50 20/20, supra note 3 (remarks of General Schwartzkopf).
On the second day after the bombing, I was able to tour the lower level of the shelter—knee deep in water from the fire hoses we had seen being used soon after the bombing. There seemed to be little room for many people, civilian or military, amid the air and water filtration equipment and nuclear disaster treatment rooms we found on this level. If there was military activity in the shelter, then, as far as I could see, it would not have involved a great number of people. But this raises another disturbing possibility, which I did not broach in my reporting. There could conceivably have been a “Hiroshima dilemma” facing the Coalition that night. On the second day after the bombing, there were rumors among some journalists that Saddam Hussein had been seen at that shelter hours before the bombing and that the Coalition might have been “Saddam hunting.” If this was the case—although I never heard of any evidence to confirm it—might not the Coalition have considered the deaths of the civilians in the shelter a justifiable price for killing Saddam and, as some might argue, for bringing the war to a much earlier close with much less loss of life? If that was the plan, and Saddam escaped, might not Coalition spokespersons have been instructed to say that they would not have bombed the shelter if they had known the civilians were in there—even though they did know? This is speculation only, and so I did not report it during the emergencies of the war, nor did I find or make the time, as the war moved into its next stages, to look further into the matter.

It was clear that Iraq would try to use the Amariya disaster as propaganda. That did not mean, in my judgment, that I should not report the disaster in as much detail as possible. For one thing, accurate detail, in a skeptical context, often defeats propaganda’s efforts. It also seemed quite likely to me that the Pentagon, having stated their mistake from the beginning, would then continue to talk tough about the event in order not to send any dangerously misleading message to the Iraqis or to the world that this meant they might somehow weaken or let up their general attack. This was one of the occasions when I relied on the balancing context of due editorial process back in New York to help present our reports well. I was able to keep track of that process, to some degree, in satellite phone conversations with editors once or twice a day and through live on-air talk with anchors.

Within a day of the Amariya bombing, Pentagon and other sources floated widely circulated reports that the Al-Rasheed Ho-
tel, where the foreign journalists were staying, was itself a command and control center. I responded, as did many other journalists from various countries, by asking for, and receiving, permission to explore the entire hotel, including its grounds and basement, freely, unescorted except for a hotel employee who would open any door and hatch we asked. We found nothing to raise any suspicions. I was thus able to report to my editors and on the air that, insofar as we, who were not highly trained in military technology, could tell, there was nothing that might raise suspicion. I felt it was critical that our war coverage, as any coverage, should never let itself be subservient to “experts”—that what the common person can see and tell is always relevant and important. I also reported that the hotel basement had been continuously in use from the beginning of the war as the official shelter for the families of hotel employees who lived nearby.

When pressed the next day, Pentagon sources told ABC News that what the Al-Rasheed Hotel contained was a military communications “cable exchange” that we, as non-experts, would not recognize. Many of the foreign journalists in the hotel privately dismissed as Coalition spin-control (possibly even trying to turn the American audience against the journalists who had just reported the Amariya shelter disaster’s “targeting error”) the Pentagon’s new insistence that the hotel was a military target; they considered its timing—the day after the Amariya bombing—as suspiciously coincidental and, having checked it out as far as possible, moved on to more productive stories.

2. Baghdad’s Neighborhoods and Residents During the War

Almost every day, cameraman Rupen Vosgimorukian and I roamed neighborhoods of Baghdad, sometimes even without a camera, and developed some sense of what people felt. We felt that the partial randomness of our discoveries, given that we already had some familiarity with people’s feelings, was an important part of our reporting. The hospitality shown to us (the cups of coffee, the talk) was typical of our reception on many days in Baghdad neighborhoods even though we were from the country that was leading the bombardments every night. We felt that this hospitality should be reported and shown to our audience, even though we knew some viewers might think that it was either disingenuous or exceptional.

“The shield of profession” is a phrase I would come to use
later to explain, especially to incredulous Americans once I got back home, why these people, under our bombardment, did not tear me and my crew limb from limb. It frequently occurred that angry people would approach us, especially when they saw Rupen’s camera and my notebook, and vent their thoughts, sometimes with great emotion and cogency, into our camera and notebook. There were a few times when I wondered for a moment if my only shield, so to speak, was not the little notebook in my hand and my fast-scribbling pencil, but time and again these tools of my profession seemed, by their presence, to defuse any personal animosity. The people in the neighborhoods of Baghdad seemed to understand our profession and treated us accordingly.

In some of my TV spots I made a point of dealing with an aspect of Iraqi “mentality” which, though it is legendary among travelers including non-Iraqi Arabs, was, I felt, little recognized or appreciated among American viewers. This was the Iraqis’ particular insistence upon dignity—something different from similar attitudes of dignity in Asian, American, and other Middle Eastern countries; it lay behind the interpretation many Iraqis gave Saddam’s actions after the latest “ultimatum” by George Bush, and was critical to understanding Iraqi points of view, whatever you might think of Saddam’s actions.

