

## **Journalism and Yellow Journalism**

### *Abstract*

Yellow journalism, a term used for the use of negligent and flamboyant newspaper reporting without regard to facts, is examined in this paper. Its history and development, its purpose in the media and its impact on history are discussed.

### *From the Paper:*

"Yellow Journalism is a term used for the use of negligent and flamboyant newspaper reporting, without regard to facts. With yellow journalism the truth is usually misrepresented or concealed, more often than not, there may be no truth to the story at all. In its infancy, the term yellow journalism was used to describe the writing tactics used by William Hearst's New York Journal and Joseph Pulitzer's New York World. These men used yellow journalism to exaggerate and misguide the American public on happenings in Cuba; such reporting may have even sparked the Spanish-American war. Yellow journalism is by no means a memory in America's distant past; even the most conservative newspapers still practice it in a refined form today. Tabloids such as the Star and the Inquirer are notorious for sensationalizing and even falsifying headlines. Additionally, every once in a while straight edged newspapers papers such as the Wall Street Journal may get into the act as well. In 1996, ABC News was singled out for reporting that Israel's Benjamin Netanyahu had called then Prime Minister Yitzhak Rabin a traitor, further investigation revealed that the accusation was false."

### **Yellow Journalism: Puncturing the Myths, Defining the Legacies**

Newspaper Research Journal, Fall 2003 by Strout, Lawrence N

Yellow Journalism: Puncturing the Myths, Defining the Legacies, by W. Joseph Campbell (Westport, Conn.: Praeger Publishers, 2003), 209 pages.

As the author rightly points out, the term yellow journalism is alive and well today, more than 100 years after it was coined. The connotations associated with the use of the word are also quite clear-sensationalized and irresponsible news reporting.

Campbell's book seeks to be the definitive work about yellow journalism, from debunking myths that have been perpetuated for decades to identifying the lasting impact of the over-the-top reporting style of the "yellow" journals. In large part, Campbell achieves his goal by applying classic historical methods and content analysis to the "evidence" available about yellow journalism.

Campbell first takes on the origin of the term yellow journalism, surmising from meticulous research that the term first appeared in the New York Press in January 1897 and was "not directly" associated with the Hearst-Pulitzer rivalry over the cartoon character the "Yellow Kid." One myth down, three to go.

#### ADVERTISEMENT

The assumption that the yellow journals appealed primarily to the lowbrow audiences of the late 1800s and early 1900s is the next myth to fall. Cleverly using urban demographic data to compare the cities where yellow journalism flourished to where it did not, Campbell writes: "To characterize yellow journalism as appealing principally or exclusively to downscale readers not only is elitist: It misrepresents the broad appeal of the genre...." Two myths down, two to go.

The final two "debunked" myths relate to the same topic: The SpanishAmerican War. First, the famous telegram allegedly sent from William Randolph Hearst to artist Frederic S. Remington after Remington asked to return home because all was quiet in Cuba. Hearst, so the story goes, replied: "Please remain. You furnish the pictures, and I'll furnish the war." Campbell, in almost excruciating detail, attacks the source (James Creelman) and identifies dispatches printed in the New York Journal at the time that suggest the contrary. Campbell concludes that the story "deserves relegation to the closet of historical imprecision." To attack the myth that the yellow journals played a large role in the United States getting involved in the Spanish American War, Campbell looked at the content of the yellow journals and researched the writings of key figures in the McKinley administration. Again, he found no evidence that the SpanishAmerican War was greatly influenced by the yellow press newspapers.

In debunking all of the four major myths about yellow journalism, Campbell's research is thorough and sound and the evidence is clearly presented and backs up his assertions.

The second part of Campbell's book - Defining the Legacies-is less compelling.

Campbell embarked on a content analysis of newspapers in ten-year periods from 1899 through 1999. In the analysis, he uses a coding method that incorporates the major characteristics of yellow journalism-such as multicolumn headlines, multicolumn illustrations and using the newspaper's name in a headline-to track whether the characteristics have lived on or died. Again, Campbell carries out the research in meticulous detail, pointing out the strengths of the method used and conceding its weaknesses while surmising, "American newspapers have become more uniform in content" and "more graphically vivid while generally eschewing the most flamboyant content variables associated with yellow journalism."

