

**DOES THE MAINSTREAM MEDIA NEED TO BRING BACK THE OMBUDSMAN TO
RESTORE CREDIBILITY AND TRUST?**

University of Missouri

May, 2020

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ABSTRACT:

Despite a slight increase since 2016, the public's low level of trust in the mainstream media is of deep concern for the future of journalism. Nearly half the people surveyed recently indicated that inaccuracies, bias and fake news as factors in their low confidence. A general lack of credibility and the perception that reporting is based on opinions was also cited for the loss of trust. But the Gallup poll did offer a glimmer of hope. Nearly 70 percent of all respondents said they felt trust could be restored somehow (Gallup, 2019). In response, the author will investigate the role and impact of the ombudsman. The purpose of this paper is to discover if the return of ombudsmen will improve public trust in the mainstream media and if so, what changes in the traditional ombudsman role could make its use even more effective. A qualitative study using in-depth interviews with eight former ombudsmen was conducted, with the results then analyzed and summarized in this article.

Keywords: ombudsman, public editor, news trust, news credibility, news accountability

CHAPTER 1: INTRODUCTION

For journalists, the latest Gallup poll on media trust is sobering. Only 41 percent of Americans have a great deal or fair amount of trust in the mass media to report the news “fully, accurately and fairly,” representing a four percent decline from the previous year. (Gallup, 2019). When Gallup started this survey in 1968, media trust was at 68 percent. Eroding audience trust is a major problem facing news organizations today in a digital-centric world. With information more easily accessible to consumers’ fingertips than ever before, mainstream news organizations must find ways to maintain credibility, regain audience trust, and recapture their attention. Decreased trust in news organizations can lead to serious implications, including damaged brand equities and financial pressures (Yaeger, 2017).

Many factors lead to low public trust levels. Social media can spread misinformation or bogus reports framed to look like legitimate news. The 24/7 nature of the news cycle may also be a contributing factor, as journalists race to get non-stop content to the public, leading to mistakes, misleading information, and incomplete reporting. The decline in print circulation and television viewing has created financial pressures for the mainstream media, resulting in smaller staffs and, in many cases, less-experienced journalists. The polarized political climate is also a component. This is not a new phenomenon. Tien-Tsung Lee’s examination of why the public doesn’t trust the media (T. Lee, 2010), echoed in his previous findings (T. Lee, 2005), supports the argument that political trust, ideology, and political partisanship are associated with consumers’ trust in the news media. Repeated accusations of bias by conservative politicians and critics have successfully convinced consumers and even some journalists to believe in a media bias that is not supported by scientific study (Domke et al., 1999; Watts et al., 1999). All these factors create an environment where the public is not entirely sure what it can believe.

The decline in credibility should be a concern to every reporter, editor, and publisher. Mistrust in the media can lead to inattention and non-consumption (Gaziano, 1988). It should also be a concern for journalism schools as they prepare to send students into the profession. The decline in media trust creates an environment where the reporter is villainized, making it even more difficult to track down facts as officials and citizens alike feel they can ignore the reporter's inquiries. Complaints over media fairness are not new. Richard Nixon complained about the media during Watergate, and Ronald Reagan also felt he was portrayed unfairly. But the criticism has been magnified by President Donald Trump and his supporters. The consistent complaints have likely contributed to the decline in media trust, with weekly charges of "fake news" and "unfair coverage." In a recent poll, 65 percent of the public believes there is a lot of "fake news" in the mainstream media (Harvard-Harris, 2017). Frequently, the response of newsrooms has been to form a defensive huddle, where journalists often ridicule or marginalize their critics while affirming that the reporting is accurate (Pope, K. 2017). This posture is particularly dangerous now as the nation braces for another presidential election with the potential to be more partisan, more vicious, and focused on the perceived failings of the press.

In a free society, as much as citizens need a reliable press to foster democracy, the press needs media accountability systems (Bertrand, 2018). Journalism organizations turn toward self-regulation and accountability systems during times of great social disaffection (Fengler, 2003). Dennis McQuail warned that if journalism does not hold itself accountable, the profession will lose credibility and its ability to foster democracy, the normative goal of journalism (McQuail, 2003).