One of our spots included a teenage girl saying the war was all about “greed, greed for oil.” This was important, I felt, to help convey the sad reality that humans in all countries continually fall into the dangerous logical fallacy of what philosophers call “single-cause thinking,” even though philosophers of all major cultures have been warning us for centuries that single-cause-thinking is not only dangerous, but evil. (Hitler, for example, used it to blame “everything” on the Jews. Scapegoating is classic single-cause thinking.) If, as I believe, it is the job of the professional journalist not to find some sort of ultimate explanation for things but rather to keep “improving the quality of the conversation about the world” among our readers and audiences, then, I felt, it was important to remind the audience that the fallacy of resorting to single-cause thinking was just as possible among Iraqis as among Americans, and just as likely to settle on a conclusion unattractive to the opponent.

Americans were, of course, no less involved in an intellectual melee over what the Gulf War was really about. Was it about Saddam’s invasion of Kuwait? Or WAS it about oil? Or was it really
about Saddam’s nuclear weapons?

Things never happen for any one reason, but because of many things happening in the same place at the same time. Yet we still have a primitive reflex to blame one thing. Foreign countries, other than Iraq, have invaded foreign countries, other than Kuwait, without America going to war over it. But they have not invaded vital oil supplies while led by a dictator whose disregard for human rights oppresses his own people and Kurds and Shiites and Israelis, and whose army is backed and advised by the Soviet military establishment, which at the same time (we now know) was also planning a coup against Gorbachev’s new open government in Moscow.

All these factors, and several more, spurred the Coalition against Saddam in war—not one of them, but the threatening combination. But that is still not all; Saddam Hussein chose to go to war, too. He and many natives of his region considered the Gulf War to be, among other things, the latest battle in an eighty-year-long war against domination by oil dependent foreigners. First there had been the British, then the Americans, and now all major oil-dependent countries. Many Iraqis argued: suppose China tried to dominate Pennsylvania and New York because of some mineral needed in China? What then would the people of that region do?

We found that many Iraqis both despised Saddam’s human rights record and considered him right when he said he fought for regional dignity, and also right when he said he won a kind of moral victory in holding out against so many foreigners. So Iraq’s regional dignity was also one of the things this war was really about. It’s not either-or; it’s and-and-and.

Philosopher David Hume said that it is when we get lazy that we start looking for causes.1 I have come to feel now more than ever that one good, simple definition of the journalist’s job is that it tries to help the audience see the complexity of causes in a clear and simple way. This is the really tough part of being a good journalist, and is often overlooked because not only the public but editors and journalists themselves are so eager for understanding that they often settle for what merely sounds simple.

3. Our “Breakthrough” Spot

On the weekend when the ground war began, we aired a spot

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1 See generally David Hume, Hume on Human Nature and the Understanding (1962).
about Muslim women coming into a Christian churchyard during a Sunday service to pray there to the Virgin Mary for an end to the war and the safe return of their men at the front. This spot was, we believed, a journalistic breakthrough. We felt this belief was confirmed when, the next day, the contents of the spot were being reported and retold both by American international propaganda, including the Voice of America radio broadcasts into Iraq in Arabic, and by the Iraqi propaganda officials, including the Director of Foreign Journalist Procedures, who praised it widely and requested a special re-screening of it in the Al-Rasheed Hotel.

We could only speculate about why either side wanted to promote this spot. Our interest in its story included the belief that it contained interesting cross-cultural information, breaking down false stereotypes about Muslim-Christian relations, and that it also conveyed (and helped audience members realize) universal feelings about this war, and every war, which were being felt with especial acuteness by people on all sides as the ground war got underway.\(^{2}\)

A fact I felt it necessary to repeat in several spots as the war wound to a close was the obvious acceptance by many Iraqis of an idea Saddam Hussein had been promoting from the beginning of the war—that every day Iraq, one country, held out against the twenty-eight countries arrayed against it, was a day of moral victory. However unpleasant it may have been for Americans to think about this Iraqi belief, I felt it was significant. Reports from Baghdad more than eighteen months later only confirm this. Recent reports suggest this belief is still held by a significant number of Iraqis and other Arabs, and would seem to be a salient factor in the political dynamics that have helped Saddam Hussein retain power.

The day after the war—and the bombing—ended, I found a few people in a couple of neighborhoods who showed signs of being ready to say on camera that they did not approve of Saddam Hussein. I thought, perhaps, the psychological bonding effect of aerial bombardment was already wearing off. However, I was rotated out of Baghdad the next day on a long-delayed visa exchange, and I left that part of the story for our incoming correspondent.

