

AP probe further strains Obama, press rapport

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Journalism professor Walter Robinson examines how the Department of Justice's investigation into The Associated Press impacts an already strained relationship between the White House and the press. Robinson photo by Brooks Canaday. Credit: Thinkstock

Reports emerged last week that the Department of Justice had secretly obtained two months' worth of phone records of journalists at The Associated Press as part of a larger investigation into a failed al-Qaida plot. The news sent shockwaves through the news industry and put the

Obama administration on the defensive. Pulitzer Prize winner Walter Robinson, Distinguished Professor of Journalism in the College of Arts, Media and Design and a current Pulitzer juror, explains how this news is indicative of ongoing tensions between the federal government and the press, and what that means for the American public.

The Department of Justice's investigation into the AP stems from a 2012 report on a bombing plot last year involving the Yemen arm of al-Qaida. How do news organizations balance publishing classified information with government concerns about national security?

There's always a [tension](#), particularly in the area of [national security](#), between the public's right to know and the [government](#)'s need to keep certain things secret. But most people, and certainly everyone in Washington, know that most things that are classified really have no need to be.

People in power—including the [White House](#)—discuss and disclose classified information all the time. When it suits them and their agenda, people in government are more than happy to leak details with little or no consideration that they're breaking the law as much as someone who is leaking really sensitive information. But when someone leaks information that makes them look bad and which wasn't authorized, that's when the government engages in what I consider to be a reckless effort toward tracking down the source of the leak. Not only does this kind of government action deter whistleblowers, but it also deters news organizations and reporters, who now face the prospect of jail time for simply doing their [jobs](#).

Specific to this AP story, there wasn't even a national security concern: The AP held its story until the government had assured them that it wouldn't do any harm. It's not like they were racing into this recklessly. And that's how every case that I know of in recent years has gone. The *New York Times*, for example, dealt directly with the government before it published its Wikileaks documents, discussing in depth what should and should not be published. When national security is an issue, there are always prior discussions with the government in which the government gets to make its case whether certain information will impact national security.

The AP case is unique in that the news organization, a cooperative entity supported by news organizations across the nation and around the world, is in a position where it is reporting on itself. What concerns must a news organization consider when facing such a circumstance?

The biggest concerns that any editor has when his or her news organization is the subject of the story are proportionality and fairness. The fairness one is obvious: You have to cover yourself with the same sort of tough questions you apply to every other kind of institution. The Boston Globe, for example, is going through this right now as its reporters cover attempts by various groups to purchase the paper from the *New York Times* Company.

The issue of proportionality is unique here, because the AP is an association made up of pretty much every mainstream [news organization](#) in the United States. So beyond the First Amendment issues this investigation raises, the story has consequences for the general public, which receives much of its news coverage—particularly its coverage of

Washington—from the AP. Another reason this is such a big story is because this is only the latest example of this administration seeming committed to making it very difficult or impossible for investigative reporters to do their jobs, particularly on national security issues.

There's this impression, particularly on the right, that Obama is in bed with the press. But the relationship between Obama and the press is horrible, the worst of any president going back to Ronald Reagan. Reporters are being given nothing, they're viewed with contempt, and now the White House is finding new tools like social media to get its message out there. This isn't a story that's just about the press, and I think that's something we in the media don't do a good enough job at explaining. We don't write that the government is making it harder and harder for the press to get records and information on behalf of the public. This all comes down to our right to know what the government is doing, and these developments ought to be a matter of grave public concern.

In response to the Justice Department's investigation into the AP, President Obama and the White House have asked Sen. Chuck Shumer to reintroduce a press shield law, legislation that would offer greater protection to journalists trying to keep their sources and communications confidential. What are your thoughts on reviving that legislation?

On Wednesday, White House Press Secretary Jay Carney came out and said the president had asked Shumer to resubmit his shield law legislation, which was last considered back in 2009. Carney described the president as "a strong defender of the First Amendment and a firm believer in the need for the press to be free in its ability to conduct

investigative reporting and to facilitate a free flow information." But the fact of the matter is that Shumer's shield law legislation, which was filed in 2009, failed principally because the Obama administration tried to water down its protection of [journalists](#), particularly in the area of national security. The administration wanted to maintain its power to prevent and investigate leaks, which it has done more than any previous administration combined. Attorney General Eric Holder has gone after cases like this AP one with vigor.

Provided by Northeastern University

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