This project focuses squarely on one possible remedy, the “use of ombudsmen, which first began in Britain, and then spread to other European countries before coming to the United States” (Ombudsman Association website). Ombudsmen were born out of the theory of social responsibility, which came into vogue in the early 1950s. As the voice of the public, ombudsmen work to increase the accountability of the newsroom and look to positively affect a change in journalistic practices (Pritchard, 1993). They act as a mediator between readership and journalists (Shafer, 2013).

In social responsibility theory, an organization or individual has an obligation to act for the benefit of society as a whole. In essence, the media is given freedom to publish anything but must be responsible for its actions. The press sets a code of conduct and follows it to develop standards in journalism and to make journalism better (Siebert et al., 1956). Supporters of ombudsmen believe they provide an outlet for the public to voice an objection to a news report, as well as an avenue for the objection to be investigated and an opinion rendered. Paul Giacobbe, a lawyer and former reporter, who served as an ombudsman at a local television station, WJAR-TV, in Providence, Rhode Island, said, “The ombudsman gives the station a greater amount of credibility. It gives people a sense of trust in the station” (Broadcasting and Cable, 2018, p 1-4). L.W. Hermanson added, “the media can gain credibility by showing a willingness to discuss journalism’s contributions to social welfare” (Hermanson, 1993).

The purpose of this project is to solicit the opinions and expertise of former ombudsmen in order to understand the benefits of the role and whether their return to newsrooms would help restore public trust. Both news organizations and their audiences would benefit from a public editor building trust in the community (Grove, 2017).

CHAPTER 2: LITERATURE REVIEW

SOCIAL RESPONSIBILITY:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press...” Those words from the First Amendment of the United States Constitution provide journalists with tremendous latitude to report facts and opinions as they see fit, with no interference from the government. Over time, the press has evolved from written publications like newspapers and magazines to include radio, television and now, also internet-based platforms. But the First Amendment does not give the press the right to defame an individual, and the public expects the press will act in a responsible manner.

The desire for journalists to be accountable came into prominence after World War II, over concerns of yellow journalism, but the struggle between social responsibility and editorial independence is a debate that dates back to the Founding Fathers.

“The social libertarian view of press responsibility is usually traced back to Thomas Jefferson, who clearly believed that inaccurate, incomplete, or irresponsible information was as socially deleterious as accurate and complete information was socially beneficial. Jefferson's view of press freedom was tied to a sense that the press was obliged to provide a high quality of comprehensive news and opinion. When the press failed to respond to social criticism, it was society's duty to provide for checks and balances to ensure that the quality of information or opinion met current requirements.

Society was obligated to intervene if the press lacked self-discipline to maintain the highest performance standards” (Logan, 1985, p. 69).

However, James Madison argued that the press should have total independence. Madison believed that society's factions would try to influence the press to perceive the world in a manner that was consistent with their own community beliefs (Logan, 1985). Fast forward to 1947 when the results of the Commission on the Freedom of the Press were published following a notorious period of sensational journalism. More commonly known as the Hutchins Commission, the purpose of the commission was to explore the proper function of the media in a modern democracy (Pickard, 2015). Among the findings, the commission verified that the press plays an important role in the development and stability of modern society and, as such, it is imperative that a commitment of social responsibility be imposed on mass media (Pickard, 2015).

Two decades later, three additional commissions generated more media evaluation, illuminating the power of the press and how best to make sure that power was being used in the best interests of society. The Warren Commission, created to investigate the death of President Kennedy, was not intended to focus on the actions or ethics of the media. Nor was the Kerner Commission (a response to the 1967 race riots), or the Eisenhower Commission (formed after the assassinations of Martin Luther King and Robert F. Kennedy). But all three reports included media criticism and suggestions for future media conduct. The commissions ushered in an era of greater journalistic professionalism, standards, codes of conduct and ethics (Feighery, 2009). While the Warren and Kerner reports called for journalists to act more responsibly, The Eisenhower Commission went a step further:

“New journalistic forms are needed. After events are reported, something more is required – opinions, analysis, solutions. These opinions do not always come from the proverbial pillars of the community; frequently they will come from new voices which, at the present, have a very hard time getting into the media.... This will require not only information about events, violent and non-violent, but ideas about what to do about these events. It is a new kind of journalism” (Eisenhower Commission Report, 1969).

