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Unnamed Sources:
A utilitarian exploration of their justification and guidelines for limited use

By Matt J Duffy, PhD & Carrie Packwood Freeman, PhD

Abstract

This article critically examines the practice of unnamed sourcing in journalism. A literature review highlights arguments in favor of and against their use. Then, the authors examine some common examples of anonymous sourcing using the lens of utilitarianism, the ethical model commonly used to justify the practice. We find that few uses of unnamed sourcing can be justified when weighed against diminished credibility and threats to fair, transparent reporting. The authors then suggest specific guidelines for journalists that, if followed, would curb many of the pedestrian uses of unnamed sourcing but still allow for the practice in specific circumstances.

Critics and scholars have long pointed to the overuse of unnamed sourcing as a vexing problem in journalism. Over the last decade, these complaints have reached a fever pitch. The ombudsmen for both the *New York Times* and *Washington Post* recently chastised their own papers for abusing the practice (Alexander, 2009; Hoyt, 2008, 2009a, 2010). Ombudsmen for Internet, television and radio news outlets have also recently criticized over-reliance on anonymous sources (Ohlmeyer, 2010; Shepard, 2011). Critics complain that reporters and editors grant anonymity too casually and, as a result, lose credibility when readers must guess the source of information. They also note that, by attributing their comments to unnamed officials, media outlets often allow public figures to escape accountability and scrutiny (Kurtz, 2010). Granting anonymity can also lead to questions of fairness. Clark Hoyt, the ombudsmen for the *New York Times*, criticized his paper for allowing a personal allegation to be made behind the veil of anonymity (Hoyt, 2009b). Reports based on unnamed sources can also turn out to be inaccurate or even false, leading to retractions and concerns about the believability of news reports (Kurtz, 2005; Maraniss, 1981; The Editors, 2004; Zhang & Cameron, 2003).

Despite these detractions, most journalists and critics alike support the use of anonymous sources in certain circumstances. Supporters, including the aforementioned public editors, point out that some vital news reports would simply go unpublished if information could not be attributed to unnamed sources (Alexander, 2009; Coile, 2005; Hoyt, 2009a; Okrent, 2004). Bob Woodward noted that the Watergate coverage that led to President Richard Nixon's resignation would have been impossible without unnamed attribution (Shepard, 1994). In these cases, the benefits from the use of anonymous sourcing appear to outweigh their negative impact on reader credibility or readers' complaints about fairness.

In 2004, the *New York Times* criticized its own reporting leading up to the Iraq War. An apologetic editor's note stated some of its reporting contained "information that was controversial then, and seems questionable now, was insufficiently qualified or allowed to stand unchallenged" (The Editors, para. 3). The *Times* does not point to anonymous sourcing as part of the problem in its apology, but a review of the most-widely criticized article finds it replete with unnamed sources (Gordon & Miller,

2002). The article, which details Saddam Hussein's increased hunt for atomic bomb parts, does not quote a named source until the twenty-fifth paragraph. The story uses phrases such as "Bush administration officials said," "according to American intelligence," "an Iraqi defector said," and "a senior administration official" (Gordon & Miller, 2002). In the fallout from their Iraq War coverage, the *New York Times'* former public editor offers a critical assessment of their coverage, focusing on the over-reliance of information from anonymous sources. Daniel Okrent (2004) writes:

> There is nothing more toxic to responsible journalism than an anonymous source. There is often nothing more necessary, too; crucial stories might never see print if a name had to be attached to every piece of information. But a newspaper has an obligation to convince readers why it believes the sources it does not identify are telling the truth. (para. 16)

Okrent notes the dichotomy of the debate—the casual use of unnamed sources harms the public trust in journalistic transparency, yet avoiding unnamed sources entirely, and thereby leaving some news unreported, would harm the public's ability to acquire certain information.

The use of anonymous sourcing, therefore, involves an ethical dilemma weighing the age-old competing interests of ends versus means. Journalists must uphold their duty, their "end," to report the news using all available methods—but must do so fairly and openly, maintaining credibility in the practice, the "means," of newsgathering. While many journalists and scholars understand these positions, a review of both journalism's pedagogy literature and professional codes of ethics finds a dearth of concrete normative guidelines on how to best weigh these interests in specific cases (Duffy, 2010). For instance, the Society for Professional Journalists (SPJ) Code of Ethics (1996) suggests that reporters "identify sources whenever feasible" (para. 6). Such direction leaves much room for individual discretion, granting reporters permission to use anonymous sources as long they believe it is not possible to avoid them. The SPJ's nebulous guidance exemplifies the profession's approach toward unnamed sourcing: while critics complain about overuse, few offer specific criteria to aid reporters in their determination of exactly what justifies the use of unnamed sources.

This article enters the debate over the use of unnamed sources in a digital media age and offers specific guidelines that could benefit both the journalism profession and the public at large. First, the authors survey the literature of anonymous sourcing, including arguments in favor of and against their use. A brief overview of journalism textbooks and codes of ethics finds that the historical and current approaches toward anonymous sources are largely inconsistent and imprecise. Next, using the lens of utilitarianism, the ethical model commonly used to justify the practice, the authors examine some common examples of anonymous sourcing. We find that few uses of anonymous sourcing can be justified when weighed against diminished credibility and threats to fair, transparent reporting. The authors then suggest specific guidelines for journalists that, if followed, would curb many of the pedestrian uses of unnamed sourcing but still allow for the practice in specific circumstances.