\(^{2}\) A year after the war’s end, each of the four members of our ABC newsteam still receive unsolicited comments from people about this spot. For some reason it remained in the memory of viewers, so perhaps it managed to report and say something about the war that otherwise went unreported and unsaid.
4. A Glimpse at the Team-Game Dynamics Generating Our TV News from Baghdad

It is not necessarily the case that good TV news spots are generated by more than one journalist at the scene, but, at least in the current, early stage of TV news technology, it usually is a "news team" that produces TV news spots. Any judgments about the generation of TV news from Baghdad may require information about the group dynamics that helped produce it.

There is no one right way to compose a TV news team. Such teams differ in makeup and division of labor from story to story and according to the widely varying inclinations and skills of the people involved. There has been during the 1970's and 1980's only a rough agreement, for example, about what the word "producer" means in TV news reporting from foreign stories; I believe the most serviceable description establishes that it is the producer's job to make sure that the best possible product gets delivered on time, and recognizes that this sometimes means the producer does almost nothing but watch and check, and sometimes means that the producer might have to do anything from playing psychiatrist to a team member to organizing foreign satellite TV stations to shooting videotape to writing scripts—virtually anything short of getting in front of the camera or laying down a voice track; when a producer in an emergency also has to do that, then, he also becomes the correspondent.

Generally speaking, when a TV news team works well together, it is often hard to distinguish any given aspect of the report as being the contribution of any one member of the team; the constant back-and-forth exchange of ideas generates the spot. Rupen Vosgimorukian, the cameraman with whom I had covered a number of other Middle East wars, speaks eight languages fluently, including languages relevant to this conflict. He is widely known for his skill in adapting a wide range of film techniques to the ends of principled journalism. Whenever we came in from taping in and around Baghdad, Rupen sat at tape editor Vladimir Lozinski's shoulder throughout the screening and editing process to help make sure the best and the right shots were identified and quickly found.

Vladimir Lozinski, the videotape editor and chief engineer who, like Rupen, has worked with ABC News for years, indulged in what I can only call astonishing "editorial wiring"—and with great discretion. He often spent twenty-hour days rewiring the editing
and feed-room lash-ups, inventing new ways for us—not only ABC News but most of the other journalists in the Al-Rasheed Hotel—to get news out. For example, he devised schemes for wiring between rooms and floors that allowed the necessary Iraqi military-clearance monitoring while at the same time giving us greater privacy, freedom, and schedule flexibility in the editing of our spots and in our editorial coordination with New York through pre-feed satellite-phone conversations.

Especially notable was the wiring he quietly planned in the hours before the ground war began. It enabled us to send live pictures of bombs dropping over Baghdad as the deadline passed, even as I was talking live to anchorman Peter Jennings in New York about that bombing outside our window. Vladimir handled the surprised objections of the Iraqi military clearance "listener" by simply turning down my live audio for thirty seconds while he convinced the "listener" that it was all a good idea, and then turning my audio back up. All this was aside from Vladimir's lightning-speed tape editing—always executed with solid editorial sensibility—in the midst of fragile power supplies, failing wire connections, impossible multi-nation satellite feed schedules, and loud bombardments.

Bill Thomas, our producer, applied constant diplomatic maintenance to our ever-evolving operating procedures with the Iraqi Ministry of Information people in the hotel. They were themselves nervous that they might get in trouble with their superiors, given all the energetic western-style news reporting we were pushing to get out at every opportunity. The human lines of communication he kept open were critical to constant reassurance, on both sides, that principles and ground rules, such as they were, were not being violated. In a general setting of growing anxieties, no electricity, and little running water, Bill's constant efforts and professional personal intervention provided a working environment which remained vibrant and miraculously free of distraction—a necessary condition for the quality of work we pursued.

On the not-infrequent days when it was impossible to get pre-feed phone calls through to New York, I relied on an editing-room assembly of this four-man team to give my script the only once-over it would get, and which every script needs. On such days, unable to learn what length of spot my New York editor-producers would want for their strictly timed 28-minutes-and-26-seconds evening news show, nor able to learn whether they were running a
“special” one-hour show, nor which aspects of my day’s offering might interest them least, I usually transmitted a cut spot which was 30 to 60 seconds longer than I suspected they would want, hoping to give them some options; on such days I tried always to structure the spot in such a way that, after they might have lifted any parts before airing, the spot would not accidentally misrepresent what we were trying to report from Baghdad. This was always a challenge to the intuition, but some months later, after reviewing my spots as aired, I found the short video-and-track edits that had been made in New York had in no way altered any sense I had meant to convey nor left out anything I thought critical.

The other three members of our four-man team also contributed unsuspected culinary skills on the hot plate which ran off the video-editing machines’ power supply—a source which meant it was unusable during spot-cutting. Our daily schedule ended with a fast meal around midnight, cooked on the hot plate—just after tape editing ended and just before the Iraqis shut off all generators and thus all transmissions and phone calls. We rose at dawn, often underslept due to loud nighttime bombardments which we often captured on videotape from our windows. Most mornings, cameraman Vosgimorukian and I explored Baghdad neighborhoods, returning in the late morning to cut one or two spots for morning news shows and which we would feed around noon on the same transmissions on which I did live “Q&A” with morning news anchors. We would then return to our Baghdad explorations in the afternoon, and return to the hotel at dark for more spot-cutting and live Q&A for the evening news shows.