The final chapter of the book-still under Defining the Legacies-Campbell attempts to tie the major trends associated with yellow journalism to today's journalism throughout the United States and the world. From "development journalism" (the news media promoting national unity and objectives), to public or "civic" journalism (journalists crusading to better their communities), to crime-solving journalism, Campbell connects all of them back to the yellow journalism era. His arguments are less impressive here because several, if not all of the trends mentioned, could be tied to the Penny Press with the right excerpts lifted from stories in Benjamin Day's New York Sun and James Gordon Bennett's New York Herald.

But the weakness of one part of the book does not diminish the overall work of Campbell. The well-researched book is laid out in clinical fashion, but it is not sterile to read. In fact, the book is an interesting read from cover to cover while still being formatted-with frequent use of bulleted lists-for easy use as a reference work. *Yellow Journalism: Puncturing the Myths, Defining the Legacies* is a must read for everyone who wants to know the "truth" about yellow journalism.

Strout is an associate professor and director of the Mass Communication Program at Xavier University of Louisiana in New Orleans. He is author of the book *Covering McCarthyism: How the Christian Science Monitor handled Joseph R. McCarthy, 1950-1955*, Greenwood Publishing Group, 1999.

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## **Journalism**

From Wikipedia, the free encyclopedia

**Journalism** is a discipline of writing. News-oriented journalism is sometimes described as the "first rough draft of history" (attributed to Phil Graham), because journalists often did record important events, however producing news articles on short deadlines. While under pressure to be first with their stories, news media organizations usually edit and proofread their reports prior to publication, adhering to each organization's standards of accuracy, quality, and style. Many news organizations claim proud traditions of holding government officials and institutions accountable to the public, while media critics have raised questions about holding the press itself accountable.

As for the future of journalism, computers are increasingly being used to support this discipline. For example, Artificial Intelligence (AI) is used to support editorial operations.

### **[edit] Reporting**

Journalism's main activities include stating who, what, when, where, why and how, and stating the significance and effects of certain events or trends. Journalism exists in a number of media: newspapers, television, radio, magazines and, most recently, the World Wide Web through the Internet.

The subject matter of journalism can be anything and everything, and journalists report and write on a wide variety of subjects: politics on the international, national, provincial and local levels, economics and business on the same four levels, health and medicine, education, sports, hobbies and recreation, lifestyles, clothing, food, pets, sex and relationships; journalists report on anything that news organizations think consumers will read. Journalists can report for general interest news outlets like newspapers, news magazines and broadcast sources; general circulation specialty publications like trade and hobby magazines or for news publications and outlets with a select group of subscribers. Journalists are usually expected and required to go out to the scene of a story to gather information for their reports, and often may compose their reports in the field. They also use the telephone, the computer and the internet to gather information. However, more often those reports are written, and they are almost always edited in newsrooms, the offices where journalists and editors work together to prepare news content.

Journalists, especially if they cover a specific subject or area (a "beat") are expected to cultivate sources, people in the subject or area, that they can communicate with, either to explain the details of a story, or to provide leads to other subjects of stories yet to be

reported. They are also expected to develop their investigative skills to better research and report stories.

### **[edit] Print journalism**

*For more information about writing a news story, see [News style](#)*

Print journalism can be split into several categories: newspapers, news magazines, general interest magazines, trade magazines, hobby magazines, newsletters, private publications, online news pages and others. Each genre can have its own requirements for researching and writing reports.

For example, newspaper journalists in the United States have traditionally written reports using the inverted pyramid style, although this style is used more for straight or hard news reports rather than features. Written hard news reports are expected to be spare in the use of words, and to list the most important information first, so that, if the story must be cut because there is not enough space for it, the least important facts will be automatically cut from the bottom. Editors usually ensure that reports are written with as few words as possible. Feature stories are usually written in a looser style that usually depends on the subject matter of the report, and in general granted more space (see Feature-writing below).

News magazine and general interest magazine articles are usually written in a different style, with less emphasis on the inverted pyramid. Trade publications can be more news-oriented, while hobby publications can be more feature-oriented.

### **[edit] Broadcast journalism**

*For more information about radio and television journalism, see [News broadcasting](#)*

Radio journalists must gather facts to present them fairly and accurately, but also must find and record relevant and interesting sounds to add to their reports, both interviews with people involved in the story and background sounds that help characterize the story. Radio reporters may also write the introduction to the story read by a radio news anchor, and may also answer questions live from the anchor.