Background and Literature Review

British philosopher W.D. Ross (1946) contends that the act of communication requires the obligation to be truthful. He supports this contention by pointing to a Kantian categorical imperative—without a commitment to truth-telling, societies fail to function (Ross, 1946). Without confidence that other parties are telling the truth—a confidence backed by consistent actions that, over time, create a positive reputation and engender trust—people may lose their ability to transfer information, to act effectively as moral agents, or to even co-exist with others. Ross' adherence to truth-telling applies especially to journalists. Journalists cannot do their jobs without telling the truth. If their reports are untruthful, or have an appearance of obfuscation or of a lack of truth, then readers will not trust them. Those readers, therefore, will turn elsewhere to obtain the information they seek.

Boeyink (1990) stresses the importance of sourcing as a method of fostering trust: "[A]ttribution serves as an important truth-telling check on a reporter's accuracy. If the source of the information is provided, that information can be independently verified by others. Errors can then be more easily

discovered and corrected" (1990, p. 235). Offering full attribution provides an implicit promise to the reader: This information is true and you can go ask to the source to verify our work.

An important aspect of newsgathering and reporting, naming names consistently creates news stories that audiences deem to be credible (Vultee, 2010). Yet Vultee cautions that journalistic credibility does not function merely as a strategic ritual associating facts—including names—invariably with truth-telling. Rather, credibility functions as a complex ethical concept—one that is both created and earned at many levels of the process: "individual, institution, audience, context, and practice" (p. 16). It includes an obligation not only to do right things, but also to do those right things for the right reasons; doing the right thing for the right reason should establish and encourage trust in the journalist-audience relationship (Vultee, 2010). Also significant to this discussion of credibility, Allen (2008) notes that transparency is often associated with credibility, but he cautions that the two notions are not necessarily linked. In the end, he suggests that news outlets adopt greater transparency (such as attributing sources), but warns that audiences may not react with more trust (Allen, 2008).

In addition to establishing trust via truth-telling, journalists must also report the news. As journalism ethicists Bill Kovach and Tom Rosenthiel (2007) point out, the primary purpose of journalism "is to provide citizens with the information they need to be free and self-governing" (p. 12). The authors stress that journalism does little good if it withholds information that could help people make informed decisions. Many observers argue that attributing information to anonymous sources may occasionally be the only way to fulfill this duty to inform. The ethics surrounding the use of anonymous sources therefore involves two competing principles: the duty to inform the public versus the duty to do so truthfully and transparently. In order for journalists to make the best decision, they must weigh the competing interests within an ethical framework.

Journalists weighing these two competing principles often decide that the duty to inform the public sometimes outweighs the duty to be transparent. Public good, classically defined by utilitarianism

theory as the greatest good for the greatest number, becomes the benchmark by which journalists make crucial decisions affecting source anonymity. Carl Lavin, deputy managing editor of the *Philadelphia Inquirer*, discourages the use of unnamed sources at his paper, but notes "this needs to be balanced with the need to present vital information to the reader that cannot be obtained by other means" (Crary, 2005, para. 9). The managing editor of the *Seattle Times*, David Boardman, argues anonymous sources should be avoided unless "an important story can be told no other way" (Crary, 2005, para. 7). *Washington Post* assistant managing editor Bob Woodward, famed for his Watergate coverage, notes that "the job of a journalist … is to find out what really happened. When you are reporting on inside the White House, the Supreme Court, the CIA or the Pentagon, you tell me how you're going to get stuff on the record" (Shepard, 1994, para. 10). For these journalists, the duty to inform the public outweighs any potential harm stemming from the use of anonymous sources in cases where there is no alternative.

Journalists who employ unnamed sourcing are often considering potential outcomes in order to make decisions regarding what constitutes a moral action. As such, they are working within the ethical philosophy of utilitarianism. The theory, developed in the 19th century by Jeremy Bentham and John Stuart Mill, holds that the moral worth of an action can be determined by the amount of happiness or pleasure it produces (Mill, 1991). A potential decision will be judged upon how much happiness it brings—or, on the contrary, how much harm it avoids. The philosophy differs from deontological ethics, such as Kant's philosophy of categorical imperatives, which regards means more highly than ends in determining the morality of actions (Kant, 2008). Utilitarianism is often simplified as "the greatest good for the greatest number," but Elliott (2007) notes that the philosophy is more complicated and often misunderstood. Mill emphasizes that actions must be weighed based on how they impact the society as a whole, not just the actors involved. He also stressed that principles of justice (e.g., legal rights, civil rights, and impartiality) must be considered while weighing any ethical decisions.