C. After Baghdad: A Hopeful Anecdote for the Future

Three weeks after the war ended, I had lunch in New York with Marcello Zanini, an Italian journalist based in Latin America, who had been WTN’s producer-coordinator in Baghdad during the war and whose job included coordinating the feed-time schedules of the many news organizations from around the world who were using our ABC News satellite dish. During this lunch, Marcello remarked that in the future it would be good if the world’s nations could just “let all us journalists” into wars with the same kind of immunity “they give the International Red Cross.” “We’re a profession,” he argued, saying that it is our job to try to show the whole truth, and that everybody should want that. I have doubts whether our profession is fully ready—with the full professional
self awareness necessary—to win such international acceptance yet. But I believe it will be, and should be.

In any case, our news team in Baghdad tried to provide TV news coverage that would be seen by any thoughtful viewer as being neither pro-Coalition nor pro-Iraqi, but something better—a service provided by professional skeptics which gave added perspective about the conflict to anyone interested.

III. Some New Conclusions

As stated in the introduction, the Gulf War was the first in history in which a large population expected to get routine, public, daily reports from an enemy capital under fire and this seems inevitably to have put a new kind of focus on the principles of professional journalism—at least for some people. The following are some of the principles and realizations which had been developing in my mind over my previous twenty years as a journalist—years that included covering eight “wars” or sizable conflicts—and which I was prompted to crystalize especially because of reflections about professional journalism during and after the Gulf War.

A. The Proper Hierarchy of Professional Allegiance

Pioneer television journalist Fred Friendly is said, among journalists, to have stated that our profession is one in which one must “come to work every day perfectly ready to be fired—for the right reasons.” My news organization understands that my allegiance to them takes second place to my allegiance to my profession—that I work for them in my capacity as a self-proclaimed member of a universal profession. This, however, does not settle the often confused questions asking how patriotism and journalistic professionalism can coexist.

Accordingly, and especially in light of the classical skepticism asserted and renewed by Professors Hallie and Warnock, I would suggest that the proper, basic hierarchy of allegiances for the professional journalist is as follows:

The first allegiance is to “flesh and blood”—This means fam-
ily, friends, community, nation, all fellow humans, and, finally, the planet—their needs, natures, and laws, according to whatever principles of allegiance to the world’s “flesh and blood” you openly state to be yours.65

The second allegiance is to profession—to the promise you make to the world about the kind of professional activity which it may count upon you trying to provide.66

The third allegiance is to employer—to fulfill contractual obligations. In the case of the professional journalist, this must include the understanding that the employer understands that the principles of profession must precede the interests of the company. When the professional journalist is unable to reconcile differences on this point, the option of quitting, or being fired, may have to be considered.

In other words, you obviously have to be a trustworthy person of some kind before you can make a convincing professional promise, and you must be a trustworthy professional before any reputable journalistic organization can hire and promote you as such—journalism is an international profession, a universal activity, just as are medicine and gymnastics and entomology.67

The problem is not with the occasional dramatic case violating this natural hierarchy of allegiance—a film crew that first films a disturbed man dousing and setting himself afire and then moves to help him. The allegiances in such dramatic cases are obviously wrong, the natural primacy of flesh and blood obviously violated. The endemic problem is in the journalist and/or employer who act to support non-journalistic employment interests such as commercial or personal promotion, at the expense of journalistic principle, and do so in a way which may be unnoticeable to the public and which may abuse the journalist’s privileged position of potential

65 This way of using the phrase “flesh and blood” to refer to persons individually and in groups, comes from Professor Hallie who develops it in various recent articles and speeches. See Hallie, supra note 40, at 21. Hallie often cites Montaigne’s essay Of the Art of Discussion, where Montaigne says that “[i]n the end we are always dealing with the individual person, whose condition is astonishingly, marvelously, physical [and] corporeal.” Michel de Montaigne, Of the Art of Discussion, in THE COMPLETE ESSAYS OF MONTAIGNE 710 (Donald M. Frame trans., 1958).

66 See supra pt. I(C).

67 To complete the reasoning here, in this age of objectivistic journalism, we can be hired to do a generally understood sort of activity, and that activity is generally understood to be antithetical, at least in its professional promise, to the activity of propagandists. See supra note 8 and accompanying text.
influence and informational authority.

At least as problematic are journalists who may violate their own natural allegiances to "flesh and blood" in the mistaken or distracted belief that professional activity somehow takes precedence over them, and do so in a way which does not attract the attention of employer or public. Such betrayals of self are of course a constant danger to any person's integrity. In journalism they occur not only when, say, a reporter in wartime slips all too easily out of profession and into propaganda by reporting about an "enemy" group or individual in a way which demonizes and thus helps fan the flames of hatred, but also in peacetime whenever a reporter allows himself or herself to take a cheap shot at some public personality and thus tempts the pathological tendency in any human listener to feel proud by simply identifying negative qualities in others.

