

Blog Log: What's holding you back, Judy?

October 4 2005

What was the point of New York Times reporter Judith Miller's 85-day stand in refusing to identify her source and staying in an Alexandria, Va., jail?

For some, Miller is a press heroine, while for others, what may have seemed like a noble gesture spiraling Miller to journalism sainthood received a backlash as many of her own colleagues in the news realm are calling her fluff.

On the blogging front, criticism and speculation are center stage for Miller not striking a deal earlier and the New York Times for inadequate reporting.

Press Think's Jay Rosen's Oct. 2 piece, "Judith Miller and Her Times," writes that "when Chief U.S. District Judge Thomas F. Hogan ordered her to jail, he said Miller was wrong to think she was upholding some great principle of a free press. The source she 'alleges she is protecting' had released her from her duty to confidentiality, Hogan said. He appears to have been right in that warning: your sacrifice doesn't say what you think it says."

Furthermore, Rosen noted, "The Nation's David Corn, Farhad Manjoo of Salon, and Steve Lovelady of CJR (Columbia Journalism Review) Daily all noticed that the story in the Times about Miller's release, which should benefit from having the most complete information, was exceedingly hard to understand. "If you want to avoid a headache, stick to the Post piece," Corn wrote at his weblog. "Over-edited, over-

lawyered," wrote Lovelady, formerly managing editor of the Inquirer. "I found the same thing; I had to read the Times story three times to 'get' it."

Rosen cites Lovelady, who in his Oct. 3 CJR piece, "Spin Buster," mentioned that he and others were disappointed when no written explanation from Miller was in the New York Times over the weekend.

As the Washington Post's Howard Kurtz said on the CNN Sunday TV program "Reliable Sources," "I was hoping I would wake up this morning and see in my "New York Times" and read a 5,000-word piece by Judith Miller telling us everything that was involved. She has no more legal liability here. Matt Cooper did it. No piece in the paper today."

Many bloggers are frustrated with Times Executive Editor Bill Keller and Publisher Arthur Sulzberger's handling of the situation, as well as the newspaper's inadequate reporting of itself.

Jack Shafer of Press Box on Slate.com remarked Sept. 30, "The biggest loser in Judith Miller's capitulation yesterday to special prosecutor Patrick Fitzgerald isn't freedom of the press. And it isn't Miller, the New York Times reporter whose reporting on weapons of mass destruction in Iraq had previously sullied her reputation. It's the Times editorial page."

Perhaps, most bluntly and what makes most sense comes from Shafer.

"You can't investigate a crime that consists of leaking to the press without getting the press to talk," Shafer wrote. "Maybe the paper's publisher and editorial board have figured that out now. They should have grasped it then, before requesting the epic collision of first principles from which Judith Miller has just slunk away."

But maybe Miller is just the Time's version of SNL's challenged-in-the-

hearing-department Emily Litella as Jeff Jarvis writes on his blog Buzz Machine.

"Transparency, please. Reporting, please. Honesty, please," Jarvis wrote. "If you dragged all journalism through the briar patch and didn't have to, you owe an explanation."

Much of the big hoopla seems to stem from skeptics of Miller's heroic deed defending the press's First Amendment rights as talks about the importance of confidentiality and anonymous sources have become a hot debate.

Jarvis, Rosen and a few others cited Dan Froomkin's Washingtonpost.com piece, "Miller's Big Secret," which illustrates a worthwhile journalism point.

"Note to reporters: There is nothing intrinsically noble about keeping your sources' secrets. Your job, in fact, is to expose them. And if a very senior government official, after telling you something in confidence, then tells you that you don't have to keep it secret anymore, the proper response is 'Hooray, now I can tell the world' -- not 'Sorry, that's not good enough for me, I need that in triplicate.' And if you're going to go to jail invoking important, time-honored journalistic principles, make sure those principles really apply."

Still, much speculation is stirring over why Miller waiting so long and who her sources are, especially if you remember that back in 2003 this Pulitzer Prize winner was criticized for her ill-reporting of Iraq's weapons of mass destruction, which some say helped the Bush administration win over support for its invasion.

As Shafer wrote back in July 2003 for Salon, "If reporters who live by their sources were obliged to die by their sources, New York Times

reporter Judith Miller would be stinking up her family tomb right now. In the 18-month run-up to the war on Iraq, Miller grew incredibly close to numerous Iraqi sources, both named and anonymous, who gave her detailed interviews about Saddam Hussein's weapons of mass destruction. Yet 100 days after the fall of Baghdad, none of the sensational allegations about chemical, biological, or nuclear weapons given to Miller have panned out, despite the furious crisscrossing of Iraq by U.S. weapons hunters."

Adrianna Huffington asked a number of questions on The Huffington Post on Sept. 30 that would do well to be answered. Among them: Why didn't Miller accept the waiver a year ago? What prompted Miller finally to testify? Was it fear of staying in jail or being charged with criminal contempt as well as a slew of other questions like what was Miller's relationship with the Bush administration, and what exactly is Fitzgerald cooking up?

Let's hope for Miller's sake that her final answer to the public isn't a tell-all book, as Huffington writes of a rumor that a \$1.2 million book deal might be in the works.

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