The news media itself is a vital part of society whose credibility stands to be harmed by the use of unnamed sources, especially when information from anonymous sources turns out to be wrong. Many

reports attributed to anonymous sources have later turned out to be inaccurate. For instance, *Newsweek* created a global firestorm in 2005 with a report based on one, unnamed military source (Seelye & Lewis, 2005). The magazine reported that an American interrogator at the Guantanamo Bay detention facility had flushed a Koran down a toilet. The report provoked widespread anger throughout the Muslim world, leading to riots that left at least 16 people dead. More than two weeks later, the magazine officially retracted the article, saying that they were "still trying to ascertain" whether the report was true, adding that its "brief item was based on an unnamed senior U.S. official who now says he can 'no longer be sure' of the information provided to reporter Michael Isikoff" (Seelye & Lewis, 2005, para. 3). In the brief report, the magazine failed to explain why the military source could not be named or why he had been granted anonymity. The report cites "military sources," although they later admitted it was based on only one source (Seelye & Lewis, 2005). Similar inaccurate reports—based on unnamed sources—regularly tarnish the reputation of the news media (Alderman & Kennedy, 1997; Zhang & Cameron, 2003; Maraniss, 1981; Shepard, 1994; Strupp, 2005).

Even in the more likely cases in which the anonymous information is true, the public still has fewer reasons to trust the veracity of the information. Some research shows that audiences perceive articles with anonymous sources as less credible than reports with named attribution (Smith, 2007; Sternadori & Thorson, 2009). As Ross (1946) notes, societies cannot function properly without the ability to trust communication, and the public cannot make informed decisions if it does not trust information from news outlets. Therefore, when using a utilitarian paradigm to calculate the aggregate good from using unnamed sources, the broader impact on credibility must be considered, in addition to the specific harm against individuals.

Scholarly Debate

Many scholars (Boeyink, 1990; Brown, 2003; Culbertson & Somerick, 1976; Gassaway, 1988; Son, 2002; Strupp, 2005) criticize the press for granting anonymity too easily. Boeyink (1990) decries the overuse of anonymous sources and their effect on credibility, noting that the "dependence on trust is the vulnerable jugular of journalism" (p. 237). Noting veiled-source scandals of his era, he offers a set of guidelines that aims to stem "the abuse of anonymous sources while justifying important exceptions" for journalists to consider (p. 244). Boeyink offers specific instructions that call for reporters to ethically justify the use of unnamed sourcing, explain why anonymity is granted, offer detail about the identity of the unnamed source and independently verify all information from anonymous sources.

A decade later, unnamed sourcing was still a concern. Son (2002) examined ethics codes of various print news organizations to see how they suggest handling "leaks" from government officials. He finds only passing references to the subject, leaving decisions regarding anonymity largely up to individual journalists. Son argues that "the more journalists grant anonymity to sources without verifying their bias, calculation, and purpose, the more often they sink to being government's managerial tool, putting journalists on slippery moral ground" (2002, p. 170).

The moral high ground of anonymous source use relies on it being the only viable method to gain important information that would otherwise remain hidden—e.g., the lone whistleblower doing what is right in a malevolent bureaucracy. Yet the reality is often far different, as rationales for using unnamed sources are not always so noble. Anonymous sources are frequently high-placed officials carefully crafting their message. As Sigal (1974) notes, "most unattributed disclosures in the news are not leaks below deck, but semaphore signals from the bridge" (p. 144). In the *New York Times'* Iraq War coverage, for instance, Vice President Dick Cheney produced information for the newspaper anonymously. He then appeared on the NBC news program *Meet the Press* and pointed to the article as objective evidence supporting his claims (Bergman, 2007). At times, figures in positions of power use anonymous sourcing as a "trial balloon." Tuchman (1978) describes how officials often used news outlets to test reactions to various proposals while hiding behind the shield of anonymity.

Anonymous sourcing can also be exploited to help burnish a reporter's reputation. A former reporter and editor for the *Baltimore Sun* notes that employing an anonymous source in a story could help persuade management to place it on the front page (Keat, 2005). Culbertson (1978) reports that some authors may make a story more "dramatic" or "investigative" by needlessly using veiled sources to create an impression of secret sources not available to other journalists.

Many scholars defend the use of anonymous sources as a viable reporting method when the motivation is noble. Wilkins (1997) suggests anonymous sources are justified only when "they are preventing either physical or emotional harm to a source; protecting the privacy of the source, particularly children and crime victims; and encouraging coverage of institutions, such as the U.S. Supreme Court or the military, that have historically functioned in secret" (p. 120). And Meyers (2010) argues that, to ensure the free flow of information, anonymous source use is necessary but with two stipulated conditions: compelling public interest (to justify lack of transparency) and source quality (to ensure truthfulness).

Another noble motivation for anonymous sourcing is to stimulate dialogue in the public sphere. Blankenburg (1992) suggests that the utility of anonymous attribution should be weighed against an examination of its costs—a potential for misinformation and a loss of credibility—versus its benefits—the possibility of providing fuller coverage. He argues that the benefit of unnamed sourcing outweighs the costs:

> [A]nonymity permits not just more information but more antagonistic information. The virtue of this is that the First Amendment is grounded in a marketplace assumption that expects the "truth"—a viable public opinion, among other things—to rise from competing arguments. Anonymous attribution can enhance diversity and competition of viewpoints in a mass communication system that tends to value authority and "responsibility." (p. 11)

Blankenburg stresses that if unnamed sources were not quoted in the press, then information would simply not be released, leading to a diminished sphere of public discourse. He also notes that secrecy

should not be confused with deceit. Secrecy in aid of critical truth-telling is valuable, Blankenburg argues, and should not be disdained. He concludes that the costs of diminished transparency are tolerable in exchange for the benefits that secrecy produces.