Television journalists rely on visual information to illustrate and characterize their reporting, including on-camera interviews with people involved in the story, shots of the scene where the story took place, and graphics usually produced at the station to help frame the story. Like radio reporters, television reporters also may write the introductory script that a television news anchor would read to set up their story. Both radio and television journalists usually do not have as much "space" to present information in their reports as print journalists.

### **[edit] On-line (Cyber) journalism**

The fast and vast growth of the Internet and World Wide Web has spawned the newest medium for journalism, on-line (Cyber) journalism. The speed at which news can be disseminated on the web, and the profound penetration to anyone with a computer and web browser, have greatly increased the quantity and variety of news reports available to the average web user.

The bulk of on-line(Cyber) journalism has been the extension of existing print and broadcast media into the web via web versions of their primary products. New reports that were set to be released at expected times now can be published as soon as they are written and edited, increasing the deadline pressure and fear of being scooped many journalists must deal with.

Most news websites are free to their users — one notable exception being the Wall Street Journal website, for which a subscription is required to view its contents — but some outlets, such as the New York Times website, offer current news for free but archived reports and access to opinion columnists and other non-news sections for a periodic fee. Another example is one of the largest on-line Urdu news sites, Al Qamar Online. The founder of this news network, M. Haroon Abbas Qamar, is considered an authentic expert on On- line (Cyber) journalism<sup>[citation needed]</sup>. Attempts to start unique web publications, such as Slate and Salon, have met with limited success, in part because they do or did charge subscription fees.

The growth of blogs as a source of news and especially opinion on the news has forever changed journalism. Blogs now can create news as well as report it, and blur the dividing line between news and opinion. The debate about whether blogging is really journalism rages on (see blogging entry below).

### **[edit] Variations of journalism**

#### **[edit] Feature journalism**

Newspapers and periodicals often contain features (see under heading **feature style** at article news style) written by journalists, many of whom specialize in this form of in-depth journalism.

Feature articles usually are longer than straight news articles, and are combined with photographs, drawings or other "art." They may also be highlighted by typographic effects or colors.

Writing features can be more demanding than writing straight news stories, because while a journalist must apply the same amount of effort to accurately gather and report the facts of the story, the reporter must also find a creative and interesting way to write the article, especially the lead, or the first one or two paragraphs of the story. The lead must grab the reader's attention yet accurately embody the ideas of the article. Often the lead of a feature article is dictated by its subject matter. Journalists must work even

harder to avoid clichéd images and words when writing the lead and the rest of the article.

In the last half of the 20th Century the line between straight news reporting and feature writing blurred as more and more journalists and publications experimented with different approaches to writing an article. Tom Wolf, Gay Talese, Hunter S. Thompson and other journalists used many different approaches to writing news articles. Urban and alternative weekly newspapers went even further blurring the distinction, and many magazines fan more features than straight news.

Some television news shows experimented with alternative formats, and many TV shows that claimed to be news shows were not considered as such by many critics, because their content and methods did not adhere to accepted journalistic standards. National Public Radio, on the other hand, is considered a good example of a good mixture of straight news reporting, features, and combinations of the two, usually meeting standards of high quality. Other U.S. public radio news organizations have achieved similar results. A majority of newspapers still maintain a clear distinction between news and features, as do most television and radio news organizations.

### **[edit]** Sports journalism

- *For more information, see Sports journalism.*

Sports journalism covers many aspects of human athletic competition, and is an integral part of most journalism products, including newspapers, magazines, and radio and television news broadcasts. While some critics don't consider sports journalism to be true journalism, the prominence of sports in Western culture has justified the attention of journalists to not just the competitive events of sports, but also to athletes and the business of sports.

Sports journalism in the United States has traditionally been written in a looser, more creative and more opinionated tone than traditional journalistic writing; the emphases on accuracy and underlying fairness is still a part of sports journalism. An emphasis on the accurate description of statistical performances of athletes is also an important part of sports journalism.

### **[edit]** Science journalism

- \* *For more information, see Science journalism.*

Science journalism is a relatively new branch of journalism, in which journalists' reporting conveys information on science topics to the public. Science journalists must understand and interpret very detailed, technical and sometimes jargon-laden information and render it into interesting reports that are comprehensible to consumers of news media.