B. Realization After Baghdad: Adolph Hitler Got His Genocide, and Other Wishes, Because He Got His War

Somewhere in the course of covering foreign wars in the 1970's I came to realize that war is in many ways the most boring story of all. It is grindingly predictable and depressing: many people will die, many more will endure unspeakable suffering, and there will be much loss of valuable resources; while the war is raging, larger numbers of people than usual will be incapable of reasonable conversation, prompted instead by the exigencies of violence to vaunt themselves and betray the language and its beautiful and long-developed logics; then the war will end, as they all do, and people will discover that the suffering was even greater than the smoke of war had allowed them to see; afterwards, people will wring their hands and ask whether it all really had to happen.

Unlike good science stories, for example, which have the clear power to enlighten and give hope, war stories sooner or later produce revulsion and the desire to get on to something more bracing to everyday living, 68 more positive, tolerable, genuinely engaging.

In the immediate aftermath of the Gulf War, not unexpectedly, we had the same experience: the revelation of more suffering than we had realized during the war, and then of even more suffering generated by the repercussions of the war. In the weeks following the war, the world watched Kurdish families by the tens of

68 Hallie, supra note 40, at 60.
thousands fleeing onto freezing mountains where many died,\textsuperscript{69} and southern Shiites and Baghdad Sunnis slaughtering each other in battles for control of southern Iraq. The horrifying estimates of the number of Iraqi war dead—ranging from 50,000 to 350,000—was compounded by the inability of any authority to produce even an approximate number, thus adding to the dehumanizing aura of these reports.\textsuperscript{69} The horror did not stop there. More than a year after the general cease-fire, reports emerged of a genocidal campaign against Kurdish villages which had been carried out by Saddam’s regime in the years prior to the Gulf War. This campaign took place during a period of the Iran-Iraq War when, as was also revealed, America and other Coalition countries had been arming Iraq (and sometimes also arming Iran), apparently with at least some awareness on the part of their intelligence services of the genocidal human rights violations of the Saddam regime. This revelation of pre-war atrocity might, for some, have seemed to justify the Gulf War. Even for those for whom it did, however, there was still the specter of all the \textit{additional} suffering that the Gulf War generated.

While contemplating, in the weeks following the war, how unsurprising, almost routine, these immediate post-war revelations of human suffering were, I finally realized a major flaw in the way we have depicted World War II to ourselves in the West. (Why it had taken me eight wars to finally see something so basic, I do not know, but this must have something to do with the inevitable need to justify any violence the benefits of which you do not want to lose.)

Adolph Hitler was able to carry out the genocide he and his associates wanted (to make Europe \textit{Judenrein}—“cleansed of Jews” and of others he considered inferior, such as Gypsies, or dangerous, such as some Catholic clergy) because he got his war. That war also achieved for him the same sort of self-dramatizing suicidal ending in which he so reveled in his beloved Wagner \textit{Ring} operas—destruction of the gods by the forces of evil (\textit{Götterdämmerung}).


ung) and suicidal ending of the self-vaulting protagonists.\textsuperscript{61} The Berlin bunker may not be where Hitler said he wanted to end up, but one can at least play with the notion that there may have been something unconsciously self-fulfilling in Hitler’s luridly self-destructive, even operatic, career—a career in which he had many more fellow travellers than it is possible even now for many to acknowledge. The question of the profession of journalism is intimately involved in this human tragedy. It behooves any professional journalist to discover and be able to explain why Göbbels was not a professional journalist.

The smoke and chaos of war was critical to the execution of the Nazi’s complex and extensive plans for their death camps. A definitive, authoritative book describing in detail the execution of these plans makes this clear. Raul Hilberg’s \textit{The Destruction of the European Jews} details, with extensive documentation, the construction of the “killing centers” (the death camps), the intricate planning of SS movements, and the complex coordination of round-ups and arrests with schedules of train movements and other means of removal, and these with the capacity-flow variables of the various concentration camps.\textsuperscript{62}

In the book’s ninth chapter, entitled “Killing Center Operations,” and especially in a section entitled “Concealment,”\textsuperscript{63} Hilberg explains how the top Nazi planners knew they had to keep their own officers sometimes unaware of what each other was doing—so any one saw only a small part of the final atrocity—a precaution needed even within the anti-Semitic fever Nazi propaganda had fed for fifteen years and even within the cover and chaos of war. Without the smoky cover, international confusion, and decimated communications systems of World War II, the Nazis would not have had the relative secrecy needed for their enormous crime.\textsuperscript{64}

\textsuperscript{61} \textsc{Ernest Newman}, \textit{The Wagner Operas} 591-634 (1963). The Ring Epic ends when the main character, Wotan, refusing to relinquish the rings, commits suicide knowing that the gods will perish along with him. \textit{Id.}


\textsuperscript{63} \textit{Id.} at 238.