The U.S. Supreme Court has also praised the benefits of anonymous speech. In a 1978 campaign finance case, the court states that the "inherent worth of ... speech in terms of its capacity for informing the public does not depend on the identity of its source" (Powell, 1978, p. 777). In a 1995 case involving campaign speech, the high court refers to the actions of early U.S. leaders who published political work anonymously or under pseudonyms:

> Under our Constitution, anonymous pamphleteering is not a pernicious, fraudulent practice, but an honorable tradition of advocacy and of dissent. Anonymity is a shield from the tyranny of the majority ... It thus exemplifies the purpose behind the Bill of Rights, and of the First Amendment in particular: to protect unpopular individuals from retaliation—and their ideas from suppression—at the hand of an intolerant society. (Stevens, 1995, p. 25)

The court therefore values anonymous speech but places a premium on discourse that benefits directly from remaining secret. The court particularly wishes to protect political speech that would likely not be uttered without the cloak of anonymity.

In the new media era, speakers can publish information anonymously with incredible ease. Anonymously authored blogs and unnamed comments allow anyone to essentially act as an "unnamed source."[1] In the United States, such speech is widely protected except when it conflicts with statutes involving defamation or other forms of injury (Mazzotta, 2010). Critics such as Stanley Fish (2011) see a harm in allowing unfettered anonymous speech, arguing that "the special conditions and powers of the Internet conspire against" (para. 11) a marketplace of ideas in which false speech can be effectively countered.

[1] At times, the debate between anonymous sources and anonymously leaked documents becomes confused. The authors see a clear distinction between the two. Information from anonymous or unnamed sources tends to be verbal in nature – perhaps a recap of a discussion or a description of an incident. Anonymously leaked documents, such as those provided by the website Wikileaks, tend to be authentic documents from governments and other entities. The authenticity of such documents can often be established because of the clearly detailed nature of the material (for example, the 250,000 diplomatic cables released by Wikileaks) and also because the original source fails to dispute their veracity. Because of these differences, the ethics surrounding the use of anonymous sources do not apply directly to anonymously leaked documents.

Some ethicists insist that reporters should be held to higher standard regarding allowing anonymous speech. In her book on secrets in public life, Bok (1982) devotes a chapter to the ethics of transparency in journalism. She stresses that since "journalists stand for openness in public discourse," they should also engage in "openness in their own practices" (p.264). Journalists who fail to consistently identify their sources will "lend credence to charges of unfairness" (p. 264). She notes that since journalists often "serve commercial and partisan interests in addition to public ones," they should be scrutinized with transparency. This emphasis on truth and transparency is also embraced by Merrill (1996) who stresses that when journalists argue that the public has a right to know, it does not just mean a right to know specific information—but also the right to know *from whom* it originated.

Guidelines in Journalism Textbooks, Stylebooks, and Codes of Ethics

For guidance on how to handle sources, practitioners can look to professional codes of ethics, handbooks, and journalism textbooks. A historical review of these publications reveals that the use of anonymous sources in journalism follows a trend from skepticism and critique prior to World War II to wider acceptance today (Duffy, 2010). For example, textbooks in the 1960s tended to accept the widespread use of anonymous sources, but stressed that any information used in such reporting should be independently verified by other sources. Woodward and Bernstein followed this model to great success during their Watergate coverage. Yet, fewer and fewer journalism textbooks in the post-Watergate era emphasized independent verification when noting how unnamed sources may be useful tools for news gathering. Many of the textbooks presented an objective reflection of how journalists used unnamed sourcing, rather than a normative presentation of how they should be used (Duffy, 2010). While Weinberg's (1996) investigative reporting handbook took an unusually critical approach to anonymous source use, even chastising Watergate hero Woodward, later textbooks typically accept the practice with

less criticism and often ignore the practices of independently verifying information and questioning source motives altogether (Duffy, 2010).

Professional codes of ethics and the *Associated Press (AP) Stylebook* follow the same pattern. Early codes frowned upon the use of information obtained from anonymous sources and demanded that reporters either verify the information or attribute it publicly (Duffy, 2010). In the 1970s, both the SPJ and American Society of Newspaper Editors (ASNE) codes changed, enacting a more widespread acceptance of the practice with emphasis placed on keeping sources confidential. Both associations dropped the call to independently verify information from anonymous sources—even after its successful application in Watergate reporting. The updated codes stress that reporters should strive to name their sources, citing the link between transparency and credibility. In 1996, SPJ updated its code of ethics further, suggesting that reporters name sources whenever "feasible" (para. 6) and continuing to leave out any call for verification of information.[2] ASNE (2009) codes also lean toward prudent use, saying confidentiality should not be granted "lightly" (article VI), but ASNE is vague in its stipulations for what situation is heavy enough, simply saying there must be a "clear and pressing need" (article VI) to use them. Similarly, the Radio Television Digital News Association (RTDNA, 2000) suggests sources should be identified "whenever possible" (para. 5) to maintain journalistic integrity. Unlike the SPJ and ASNE codes, the RTDNA code specifically lays out instances that justify the use of unnamed sources. Confidential sources should be used "only when it is clearly in the public interest to gather or convey important information or when a person providing information might be harmed" (para. 5). Here the RTDNA adds detail by stipulating protection for sources vulnerable to retribution.