Scientific journalists also must choose which developments in science merit news coverage, as well as cover disputes within the scientific community with a balance of fairness to both sides but also with a devotion to the facts.

Many, but not all, journalists covering science have training in the sciences they cover, including several medical doctors who cover medicine.

### **[edit] Investigative journalism**

*\* For more information, see Investigative reporting.*

Investigative journalism, in which journalists investigate and expose unethical, immoral and illegal behavior by individuals, businesses and government agencies, can be complicated, time-consuming and expensive — requiring teams of journalists, months of research, interviews (sometimes repeated interviews) with numerous people, long-distance travel, computers to analyze public-record databases, or use of the company's legal staff to secure documents under freedom of information laws.

Because of its inherently confrontational nature, this kind of reporting is often the first to suffer from budget cutbacks or interference from outside the news department. Investigative reporting done poorly can also expose journalists and media organizations to negative reaction from subjects of investigations and the public, and accusations of gotcha journalism. When conducted correctly it can bring the attention of the public and government problems and conditions that the public deem need to be addressed, and can win awards and recognition to the journalists involved and the media outlet that did the reporting.

### **[edit] Gonzo journalism**

Gonzo journalism is a type of journalism popularized by the American writer Hunter S. Thompson, author of Fear and Loathing in Las Vegas, Fear and Loathing: On the Campaign Trail of '72, among other stories and books. Gonzo journalism is characterized by its punchy style, rough language, and ostensible disregard for conventional journalistic writing forms and customs. Gonzo journalism attempts to present a multi-disciplinary perspective on a particular story, drawing from popular culture, sports, political, philosophical and literary sources. Gonzo journalism has been styled eclectic or untraditional. It remains a feature of popular magazines such as Rolling Stone magazine. It has a good deal in common with on-line journalism (see above).

### **[edit] 'Celebrity' or 'People' journalism**

Another area of journalism that grew in stature in the 20th Century is 'celebrity' or 'people' journalism, which focuses on the personal lives of people, primarily celebrities, including movie and stage actors, musical artists, models and photographers, other notable people in the entertainment industry, as well as people who seek attention, such



as politicians, and people thrust into the attention of the public, such as people who do something newsworthy.

Once the province of newspaper gossip columnists and gossip magazines, celebrity journalism has become the focus of national tabloid newspapers like the National Enquirer, magazines like People and Us Weekly, syndicated television shows like Entertainment Tonight, Inside Edition, The Insider, Access Hollywood, and Extra, cable networks like E!, A&E Network and The Biography Channel, and numerous other television productions and thousands of websites. Most other news media provide some coverage of celebrities and people.

Celebrity journalism differs from feature writing in that it focuses on people who are either already famous or are especially attractive, and in that it often covers celebrities obsessively, to the point of these journalists behaving unethically in order to provide coverage. Paparazzi, photographers who would follow celebrities incessantly to obtain potentially embarrassing photographs, have come to characterize celebrity journalism.

### **[edit] Role of journalism in society**

In the 1920s, as modern journalism was just taking form, writer Walter Lippmann and American philosopher John Dewey debated over the role of journalism in a democracy. Their differing philosophies still characterize a debate about the role of journalism in society and the nation-state.

**Lippmann** understood that journalism's role at the time was to act as a mediator or translator between the public and policymaking elites. The journalist became the middleman. When elites spoke, journalists listened and recorded the information, distilled it, and passed it on to the public for their consumption. His reasoning behind this was that the public was not in a position to deconstruct a growing and complex flurry of information present in modern society, and so an intermediary was needed to filter news for the masses. Lippman put it this way: The public is not smart enough to understand complicated, political issues. Furthermore, the public was too consumed with their daily lives to care about complex public policy. Therefore the public needed someone to interpret the decisions or concerns of the elite to make the information plain and simple. That was the role of journalists. Lippmann believed that the public would affect the decision making of the elite with their vote. In the meantime, the elite (i.e. politicians, policy makers, bureaucrats, scientists, etc.) would keep the business of power running. In Lippman's world, the journalist's role was to inform the public of what the elites were doing. It was also to act as a watchdog over the elites as the public had the final say with their votes. Effectively that kept the public at the bottom of the power chain, catching the flow of information that is handed down from experts/elites.