While many journalists perceived these recommendations as a threat to their independence and were reluctant to embrace the advice of these commissions, some heeded the call for social responsibility and accountability. As Kansas publisher John Colburn cautioned, "The self-improvement of American newspapers depends chiefly upon the character of American newspapermen, their recognition and acceptance of the great responsibilities imposed by freedom of the press, their faithfulness to duty in giving the people of this country a truthful account of the day's news and fair comment thereon, and their willingness to profit by the intelligent criticism of the newspaper-reading public" (Colburn, 1962, p. 2).

Social responsibility theory of the media is born out of a libertarian philosophy. In that sense, the mainstream media understands and agrees that they have a responsibility to resolve disagreements by promoting discussion and public opinion (Siebert, et al., 1956).

Journalists are expected to self-police themselves, agreeing to a code of ethics and entering into a contract with the public to pursue the truth, but in a responsible way. Social responsibility theory proposes that journalists take it upon themselves to elevate society's standards, providing citizens with the information (accurate and fair reporting) they need to govern themselves. It's in the best interest of the media to do this; if they do not, social theorists warn, the public will demand that the government regulate the media (Nerone, 1995).

Ombudsmen and media councils were born out of this theory of Social Responsibility. A way for the media to demonstrate social responsibility is to allow the work of journalists to be open to independent inspection, providing an outlet for the public to seek accountability, accuracy, and fairness. Would the return of ombudsmen provide that outlet? Would they produce a higher level of trust?

OMBUDSMEN:

The use of ombudsmen is not new. The term actually dates back to the early 1880s in Sweden when independent investigators were appointed to field complaints against public officials. The term first appeared in journalism circles in 1922 when the Tokyo daily *Asahi Shimbun* established a committee of ombudsmen to receive and investigate reader complaints (Dvorkin, 2006). Since then, ombudsmen have been a common tool to enhance newspaper integrity and credibility. The tool gained favor in newsrooms because an ombudsman still reports to the newspaper editor, so to some extent the newspaper still believes it has control of the editorial process. Ombudsmen have both internal and external values. In the newsroom, they can act as a watchdog of journalistic practices, making sure reporters and editors follow generally accepted ethical standards. Externally, they can accept grievances from readers, investigate disputes and render an opinion (McKinzie, 1994). If the ombudsman deems it appropriate, he or she may decide to address a complaint in the newspaper and reporters and editors should have no role in that decision. “At a higher level, the ombudsman is the reader's advocate, a change agent working within the newspaper to make it more competent, more sensitive to its readers' needs and interests, and more socially responsible” (Hartung et al., 1988, p. 915).

Essentially the goal of the ombudsman is to provide an avenue to the general public that will legitimately investigate its concerns over whether the reporting is both fair and accurate. The reader can write a letter to the editor to voice an objection, but the ombudsman goes a step further by investigating with the option to ask for a published correction. The reader can also seek remedy in a legal setting. An ombudsman may be able to settle a dispute without expensive legal fees. The hope is that the complaint can be handled quickly and harmoniously (McKinzie, 1994).

Research has generally shown that the public's perception of ombudsmen is positive, "showing readers that the newspaper is willing to listen to them. The relationship between readership and perceived accountability was enhanced by the awareness of the ombudsman" (Bernstein, 1986). James Bernstein conducted a study centered around nearly 400 readers from Louisville, who read one or both of the city's daily newspapers. Bernstein discovered that if a reader knew about the paper's ombudsman, that reader also had a greater confidence in the paper's accountability. He noted that the ombudsman may be the newspaper's best form of public relations, especially if the goal is to emphasize the credibility of the reporting (Hartung et al., 1988).