While the RTDNA's official code of ethics does not call for verification of unnamed sources, RTDNA does specifically stipulate it. In its "Guidelines for Using Confidential Sources," journalists (working with news managers) must be convinced "the unnamed source has verifiable knowledge of the

[2] This SPJ wording influenced the "Bloggers' Code of Ethics" (2003) which only amends the code to say that online journalists should "link to sources whenever feasible" (para. 4).

story. Even if the source cannot be named, the information must be proven true" (Steele, 2002, para. 2). The guidelines provide three other useful criteria, suggesting that news managers "must be willing to publicly describe the source in as detailed a manner as anonymity permits, reveal to the public why the source cannot be named and what, if any, promises the news organization made in order to get the information" (para. 2). The RTDNA's strict criteria jibes with the 2009 edition of the *AP Stylebook*, as the AP also requires that reporters must ask for managerial approval to use unnamed sources and must provide information on the source's identity. However, the AP removed its call to independently verify information from anonymous sources.[3]

When anonymous source use is addressed in current journalism ethics textbooks, a cursory review of these ethics-based publications reveals they take a more critical approach than Duffy (2010) found in most current journalism practice textbooks. Ethics textbooks often address issues such as the need to independently verify information, question reporter and source motives, and explain rationales to audiences (Bugeja, 2010; Day, 2006; Quinn, 2010; Wilkins, 1997). While journalists are advised to use anonymous sources judiciously, exceptions are typically made for victims of sex crimes and whistleblowers, as well as, in some cases (Quinn, 2010; Wilkins, 1997), government officials. Ethics textbooks tend to associate anonymous source use with the issue of confidentiality; however, the emphasis on promise-keeping to sources granted anonymity can tend to overshadow discussions on the consequences of their use.

Mill's Principles of Justice Applied to Anonymous Source Use

In order to fully understand how utilitarian ethicists would approach the use of unnamed sources, it is useful to examine Mill's principles of justice, which he used to weigh ethical actions. Elliott (2007)

[3] The 2004 *Associated Press Stylebook* did mention "seeking" another source—but even that loose directive was removed in 2009.

summarizes Mill's principles and applies them to journalism broadly. In this section, we will apply Mill's principles directly to the specific journalistic practice of anonymous sourcing. Under these principles, the following moral rules are justified because they advance society's aggregate good.

First, Mill (1991) argues that it is unjust to deprive people of that to which they have a legal right (p. 178). Elliott (2007) notes that, within this boundary, journalists cannot break the law in the process of getting a story—even if the story would benefit the public. In certain circumstances, this principle could conflict with the use of anonymous sources. For instance, granting anonymity and thereby enabling a source to make a defamatory statement would deprive an individual of the legal right to sue for libel.

Mill's (1991) second principle of justice describes that it is unjust to deprive people of moral rights (p. 179). Elliott (2007) explains that Mill means civil rights, whether they were recognized by contemporary law or not. To offer just coverage, the news media must make sure that minority opinions are heard and expressed. By providing an outlet for minorities to speak without fear of retribution, granting anonymity may help the media meet this goal. On the other hand, the use of unnamed sources may also damage moral rights by allowing critics of minority positions to speak without accountability.

Mill's (1991) third principle of justice contends that each person should get what they deserve—be it good or bad (p. 179). This principle allows for the punishment of wrongdoing and for the conferral of benefits upon those who act with good intentions. Elliott (2007) argues that such a theory could prohibit a newspaper from publishing a photo of a mother grieving for her child who died in a fire, as she would not "deserve" to have this private moment publicized. Oftentimes, unnamed sourcing appears to be justified because an individual being covered is getting "what he or she deserves." However, journalists should be wary of believing that they know what individuals deserve. For instance, Wen Ho Lee appeared to be a Chinese spy when the *New York Times* began reporting (via unnamed sourcing) the United States government's case against him. However, over time it became clear that he did not "deserve" the treatment he received in the press (Zhang & Cameron, 2003). The coverage of Richard Jewell, the

security guard named as a suspect in the 1996 Atlanta Summer Olympics bombing, provides another example in which the media allowed unnamed law enforcement sources to disparage an individual who only appeared guilty (Alderman & Kennedy, 1997). Journalists should be particularly wary of using unnamed sources to protect a powerful majority (e.g., a corporation or the government) while giving the minority (e.g., an individual or small group) what they "deserve."

Mill's (1991) fourth principle of justice describes the duty to not break faith—to deliver that which is promised to others (p. 179). The application of this principle to unnamed sourcing appears clear—reporters should not promise to keep sources confidential unless they are willing to keep that promise, even at risk to themselves (e.g., the threat of jail or fines). Given the frequent use of unnamed sources, one wonders whether journalists have thought through how far they are willing to go to protect their sources. Indeed, Norman Pearlstine, the former editor of *Time* magazine, notes that he followed a definitive court order to hand over his reporters' notes during the Plame affair partly because the source was never promised complete and utter confidentiality (Pearlstine, 2007).