**Dewey**, on the other hand, believed the public was not only capable of understanding the issues created or responded to by the elite, it was in the public forum that decisions should be made after discussion and debate. When issues were thoroughly vetted, then the best ideas would bubble to the surface. Dewey believed journalists not only had to

inform the public, but should report on issues differently than simply passing on information. In Dewey's world, a journalist's role changed. Dewey believed that journalists should take in the information, then weigh the consequences of the policies being enacted by the elites on the public. Over time, his idea has been implemented in various degrees, and is more commonly known as "community journalism."

This concept of *Community Journalism* is at the center of new developments in journalism. In this new paradigm, journalists are able to engage citizens and the experts/elites in the proposition and generation of content. It's important to note that while there is an assumption of equality, Dewey still celebrates expertise. Dewey believes the shared knowledge of many is far superior to a single individual's knowledge. Experts and scholars are welcome in Dewey's framework, but there is not the hierarchical structure present in Lippman's understanding of journalism and society. According to Dewey, conversation, debate, and dialogue lie at the heart of a democracy.

While Lippman's journalistic philosophy might be more acceptable to government leaders, Dewey's approach is a better descriptor of how many journalists see their role in society, and, in turn, how much of society expects journalists to function. Americans, for example, may criticize some of the excesses committed by journalists, but they tend to expect journalists to serve as watchdogs on government, businesses and other actors, enabling people to make informed decisions on the issues of the time.

### **[edit] The Elements of Journalism**

According to *The Elements of Journalism* by Bill Kovach and Tom Rosensteil, there are nine elements of journalism. In order for a journalist to fulfill their duty of providing the people with the information they need to be free and self-governing, they must follow these guidelines.

1. Journalism's first obligation is to the truth.
2. Its first loyalty is to the citizens.
3. Its essence is discipline of verification.
4. Its practitioners must maintain an independence from those they cover.
5. It must serve as an independent monitor of power.
6. It must provide a forum for public criticism and compromise.
7. It must strive to make the significant interesting and relevant.
8. It must keep the news comprehensive and proportional.
9. Its practitioners must be allowed to exercise their personal conscience.

### **[edit] Professional and ethical standards**

Since the development of professional journalism at the beginning of the 20th Century, journalists have been expected to follow a stringent code of journalistic conduct that requires them to, among other things:

- Use original sources of information, including interviews with people directly involved in a story, original documents and other direct sources of information, whenever possible, and cite the sources of this information in reports;
  - *For more information on using sources, see Journalism sourcing.*
- Fully attribute information gathered from other published sources, should original sources not be available (to not do so is considered plagiarism; some newspapers also note when an article uses information from previous reports);
- Use multiple original sources of information, especially if the subject of the report is controversial;
- Check every fact reported;
- Find and report every side of a story possible;
- Report without bias, illustrating many aspects of a conflict rather than siding with one;
- Approach researching and reporting a story with a balance between objectivity and skepticism.
- Use careful judgment when organizing and reporting information.
- Be careful about granting confidentiality to sources (news organizations usually have specific rules that journalists must follow concerning grants of confidentiality);
- Decline gifts or favors from any subject of a report, and avoid even the appearance of being influenced;
- Abstain from reporting or otherwise participating in the research and writing about a subject in which the journalist has a personal stake or bias that cannot be set aside.

This was in stark contrast to the media climate prior to the 20th Century, where the media market was dominated by smaller newspapers and pamphleteers who usually had an overt and often radical agenda, with no presumption of balance or objectivity. E.g., see (1).

### **[edit] Recognition of excellence in journalism**

There are several professional organizations, universities and foundations that recognize excellence in journalism. The Pulitzer Prize, administered by Columbia University in New York City, is awarded to newspapers, magazines and broadcast media for excellence in various kinds of journalism. The Columbia University Graduate School of Journalism gives the Alfred I. duPont-Columbia University Awards for excellence in radio and television journalism, and the Scripps Howard Foundation gives the National Journalism Awards in 17 categories. The Society of Professional Journalists gives the Sigma Delta Chi Award for journalism excellence. In the television industry, the National Academy of Television Arts & Sciences gives awards for excellence in television journalism.