\textsuperscript{64} \textit{Id.}

[S]ecrecy was a continuous problem . . . . At no point could any disclosure be permitted . . . . When Viktor Brack of the Führer Chancellery wrote to Himmler about the necessity of speeding up the construction of the General government camps, he pointed out: “You yourself, Reichsführer, said to me some time ago that for reasons of concealment alone we have to work as quickly as possible.” . . .
Of course we must be forever thankful for World War II because, finally, it stopped Hitler. We must remain deeply thankful to the fighters who risked, and often lost, their lives stopping the monstrosity. But we must also despise World War II, because it allowed Hitler to murder six million Jews, and many others, and bring devastation and human suffering on a previously unknown scale. Without the heavy cover of war, Hitler could not have carried out his Holocaust.

War’s unpredictable restrictions give cover, and room, to evil. If you let it come to war you give atrocity a head start. One lesson of World War II must surely be that you do not wait until Hitler invades Czechoslovakia to try to stop him; you try to stop him as soon as he gets elected or otherwise takes power, as soon as his plans for human rights offenses are known and seem to have any chance of being realized. Early attempts to stop such individuals and movements are likely to be possible without anything like the violence and loss of life certain in war. And human rights violations are surely justifiable grounds for interfering in any country. World War II is powerful, tragic evidence that doing so would have been an act of defense.

Pope John Paul II, who as a young seminarian in Poland hid from the Nazis who had him on a “wanted” list, has made speeches during his international travels in which he stated simply: “When Human Rights are violated, that’s when wars begin.” If you let it come to war you give atrocity a head start. One lesson of World War II must surely be that you do not wait until Hitler invades Czechoslovakia to try to stop him; you try to stop him as soon as he gets elected or otherwise takes power, as soon as his plans for human rights offenses are known and seem to have any chance of being realized. Early attempts to stop such individuals and movements are likely to be possible without anything like the violence and loss of life certain in war. And human rights violations are surely justifiable grounds for interfering in any country. World War II is powerful, tragic evidence that doing so would have been an act of defense.

Pope John Paul II, who as a young seminarian in Poland hid from the Nazis who had him on a “wanted” list, has made speeches during his international travels in which he stated simply: “When Human Rights are violated, that’s when wars begin.” And, in a sense, one might say that hatred craves war so that it can be really free.

If there had been a more energetic objectivistic professional journalism in the 1930s, and a journalism that declared as one of its observation biases the belief of Professors Hallie and Warnock that the wrongness of such things as human suffering are beyond debate, then, it is reasonable to conjecture, the Nazi nightmare might not have occurred.

No less prominent a journalist than Walter Cronkite stated

Another concealment message was verbal camouflage. The most important and possibly the most misleading term used for the killing centers collectively was the “East.” This phrase was employed again and again during the deportations.”

*Id.*

Noted by author during speech by Pope John Paul II, while author was Rome Bureau Chief for ABC News (1978-84).

Schudson teaches us, though, that objectivistic journalism was barely being born at the time. *See supra* note 8 and accompanying text.

*See supra* note 40 and accompanying text.
publicly in the months following the Gulf War that if professional journalists had been doing their jobs better in the year before the war, it might not even have had to happen. But no one, so far as I know, has cared to probe, publicly at least, what he had in mind. The reasons for the Bush administration’s decisions regarding when and how to fight the Gulf War were complex—though it is now clear that it had much to do with cutting back to size a growing military power that the Coalition countries themselves had built up through profitable arms sales and balance-of-power foreign policies utilized during the Iran-Iraq War. Even so, Cronkite’s conjecture stands: there might have been less atrocious ways than war to build security for all if there had been a better informed public opinion in the world.

In any case, I have found that the notion that, in a tragic sense, Hitler won (or at least got many of his evil wishes fulfilled) is not in the least questionable to some of the people who fought in or otherwise survived World War II. They have responded to this notion with such phrases as, “Well of course! That was the lesson if anything was!” These are people who have direct, personal memories of World War II’s horrible losses.

The recent tendency among some to think nostalgically of World War II as “The Last Good War,” and even to extol it, seems to have obscured this greater and more tragic lesson. At least for younger people—those who did not suffer from World War II but only benefitted from it—there is no way to know what personal and cultural riches might now exist on earth had the evils of Hitler’s racism not been tolerated for six years by partly racist and anti-Semitic governments in Britain and America and been somehow stopped in a less destructive manner.