In conversations conducted by Starck & Eisele, editors and ombudsmen found the ombudsman process to be valuable, increasing fairness and accuracy. They agreed that "listening to readers is the ombudsman's most important responsibility, providing direct access for readers, providing readers with a voice and showing them, someone will listen" (Starck & Eisele, 1999, p. 41). But editors also have reservations about the use of ombudsmen, seeing them as a threat to their journalistic independence. The editors interviewed also referenced drawbacks like "shielding reporters and editors from complaints, and that some ombudsmen have too many kooks and

regular callers whose views may not be representative of all readers” (Starck & Eisele, 1999, p. 46). A.H. Raskin suggests that fear may be more at play, “The real long-range menace to America's daily newspapers, in my judgment, lies in the unshatterable smugness of their publishers and editors, myself included. Of all the institutions in our inordinately complacent society, none is so addicted as the press to self-righteousness, self-satisfaction and self-congratulation” (McKinzie, 1994, p. 18). Despite the early deployment of ombudsmen, over the past 30 years their numbers have dwindled and today only three remain at the media organizations NPR, PBS and ESPN. The decline was studied by Wade B. Hilligoss in 2014. In his mail survey, among the questions asked was, “In your opinion, why do you think the number of ombudsmen is dwindling?” Among the twenty-six former journalists or ombudsmen who returned the survey, one dominant answer emerged: economics. Twenty-four of the respondents cited some form of cost-cutting or other financial reasoning for the decline. Seven used similar explanations to say the ombudsman was no longer wanted. Two said ombudsmen were no longer needed (Hilligoss, 2014, p.20).

A return of ombudsmen would allow an avenue for public complaints to be made and investigated. Can this be done more independently? A new project funded in 2019 by the Columbia Journalism Review may provide an answer. Previous ombudsmen were all paid by their respective news organizations. Did this influence their judgment, investigation and response? Or did they have independence without fear of retribution? Are ombudsmen a mechanism allowing journalists to maintain press freedom while also being socially responsible? “Without improved public service, editing, and reporting about daily news media performance, the credibility of the press will suffer” (Logan, 1985, p. 71). If the mainstream media embraces their obligation to social responsibility, they then recognize their existence is for the people and

society. In this way, the media are places for the voiceless, where every person has the access to speak, express and publish (Siebert et al., 1956).

For the public, the lines are currently blurred between good journalism and fake news. The mainstream media needs to combat this environment of misinformation and promote itself as working tirelessly and earnestly to be accurate, fair and balanced in its reporting. Would a new and improved ombudsman role do that? Two research questions will be explored.

RQ1: Would the return of ombudsmen benefit journalists by improving the public's perception of media fairness, accuracy and trust?

RQ2: What changes should be made in the ombudsman process to improve accountability to the public?

METHOD:

The goal of this project is to learn if the return of ombudsmen would improve public trust in the mainstream media and, if so, what changes could result in the ombudsman role being even more effective. The research used a series of interviews with former ombudsmen because it will provide a depth of understanding that cannot be achieved by doing a quantitative survey or other forms of qualitative research.

INTERVIEWING:

Interviewing is a popular qualitative method for its ability to reach a more meaningful human understanding. "Interviews, compared to questionnaires, are more powerful in eliciting

narrative data that allows researchers to investigate people's views in greater depth" (Alshengeeti, 2014, p. 39). It offers researchers the opportunity to uncover information that is "probably not accessible using techniques such as questionnaires and observations" (Blaxter et al, 2006, p.172). Interviewing also provides a more natural setting, allowing for a deeper connection that cannot be produced in a survey (Cohen et al (2007, p. 29).