### **[edit] Failing to uphold standards**

Such a code of conduct can, in the real world, be difficult to uphold consistently. Journalists who believe they are being fair or objective may give biased accounts -- by reporting selectively, trusting too much to anecdote, or giving a partial explanation of

actions. (See Media bias.) Even in routine reporting, bias can creep into a story through a reporter's choice of facts to summarize, or through failure to check enough sources, hear and report dissenting voices, or seek fresh perspectives.

As much as reporters try to set aside their prejudices, they may simply be unaware of them. Young reporters may be blind to issues affecting the elderly. A 20-year veteran of the "police beat" may be deaf to rumors of departmental corruption. Publications marketed to affluent suburbanites may ignore urban problems. And, of course, naive or unwary reporters and editors alike may fall prey to public relations, propaganda or disinformation.

News organizations provide editors, producers or news directors whose job is to check reporters' work at various stages. But editors can get tired, lazy, complacent or biased. An editor may be blind to a favorite reporter's omissions, prejudices or fabrications. (See Jayson Blair.) Provincial editors also may be ill-equipped to weigh the perspective (or check the facts of) a correspondent reporting from a distant city or foreign country. (See News management.)

A news organization's budget inevitably reflects decision-making about what news to cover, for what audience, and in what depth. Those decisions may reflect conscious or unconscious bias. When budgets are cut, editors may sacrifice reporters in distant news bureaus, reduce the number of staff assigned to low-income areas, or wipe entire communities from the publication's zone of interest.

Publishers, owners and other corporate executives, especially advertising sales executives, can try to use their powers over journalists to influence how news is reported and published. Journalists usually rely on top management to create and maintain a "firewall" between the news and other departments in a news organization to prevent undue influence on the news department. One journalism magazine, Columbia Journalism Review, has made it a practice to reveal examples of executives who try to influence news coverage, of executives who do not abuse their powers over journalists, and of journalists who resist such pressures.

### **[edit] Reporting versus editorializing**

Generally, publishers and consumers of journalism draw a distinction between reporting — "just the facts" — and opinion writing, often by restricting opinion columns to the editorial page and its facing or "op-ed" (opposite the editorials) page. Unsigned editorials are traditionally the official opinions of the paper's editorial board, while op-ed pages may be a mixture of syndicated columns and other contributions, frequently with some attempt to balance the voices across some political or social spectrum.

The distinction between reporting and opinion can break down. Complex stories often require summarizing and interpretation of facts, especially if there is limited time or space for a story. Stories involving great amounts of interpretation are often labelled

"news analysis," but still run in a paper's news columns. The limited time for each story in a broadcast report rarely allows for such distinctions.

### **[edit] Ambush journalism**

Refers to aggressive tactics practiced by journalists to suddenly confront with questions people who otherwise do not wish to speak to a journalist. The practice has particularly been applied by television journalists, such as those on the CBS-TV news show 60 Minutes and by Geraldo Rivera, currently on the Fox News cable channel, and by hundreds of American local television reporters conducting investigations.

The practice has been sharply criticized by journalists and others as being highly unethical and sensational, while others defend it as the only way to attempt to provide those subject to it an opportunity to comment for a report. Ambush journalism has not been ruled illegal in the United States, although doing it on private property could open a journalist to being charged with trespassing.

### **[edit] Gotcha journalism**

- *For more information, see Gotcha journalism.*

Refers to the deliberate manipulation of the presentation of facts in a report in order to portray a person or organization in a particular way that varies from an accurate portrayal based on balanced review of the facts available. In particular it is applied to broadcast journalism, where the story, images and interviews are tailored to create a particular impression of the subject matter.

It is considered highly unethical to engage in gotcha journalism. Many subjects of reporting have claimed to have been subjected to it, and some media outlets are guilty of deliberately biased reporting.

### **[edit] Legal status**

*For more information, see Freedom of the press*

Journalists around the world often write about the governments in their nations, and those governments have widely varying policies and practices towards journalists, which control what they can research and write, and what press organizations can publish. Many Western governments guarantee the freedom of the press, and do relatively little to restrict press rights and freedoms, while other nations severely restrict what journalists can research and/or publish.