Mill's (1991) final principle of justice argues for treating people impartially (p. 180). Elliott (2007) notes that journalism thrives on the individual example; an issue is often best illustrated by finding one person who exemplifies it. Anonymous sourcing appears to conflict with this principle of impartiality more than any other. Allowing the use of unnamed sources provokes many instances of special treatment. Granting anonymity to certain figures while forcing others to speak on the record creates an impediment to fairness and impartiality.

In order to overrule one of these principles of justice, Elliot (2007) states that journalists must ask themselves how the society will benefit by allowing a violation to a principle of justice. The question provides useful guidance in deciding whether or not specific examples of unnamed sourcing are ethically justified within the boundary of utilitarianism. Any use of unnamed sources must weigh its relative

benefit to society against any potential harm—both against individuals and the harm of creating distrust of the news media.

Evaluating Unnamed Sources with Utilitarianism

Given Mill's (1991) tenets of justice, we contend that anonymous sourcing should be quite rare. The practice should not be used if an individual's civil or legal rights will be infringed. Such a guarantee should prevent journalists from releasing potentially defamatory statements about individuals or groups without identifying their source. The principle of justice guaranteeing that individuals receive what they "deserve" clashes with the frequent practice of publishing information on law enforcement investigations from unnamed sources before anyone has been publicly charged with a crime. Reporters cannot determine the probable guilt of their subjects, so they should simply wait until charges are filed unless officials publicly air their suspicions. The "good faith" principle should dissuade reporters from granting anonymity casually since the U.S. courts have made clear that an absolute right to keep confidential sources secret does not exist (Lee, 2008). Reporters should not promise an anonymous source complete confidentiality since they cannot be sure that they will not break the vow. Promises of confidentiality should be kept (barring a court order) unless evidence shows that the source operated in "bad faith" (e.g. was deceptive or undeserving). In those cases, the reporter would be justified in exposing a source.

Lastly, unnamed sourcing should not be used if it will violate impartiality—conferring a benefit upon one party not afforded to another. Anonymous sourcing almost always creates this imbalance, allowing unnamed people to speak without any accountability. This principle should prevent the frequent reports attributed to White House aides or campaign officials that do little but allow the speaker to make untraceable assertions. The impartiality principle of justice should also prevent public figures from releasing information (i.e., "trial balloons") before official announcements. Releasing possibly unpopular proposals anonymously is surely a benefit that all public figures would enjoy. The impartiality principle

should also prevent most business reporting (e.g., new products, mergers, or sales) anonymously attributed to "people familiar with the plan." Such reporting may benefit business and stock holders at the detriment of others.

After Justification, Discerning Best Practices

Utilitarianism does provide for the use of unnamed sourcing in certain specific cases where it would produce a greater aggregate good. To determine this, journalists must decide whether the benefits of the action outweigh the harm caused by the anonymous source reporting (i.e., damage to credibility or violation of a principle of justice). In these instances, the reporting must address an issue that somehow violates another principle of justice, such as a civil rights violation or a situation in which an individual or entity is not getting what it "deserves." Under these criteria, anonymous source reporting would be justifiable when detailing the abuses of a government agency or corporation (i.e., a whistleblower) or reporting the news within an authoritarian regime (where retribution to named sources would be likely), similar to RTDNA's (2000) code stipulating that confidentiality be used to protect sources from harm. These criteria should severely limit anonymous sourcing to very occasional use.

In situations where unnamed sourcing would serve to promote greater justice than injustice, the issue then becomes one of assuring and upholding the duties of truthfulness in the journalistic process. As suggested by Boeyink (1990) journalists employing anonymous sourcing should follow such rules that help ensure the accuracy of reported information and help retain credibility with the reader: verifying the information with at least one other source, providing a well-reasoned explanation why unnamed sourcing is justified, and offering as much information as possible about the identity of anonymous sources and their motivations for disclosing the information while preserving anonymity.[4]

[4] Because transparency is at stake, these attribution guidelines bear similarity to the suggested guidelines journalists

Journalists have long practiced the independent verification of information from anonymous sources. Confirming information from an anonymous source with at least one other source forces journalists to make sure that the information they are relaying is more reliable and that a single source is not manipulating the story. As mentioned earlier, the norm of independent verification has waned in recent years—professional codes of ethics fail to mention it and the *Associated Press Stylebook* no longer suggests that reporters seek a second source for their information from anonymous sources (Christian et al., 2009). In a memo aimed at reducing anonymous sourcing, Bill Keller, the executive editor the *New York Times*, told his reporters:

> Quantity is not the same as quality, which is why we do not have a "two source rule" or a "three source rule." One actual participant in an event may be better than three people who heard about it third-hand, or from one another. One neutral witness may be more valuable than a crowd of partisans. (Keller, 2008, para. 12)

Hence, Keller puts the emphasis on accuracy rather than verifiability. The problem with this reasoning is that without verification, a reporter can never be assured of accuracy. While information from one, unverified source may prove to be accurate, adding a requirement to independently verify the information dramatically raises those chances. Multiple-sourced reports also help ensure that an unnamed source is not manipulating or misrepresenting the facts. Boeyink (1990) explains the benefits of verification:

> The importance of any story is undermined if it is marred by misinformation. Verification of controversial information by a second source is a good journalistic practice, even when sources are named. When stories are based on unnamed sources, the heightened risk of half-truths, distortions, and mistakes elevates the need for independent checks on accuracy. (p. 243)

If a single-sourced report turns out to be inaccurate, the act damages both the news organization's credibility and the public's trust in its reporting. In order to justify anonymous sourcing according to the standards of utilitarianism, the independent verification rule must be met. In the rare case that a journalist would be prohibited from reporting a story because of the inability to verify the information, the greater

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should follow to minimize and justify deception in the undercover reporting process: only go undercover when all other alternative methods have been considered/tried and only for an issue vital to public interest, and share with the public your methods and rationales (Kovach & Rosenstiel, 2007; SPJ, 1996)

good would still be served by the benefits (e.g., societal trust and accuracy) of curbed use of anonymous sourcing.

In the instances in which the use of anonymous sources can be justified according to the tenets utilitarianism, the reporter should explain the reasoning to the reader. While such an explanation may seem laborious, it will help the reader understand why the news outlet is departing from the norm of full attribution, thereby either maintaining or perhaps even increasing trust in the newsgathering process. Sharing ethical justifications likely also encourages readers to critically evaluate news reporting decisions and provide feedback, enhancing the openness and transparency of the reporting process and offering some compensation for the lack of transparency in fully naming sources. This directive agrees with the accountability codes from SPJ (1996) that instructs journalists to "clarify and explain news coverage and invite dialogue with the public over journalistic conduct" (para. 38) and RTDNA that tells journalists to "explain journalistic processes to the public, especially when practices spark questions or controversy" (para. 7). Also, fulfilling the mandate to provide ethical justification to the audience ensures that the reporter and editors have weighed the principles of justice and thoughtfully arrived at the decision to employ anonymity. Such a rule should help prevent arbitrary and perfunctory use of unnamed sourcing, or instances where it is exploited to benefit a journalist's career (Culbertson, 1978; Keat, 2005). As suggested by Vultee (2010), journalists demonstrate that they are taking the right actions for the right reasons when they explain their justification for anonymity to the reader. Readers will know that the reporter is using anonymity for a just cause—not out of laziness or self-aggrandizement.

Furthermore, while reporting the information from anonymous sources, utilitarianism would lead journalists to provide as much information as possible about the identity of the sources and why they are revealing the information. As Okrent (2004) notes, this step should both combat the lack of trust created by the use of veiled attribution and increase fairness to the audience by providing a context which enables them to better assess the credibility and motives of the sources, and hence, the quality of the sources' testimony. Adding this layer of transparency decreases some of the secrecy that Bok (1982) critiqued as

hypocritical for a profession dedicated to openness, and it gets closer to fulfilling Merrill's (1997) mandate that the public not only has the right to know information but also from where it came.

This utilitarian reading of the proper use of unnamed sourcing builds on Boeyink's (1990) guidelines. A close examination of the justifications for veiled attribution within the utilitarianism framework finds that they should be used quite infrequently. In keeping with U.S. Supreme Court rulings, anonymity that protects a minority from the "tyranny of the majority" would be easiest to justify. When rare scenarios warrant their use, unnamed sourcing should be employed after verification with both transparency and allocution. In order to more fully expand on the issue, we propose a set of specific guidelines for journalists to follow. Rather than abstract calls to avoid unnamed sourcing "whenever feasible" or to only use unnamed sourcing for a "pressing need," the guidelines aim to be more applicable for practicing journalists.

Proposed Guidelines for Anonymous Source Use

Summarizing the stricter justifications outlined above from a variety of practitioners and scholars, we propose that use of anonymous sources in journalism should be severely restricted, according to the following criteria and guidelines, applicable to all news organizations in the digital era:

1. Only use anonymous sources when the potential harm of not telling a story of public importance outweighs the harm to:
    - The public: a primary claimant whose ability to verify the accuracy of the information is impaired.
    - The reputation of any named parties: whose ability to fairly counter may be diminished (issues of justice and merit should be considered for involved parties).
    - The profession of journalism: whose perceived credibility and trustworthiness may be lessened by a lack of transparency; this should be considered in context of one's organization and the profession as a whole.

2. To increase transparency, use of unnamed sources must include:
   - Independent verification from at least one other source, ones vetted by the journalist to be credible or reliable.
   - Descriptors as to the identity of the sources so the audience can better assess their motivations and credentials.
   - A thoughtful explanation of why anonymity is justified in this case.[5]

3. In considering minimization of harm to the source, use of anonymous sources is more ethically justifiable when the unnamed source is an innocent, wronged party taking personal risks to make an injustice publicly known. The best example of this is a whistleblower—a person uncovering a compelling injustice who needs protection from reprisal by powerful parties. However, even in these cases, the information must be verified and the journalist must explain the reasoning for granting anonymity.[6]

Examples in which anonymous source use is not justified and should be avoided include:

- Routine information from government agencies. Public officials should be held publicly accountable for their actions.
  - Examples include: Proposals, deliberations, policy changes, and summaries of meetings between officials.
- Information about law enforcement investigations in which no charges have been filed.

