

# TORTURING THE TRUTH VIGILANTES

“WHAT ELSE ARE WE ON THIS EARTH TO DO???,” Dan Froomkin tweeted as he contemplated the NYT’s Public Editor, Arthur Brisbane, asking for reader input on whether or not its reporters should correct false statements made by those they report on.

I’m looking for reader input on whether and when New York Times news reporters should challenge “facts” that are asserted by newsmakers they write about.

[snip]

[Including a paragraph correcting false claims] is what one reader was getting at in a recent message to the public editor. He wrote:

“My question is what role the paper’s hard-news coverage should play with regard to false statements – by candidates or by others. In general, the Times sets its documentation of falsehoods in articles apart from its primary coverage. If the newspaper’s overarching goal is truth, oughtn’t the truth be embedded in its principal stories? In other words, if a candidate repeatedly utters an outright falsehood (I leave aside ambiguous implications), shouldn’t the Times’s coverage nail it right at the point where the article quotes it?”

This message was typical of mail from some readers who, fed up with the distortions and evasions that are common in public life, look to The Times to set the record straight. They worry less

about reporters imposing their judgment on what is false and what is true.

Is that the prevailing view? And if so, how can The Times do this in a way that is objective and fair? Is it possible to be objective and fair when the reporter is choosing to correct one fact over another? Are there other problems that The Times would face that I haven't mentioned here?

I responded to Froomkin, "I believe 'Gin up wars for the Administration' is high on NYT's list of 'what else they are on this earth to do.'"

Now, I'm just as interested in how Brisbane framed this. The whole article was titled, "Should The Times Be a Truth Vigilante?" Admittedly, it's possible Brisbane didn't come up with the headline. Nevertheless, the choice of the word "vigilante" suggests violent, mob action. This, from the foremost member in this country of what used to be known as "The Fourth Estate," professionals who, by virtue of their training, are believed not to operate with the same blindness of a mob. The headline could have asked, "Should NYT's journalists act like journalists?" but that would normalize the apparently radical idea of fact-checking. Instead, Brisbane (or the NYT's headline writer) treated the simple act of telling the truth as something only the rabble might do.

Just as troubling, still, are the examples Brisbane cites. First, there's a reader's suggestion that the NYT ought to weigh in to say that Clarence Thomas did not in fact "misunderstand" his disclosure documents, but chose not to comply with them. I would hope an experienced journalist would also understand that we can't know what Thomas does or does not understand, and while it's appropriate for an experienced law journalist to note where Thomas' understanding of precedent and law deviates from past practice, it's probably not appropriate to talk about what he does and does not understand

on issues where “understanding” is not engrained in the law. (I do, however, thoroughly support the NYT’s opinion pages from questioning whether a guy who doesn’t understand disclosure forms ought to be one of this country’s nine arbiters of the law, or while we’re at it, whether a guy who misuses TurboTax to avoid paying taxes ought to be entrusted with overseeing this country’s financial system).

Brisbane’s second example is when it took Paul Krugman, an NYT op-ed columnist, to call out Mitt Romney for accusing Obama for apologizing for the United States.

Another example: on the campaign trail, Mitt Romney often says President Obama has made speeches “apologizing for America,” a phrase to which Paul Krugman objected in a December 23 column arguing that politics has advanced to the “post-truth” stage.

As an Op-Ed columnist, Mr. Krugman clearly has the freedom to call out what he thinks is a lie. My question for readers is: should news reporters do the same?

I’m appalled by this statement because of the way it repeats the earlier logic of the NYT: in which its opinion page made fun of GOP candidates that didn’t call waterboarding “torture,” in spite of the fact that anyone getting their “facts” from the NYT’s news page would have learned that waterboarding was simply harsh interrogation.

But here’s the problem. **The institutional position of the NYT maintains that whether waterboarding constitutes torture or not is a matter of opinion, not fact.** And using the NYT’s own institutional logic (logic I strenuously disagree with), would mean the GOP candidates are entitled to their opinion that waterboarding is not

torture, regardless of how long it has been “classified as torture.”

And particularly given that some of the best reporting on the country on waterboarding—that which appeared in the NYT—has refused to call it torture, NYT can’t really fault the GOP candidates for their “opinion.” After all, when the NYT presented “the facts” about this country’s use of waterboarding, it informed their readers that waterboarding is no more than harsh or brutal treatment, not torture. If these candidates read the NYT to get their “facts” about the world, they would have every reason to hold the “opinion” that waterboarding is not torture. Effectively, the NYT editorial page is either arguing that readers should not treat the paper’s factual reporting as factual anymore, or that they would be immoral for doing so.

The NYT says it honors the nation’s moral standing to treat waterboarding as torture and act accordingly. It says it degrades the nation’s reputation not to do so.

So why isn’t the NYT’s editorial page concerned about what the NYT’s news page is doing to this nation’s moral standing?

As the NYT appears to understand it, only the mob, not professionals, would do something so gross as fact check newsmakers. And the only place where truth may—should—be revealed is on pages labeled as “opinion.”