This post-Gulf War realization brought with it, of course, an ironic reappraisal of President Bush’s labelling of Saddam as “a Hitler.” For President Bush, when he wanted to generate emotional support for the war in America, finally so to label Saddam, was for him to use the same demonizing techniques which Hitler himself had used. There is no question that Saddam Hussein has long been a human rights criminal on an appallingly large scale of evil; in fact, he was so even well before American and other Western governments stopped supporting and encouraging him. But

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scapegoating ethnic groups, and the ancient demonizing propaganda techniques of leaders trying to enflame a population for war, are but two variations on the old and evil theme of getting people to believe, at least for the moment, that there is ever such a thing as a single cause for anything—"it's all their fault" or "it's all his fault."

C. Realization After Baghdad: The Notion of a "Just War" is Not Necessary for Anyone, Including the Military—and Some Good News for the Planet

Elsewhere in this law review symposium it is reported that the Vatican appears recently to be propagating the view that the well known Catholic "Just War Theory," which goes back at least to Thomas Aquinas, is not, and never has been, Catholic doctrine.69 I am not surprised. In the wake of the Gulf War it seemed to me that there was at least one obvious piece of good news—humankind in general seems finally to be developing a greater intolerance for war—not total intolerance, of course, but greater. This seemed to me evident in the apparent presumption by leaders on both sides that world opinion would not put up with a protracted war.

President Bush, who promised a quick war, took pains to deliver on that promise. It also seemed important for the United States to obtain United Nations' support for the war in order to gain, or at least appear to gain, a kind of legitimacy for their action within the world community.

Moreover, both sides were almost completely successful in their attempts to block journalists from witnessing the enormous human suffering that this, as any major military conflict, generated. American officers told journalists they would block any pictures that showed their soldiers hurt or dead. Iraqi officials handling the foreign press kept journalists away from all pictures of human suffering among the military.

It seemed that neither side wanted the world to be reminded, or to learn again, of the abomination and insult to The Creation that war always is. And the leaders of both sides are very guilty of this betrayal of the inevitable and natural public trust with which the Creator endows all forms of human government.

On one occasion when the human suffering of war did break uncontrollably to the surface—the civilian disaster of the Amariya shelter bombing\(^{70}\)—the Coalition “spin control” was instant and massive, seeking both to acknowledge that the bombing was a great misfortune while at the same time seeking to divert attention from culpability by offering several, non-substantial “reasons” for having made this mistake, such as camouflage on the roof, which proved nothing, and to counter any mistaken impressions that the disaster would lessen Coalition forces resolve to keep fighting. In any case, this massive spin control indicated an enormous sensitivity in Washington, D.C. to how public opinion might react to this first gruesome emergence of war’s inevitable large-scale atrocity.

Noting that some of the greatest generals—such as the oft-quoted Sun Tsu\(^{71}\)—have opined that the most successful army never has to fight, or that, in a basic sense, there need only be defense (indeed, governments around the world call their military “defense” departments, not “offense” departments), and considering that the justification for World War II had so dangerously obscured the even more important lesson that, without his war Hitler could not have executed his Holocaust, it occurred to me in the months following the Gulf War that there is no real reason for anybody—including the military—to try to justify any war. Rather, and at the very least, war can usefully be considered by any profession to be a failure—as great generals ever since Sun Tsu have said it is.\(^{72}\) War’s inevitable suffering is virtually axiomatic, as is its undesirability to all except the criminally aggressive or criminally self-interested.

Is it not enough for the military institutions to recognize that, until much better means of conflict resolution obtain on this planet, the disaster of war will emerge from time to time as the only apparent means for establishing security and, when it does, atrocious as it always is, it must be brought swiftly to an end in a way that encourages future security? As the science of Conflict Resolution and Analysis develops and becomes better known, the greatest of military leaders, who have more to lose in violent conflict than anyone, will likely be among the most progressive in establishing the always complicated structures of peace. In the

\(^{70}\) See supra pt. II.B.1.


\(^{72}\) Id.
meantime, I cannot see any advantage for any profession, including the military, in trying to describe what a “just war” might be. Certainly, for example, it is unthinkable to me that anyone would describe World War II as a “just war”—given that it made Hitler’s Holocaust possible.

D. Three Tellingly Unexplored Questions About, and for, Journalists and the Military in the Gulf War

Question One: Why did Saddam Hussein choose to go to war? If Western mass media journalists were genuinely motivated to give their audiences perspective on this conflict, they would have explored this question, but they did not. Perhaps they were afraid it would have a pro-Saddam propagandistic effect on the audience; if so, then it suggests that these journalists felt insecure about their own abilities to generate coverage that was not propaganda of some kind. It seems reasonable to presume that some journalists did not explore this question because they had themselves been successfully “propagandized” by the government into presuming that Saddam was merely some kind of inhuman monster incapable of reasoned, or partly legitimate, action—a belief, as events have since made obvious, which would have been fatal to hold and in any case quite incorrect.