But interviewing is a skill where preparation is key. It is not just a conversation. Excellent interviewers exercise a natural style that allows a comfort level with the interviewee, knowing what to say and when, and when to listen. For some it can take years of practice (Portigal, 2013). Being a good listener is critical to a successful interview. A good interview allows the interviewees to "speak in their own voice and express their own thoughts and feelings" (Berg, 2007, p. 96). A structured interview can go in new directions based on the answers. "Interviews are interactive, interviewers can press for complete, clear answers and can probe into any emerging topics" (Mathers et al., 2002, p. 1). The design of any research interview is critical. Questions need to be constructed without any unintentional bias. The interviewer also must be careful not to influence the interview with his or her body language. But this "research method is time-consuming with regard to both data collection and analysis because they need to be transcribed, coded and possibly translated" (Robson, 2002).

Other advantages to the interview method are the high response rate and personalized approach. The interviewer can easily customize questions for each participant and tailor additional questions based on how the conversation flows. However, additional challenges include that the responses may be less honest and thoughtful, and the research may only reach a smaller sample size (Michigan.gov).

SEMI-STRUCTURED INTERVIEWING:

This researcher used a semi-structured interview approach, which is a more flexible version of the structured interview as “it allows depth to be achieved by providing the opportunity on the part of the interviewer to probe and expand the interviewee’s responses” (Rubin & Rubin, 2005, p. 88). Questions can be both closed and open-ended. Undertaking such interviews, researchers recommend using a basic checklist (Berg, 2007) that would help covering all relevant areas (i.e. research questions). The advantage of such a checklist, as Berg considers, is that it “allows for in-depth probing while permitting the interviewer to keep the interview within the parameters traced out by the aim of the study” (Berg, 2007, p. 39).

This type of interviewing is structured while still allowing the interviewer to veer in different directions based on the answers, providing a better understanding of the material while helping to develop new questions for future interviews. “You are free to change the order of questions and add new questions to also explore topics that you had not previously thought relevant” (Mortensen, D. 2019, June). Semi-structured interviews are useful “when collecting attitudinal information on a large scale, or when the research is exploratory, and it is not possible to draw up a list of possible pre-codes because little is known about the subject area” (Mathers et al., 2002, p. 2).

FACE-TO-FACE INTERVIEWING:

The type of semi-structured interviews conducted were face-to-face. Nearly all interviews were done in person, with the exception being the final interview. While travelling to each interviewee is more costly and time consuming than phone or video chat interviews, face-

to-face interviews don't have the latency or technical issues often associated with phone call or streaming video options. "Due to this synchronous communication, face-to-face interviews can take advantage of social cues, such as voice, intonation, body language etc. giving the interviewer a lot of extra information that can be added to the verbal answer of the interviewee" Opendakker, R. (2006, Sept). Although it takes longer compared to other methods of data collection, face-to-face interviewing offers other advantages. "Longer interviews are tolerated, and there is a certainty about who answered the questions. Body language and reaction can also be monitored" (Becker, 2011, p. 5). The interviewer can more easily "clarify questions, correct misunderstandings, offer prompts, probe responses and follow up on new ideas in a way that is just not possible with other methods" (Mathers et al., 2002, p. 3).

Seven face-to-face interviews with current and former ombudsmen were conducted, with an eighth interview done via Skype (due to scheduling conflicts). Usually interviewees remain anonymous but in this project everyone interviewed agreed to be identified. They will all be professionals and should be comfortable with providing answers and opinions that can be published. The eight interviews were with:

- Elizabeth Jensen, Former Ombudsman, *National Public Radio (NPR)*, 2015-2019, Sept 28, 2019
- Margaret Sullivan, Former Public Editor, *New York Times*, 2012-2016, Oct 5, 2019
- Clark Hoyt, Former Public Editor, *New York Times*, 2007-2010, Oct. 19, 2019
- Jamie Gold, Former Ombudsman, *L.A. Times*, 2001-2011, Oct. 20, 2019
- Richard Chacon, Former Ombudsman, *Boston Globe*, 2005-2006, Nov 23, 2019
- Andrew Alexander, Former Ombudsman, *Washington Post*, 2009-2012, Nov 25, 2019
- Jack Lessenberry, Former Ombudsman, *Toledo Blade*, 1999-2018, Nov 26, 2019

- Mark Prendergast, Former Ombudsman, *Stars and Stripes*, 2009-2012, Dec. 12, 2019

An additional phone interview was also done for background information on the Columbia Journalism Reviews' new "public editor" project with:

- Kyle Pope, Editor, *Columbia Journalism Review*, 2016-Current, Dec 22, 2019

None of those interviewed expressed concern with any questions that would cause them harm or pose a threat to their careers. The researcher was prepared to provide anonymity, but it was not needed.