Journalists in many nations have enjoyed some privileges not enjoyed by members of the general public, including better access to public events, crime scenes and press conferences, and to extended interviews with public officials, celebrities and others in the public eye. These privileges are available because of the perceived power of the press to

turn public opinion for or against governments, their officials and policies, as well as the perception that the press often represents their consumers. These privileges extend from the legal rights of journalists but are not guaranteed by those rights. Sometimes government officials may attempt to punish individual journalists who irk them by denying them some of these privileges extended to other journalists.

Nations or jurisdictions that formally license journalists may confer special privileges and responsibilities along with those licenses, but in the United States the tradition of an independent press has avoided any imposition of government-controlled examinations or licensing. Some of the states have explicit shield laws that protect journalists from some forms of government inquiry, but those statutes' definitions of "journalist" were often based on access to printing presses and broadcast towers. A national shield law has been proposed.

In some nations, journalists are directly employed, controlled or censored by their governments. In other nations, governments who may claim to guarantee press rights actually intimidate journalists with threats of arrest, destruction or seizure of property (especially the means of production and dissemination of news content), torture or murder.

Journalists who elect to cover conflicts, whether wars between nations or insurgencies within nations, often give up expectation to protection by government, if not giving up their rights to protection by government. Journalists who are captured or detained during a conflict are expected to be treated as civilians and to be released to their national government.

### **[edit] Rights of journalists versus those of private citizens and organizations**

Journalists enjoy similar powers and privileges as private citizens and organizations. The power of journalists over private citizens is limited by the citizen's rights to privacy. Many who seek favorable representation in the press (celebrities, for example) do grant journalists greater access than others enjoy. The right to privacy of a private citizen may be reduced or lost if the citizen is thrust into the public eye, either by their own actions or because they are involved in a public event or incident.

Citizens and private organizations can refuse to deal with some or all journalists; the powers the press enjoy in many nations often make this tactic ineffective or counter-productive.

Citizens in most nations also enjoy the right against being libeled or defamed by journalists, and citizens can bring suit against journalists who they claim have published damaging untruths about them with malicious disregard for the truth. Libel or defamation lawsuits can also become conflicts between the journalists' rights to publish versus the private citizen's right to privacy. Some journalists have claimed lawsuits brought against them and news organizations — or even the threat of such a lawsuit — were intended to

stifle their voices with the threat of expensive legal proceedings, even if plaintiffs cannot prove their cases. This is referred to as the Chilling effect.

In many nations, journalists and news organizations must function under similar threat of retaliation from private individuals or organizations as from governments. Criminals and criminal organizations, political parties, some zealous religious organizations, and even mobs of people have been known to punish journalists who speak or write about them in ways they do not like. Punishments can include threats, physical damage to property, assault, torture and murder.

### **[edit] Right to protect confidentiality of sources**

*For more information, see Protection of sources*

Journalists' interaction with sources sometimes involves confidentiality, an extension of freedom of the press giving journalists a legal protection to keep the identity of a source private even when demanded by police or prosecutors; withholding sources can land journalists in contempt of court, or jailtime.

The scope of rights granted journalists varies from nation to nation; in the United Kingdom, for example, the government has had more legal rights to protect what it considers sensitive information, and to force journalists to reveal the sources of leaked information, than the United States. Other nations, particularly Zimbabwe and the People's Republic of China, have a reputation of persecuting journalists, both domestic and foreign.

In the United States, there has never been a right to protect sources in federal court. Some states provide varying degrees of such protection. However, federal courts will refuse to force journalists to reveal sources, unless the information the court seeks is highly relevant to the case, and there's no other way to get it. Journalists, like all citizens, who refuse to testify even when ordered to can be found in contempt of court and fined or jailed.

### **[edit] Right of access to government information**

Like sources, journalists depend on the rights granted by government to the public and, by extension, to the press, for access to information held by the government. These rights also vary from nation to nation (see Freedom of information legislation) and, in the United States, from state to state. Some states have more open policies for making information available, and some states have acted in the last decade to broaden those rights. New Jersey, for example, has updated and broadened its Sunshine Law to better define what kinds of government documents can be withheld from public inquiry.

In the United States, the Freedom of Information Act (FOIA) guarantees journalists the right to obtain copies of government documents, although the government has the right to redact, or black out, information from documents in those copies that FOIA allows them

to withhold. Other federal legislation also controls access to information (see Freedom of information in the United States).