Question Two: Why did Saddam Hussein set Kuwait’s oil wells on fire? This question received virtually no examination in the mass media. Answers to it might well have embarrassed the American government in the depiction of the Gulf War that it was seeking to project to the American public in the months immediately following the Gulf War. The assumption made by many Americans seems to have been simply that the firing of the oil wells was the mindless act of a madman, of the “Hitler” President Bush had said Saddam was. Though Saddam Hussein has indeed long been a human rights criminal on an enormous scale, and one whose record ought to have brought the censure of America and the world years before it finally did in 1990, it is also possible that firing the wells was a carefully considered and successful tactic. Professional Middle East watchers I have talked with over the past year consider two motives likely. First, the smoke from those fires may have given Saddam cover for a successful military withdrawal back to Baghdad just before Coalition forces rolled into Kuwait City. Second, many saw it as an act of defiance that said to the West and Japan, “This is our region. We can even set it on fire if
we want."

Question Three: Did the frequent, sometimes daily, reporting during the war of polls that said the public approval rating for the war was extremely high—in the 80 or 90 percents—significantly weaken the resolve of editors to avoid any reporting that seemed motivated by an inclination to pander to the public's apparent belief that the Gulf War was a good thing—reporting that was, essentially, spirit-building propaganda as opposed to reporting that sought always to add perspective and understanding? If and when American editors begin publicly to explore this question, then it may be possible to say that a serious examination by our profession or our performance in the Gulf War has finally begun.

I do not want to be mistaken here as self-righteous. A large amount of human suffering occurred in Iraq. And as soon as the war ended, making it more likely for journalists to document some of that suffering, I did not fight to stay, but accepted my visa-swap and returned home. That enormous suffering remains today undocumented, with rare exceptions such as the work of Patrick Sloyan.72

E. Before Baghdad: A Challenging Psychiatric Anecdote for the Present

On the third day of the Gulf War, which I had been watching mostly in the central control room of ABC News, my editors asked me to prepare a piece for the weekend news that would talk about the feelings of confusion about the war which many Americans were experiencing as it got under way. To get started, I interviewed a psychologist, Kenneth Greenspan, M.D., of Manhattan, who was working on a study which explained that every human has always to deal, all at once, with the sometimes conflicting emotions and demands of what can be thought of as the three different brains which make up the human brain. He suggested that the confused feelings of many Americans could be at least partly explained by this way of understanding the brain.

The oldest and simplest of the three, he said, is the brain stem at the top of your spinal column—sometimes nicknamed the crocodile brain. It deals in basics: get, eat, kill, shove, slash, run . . . It specializes in mere survival. I asked why the floor of the stock exchange had, at the opening bell, burst into cheers the morning af-

72 See Sloyan, supra note 5, at 649-54.
ther the Gulf War started. Doctor Greenspan replied that the same things that make for success in mortal combat make for success on the stock exchange: get, eat, kill. It was all the brain stem talking, so to speak.

He said that the “second brain”—usually called the “mid-brain”—evolved later. It contains many pleasure centers and likes warm group happiness—feels love and comfort in group efforts. The “mid-brain,” for example, would want to feel good about our soldiers, especially after American soldiers were treated unfairly when returning from the Vietnam war.

He said the “third brain”—most recently evolved—is the outer brain, the convoluted cerebral cortex. It meditates about things, has imagination, can imagine the pain of others, asks questions. This third brain asks awkward questions even about the feelings of the other two: if we kill, might it lead to more war? What will a defeated enemy’s neighbors think?

Finally, he said, you—the central self—are always listening to all three of these brains. To function well, he said, you have to keep all three brains in balance, keep them at least talking to each other, which in the inflated emotions of wartime may be especially hard. It would seem that it is especially hard in wartime to keep that outer war from getting inside your cranium, and to keep your inner war from getting out.

The next day I was called to duty, to report the Gulf War from where it was happening, and so never finished that report about Americans’ mixed feelings about war. I was partly disappointed, from a professional point of view. Having covered enough wars already to know how essentially boring they are, I was intrigued to know what it might be like to watch and report on the reactions of the American people throughout the course of the Gulf War. Surely, there should be much more reporting to our mass audience about the efforts of government to control public opinion—often through reporting (including ours) to the mass audience. Those efforts, as any energetic journalist can document, are prodigious. It seems manifestly obvious to me that not to report on them is to weaken our professional claim to the audience; if the audience’s opinion is being manipulated by the government, should that not be among the first things the public in a democratic country needs to know? So I regret that I did not have a chance to open up this line of journalistic inquiry with the audience—the examination of the possible causes of our own emotions during war.
In any case, Dr. Greenspan's "three brains" explanation offers at least a metaphor for the challenge facing the professional journalist in a world that, at last, is showing a few signs of a growing intolerance for violent conflict—however unsuccessful the world is yet in learning how to prevent it.

How can we keep the "three brains"—in the cranium and, so to speak, on the globe—at least talking to each other? Whatever the answer, the young, international profession of modern objectivist journalism has—whether individual journalists realize it or not—already promised the world that it will try to find out.