[5] These guidelines don't specifically call for managerial approval. News organizations following this outline would naturally involve editors in a reporter's rare decision to use unnamed sourcing.
[6] These guidelines should not be construed to prevent journalists from withholding public information as part of their duty to "minimize harm." (SPJ, 1996). For instance, the tenets of utilitarianism would justify withholding the names of juvenile offenders or sex crime victims.

- Routine business deals and new products (this does not preclude reporting on shady business deals or corruption; it is aimed at preventing use of journalism for promotional purposes.)
- Early announcements of information scheduled to soon go public.

Taking these guidelines into consideration, we recommend a change to the SPJ (1996) Code of Ethics so that it provides more specific restrictions on anonymous source use. We propose changing the following language, "Identify sources whenever feasible. The public is entitled to as much information as possible on sources' reliability" (para. 6), to:

> The public is entitled to as much information as possible on sources' reliability, so use of unnamed sources should be limited to cases of compelling public importance where required to protect an innocent or wronged party. Avoid all other uses of anonymous sourcing. In rare cases when use is justified, independently verify accuracy with at least one other source, provide reasonable identifying details on unnamed sources, and publicly explain the rationale for anonymity.

This language could also be applied to the ASNE Statement of Principles (2009) which currently only suggests that sources be identified "unless there is clear and pressing need to maintain confidences" (para. 7). The RTDNA Code of Ethics is already more restrictive than its print-oriented counterparts. However, adding language about specific justifications for use and independent verification would help strengthen it further.

Guidelines in Practice

By applying our guidelines to real-world cases, we can immediately see their efficacy. Following these suggestions would likely have avoided the aforementioned abuses to Wen Ho Lee and Richard Jewell (Alderman & Kennedy, 1997; Juyan Zhang & Cameron, 2003). The reporting on the run-up to the Iraq War would likely have been far different if government officials had to publicly stand by their statements (Carlson, 2007). The retracted *Newsweek* story about Guantanamo prison guards flushing a

Koran down a toilet—based on one, unverified source—would not have been published (Seelye & Lewis, 2005). More recently, the press has come under fire for allowing unnamed White House officials to launch attacks against other groups (Alexander, 2010). Such reporting does not meet the justification required by utilitarianism and would be easily restrained under our proposed guidelines. Most importantly, a wide variety of pedestrian unnamed source use (e.g., pending business deals, summaries of government meetings, and policy proposals) would be totally prohibited.

The authors understand the competitive pressures of a 24-hour news environment that can lead to the over-reliance of unnamed sources. In a profit-driven industry ultimately dependent on winning the race for a large audience, journalists will often be tempted to report a story based on a single, opaque source. However, we would remind those journalists that ethics involves taking the right action when other measures would be more expedient and even more beneficial in the short-term. Journalists choosing to avoid most unnamed source reporting must accept that competitors may occasionally beat them to a news story but that their actions will pay beneficial dividends over time by keeping professional standards high.

We note that some celebrated examples of journalistic merit would survive the proposed restrictions. For instance, the Watergate reporting—replete with independent verification of unnamed sources—would be justified for its uncovering of a grand wrong against the public.[7] The *Washington Post*'s 2005 report revealing the existence of secret CIA prisons contained independent verification and justly exposed a violation of civil rights (Priest, 2005). The *New York Times* coverage of the civil rights movement used anonymous sourcing to illuminate abuses against blacks in the American South (Baker, 1958). The newspaper verified their stories but kept their identities secret to prevent retaliation—a practice that agrees with our proposed guidelines. In these cases, the media outlets may have sacrificed

[7] However, the *Washington Post* did not explain its reasoning for anonymity nor provide many details about the identity of its sources.

the public's right to transparency in news reporting, but this cost is outweighed by the need to protect whistleblowers helping to reveal a public injustice, ultimately benefiting the greater good of society.

Conclusion

Earlier, we described the anonymity debate as a conflict between competing duties: the duty to inform versus the duty to be truthful and transparent. We propose that by following stricter guidelines, this conflict can be handled in a way that provides the most information for the public while meeting the standards of justice and the raising the credibility of the news media. Journalists must provide truthful and believable reports in order to adequately fulfill their duty to inform. Ultimately, the failure to provide full transparency in the reporting process represents the real compromise of truth and fairness. But this weakness can be compensated for if the profession collectively agrees to withhold names only in important cases where it is truly necessary to uncover injustice, and such reports are strongly vetted to uphold truth while openly sharing details about the process.

We hope that our guidelines and proposed change to the SPJ Code of Ethics will help move the journalism profession toward a more responsible use of veiled sourcing. Quite simply, journalists—the vast majority of the time—should be able to report the news without relying upon anonymous sources. As scholars and critics have pointed out, the current over-reliance on the reporting method does not serve the public. The casual use of anonymous sourcing harms society by fomenting distrust in the news media with a needless layer of obfuscation. Also, most uses of unnamed sourcing fail to meet the requirements when vetted under the tenets of utilitarianism. The profession of journalism and the public at large would benefit greatly from a dramatic reduction in their use.

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