INTERVIEW QUESTIONS:

In addition to having capable listening skills, the researcher went into each interview fully prepared and had a solid understanding of the questions.

"The interviewer should always concentrate on what the interviewees are saying and clarifying what they mean. The more time spent on active listening and the less time the interviewer spends talking, the less directive the interview will be and the less likelihood there is of bias being introduced" (Mathers et al, 2002, p. 10). Notetaking was kept to concentrate on the answers. In order to do this, each interview was recorded and transcribed at a later date.

"Recording also ensures that the whole interview is captured and provides complete data for analysis" (Mathers et al, 2002, p.12). Having the entire interview transcribed also provided for greater accuracy, since notetaking during interviews can be disruptive (Hermanowicz, 2002). As each interview was completed, a content analysis was conducted, "reading through each transcript to identify the key concepts presented in the data, and any links or disagreements on the main concepts" (Mathers et al, 2002, p.17).

CHAPTER 3: INTERVIEW RESULTS

ROLE OF AN OMBUDSMAN:

The interviews with eight former ombudsmen supported previous research into the responsibilities of the role. “The ombudsman was thought to be an independent, autonomous person, on a level with the editor in chief of the paper organizational level, but not reporting to anyone in the newspaper,” explained Mark Prendergast, who from 2009 to 2012 was the ombudsman at *Stars and Stripes*. Clark Hoyt was the public editor at *The New York Times* from 2007 to 2010, and he added that he “was working for the public, but as the job developed, I realized I was often explaining to the public the values of journalism and the values of that institution.”

Elizabeth Jensen, ombudswoman for National Public Radio from 2015 to 2019, echoed the internal and external values represented earlier by McKinzie, explaining that her role was “to gather the facts. To talk to the people involved. You're representing the public. You're bringing accountability and transparency.” Richard Chacon, Ombudsman at *The Boston Globe* from 2005 to 2006, elaborated on his role, saying that “part of the responsibilities was to produce a regular summary of readers' comments and questions and distribute them to the management of the paper. Then every other Sunday, to write an op-ed column in the *Boston Sunday Globe*, on issues that the ombudsman felt was worth investigating and explaining, or in some cases, critiquing the *Globe*, and how they handled certain situations. Rather than doing it every other week, I did it every week and, rather than just distribute it to the *Globe* management, I did it to the entire staff. I also started the first sort of online presence for the ombudsman.” Chacon’s

routine mirrored the work of Margaret Sullivan, who was public editor at *The New York Times* from 2012 to 2016. “I wrote frequently on a daily blog, not every day, but often, you know, several times a week, and then I would also write every other week in the print newspaper, on a Sunday. I mostly did blog posts. I was active on Twitter. I made it more digital.”

Total independence was often cited by the ombudsmen. “The only reasons I could be fired were if I did no work or if I violated the newspaper's written ethics guidelines,” said Hoyt about his term at the *Times*. Sullivan explains that at the *Times*, “I reported directly to Arthur Sulzberger, the publisher of the *Times*. I did not report through the newsroom, which was I think a smart way that they set it up, that you were going to be essentially criticizing or keeping the newsroom accountable, so you shouldn't be reporting up through the editor.”

That independence was something several of the ombudsmen stressed as critical to any successful effort. At *The Boston Globe*, “Only the publisher has the control to read the drafts, draft columns, and or to spike the columns,” said Chacon. At NPR., “I report to the CEO.” Jensen added, “the publisher never once interfered. And if he did interfere, I would say something.” Andrew Alexander, the Ombudsman for *The Washington Post* from 2009 to 2012, still marvels at the memory of his hiring, “I remember getting a contract, and it was one page long. And my wife, who is an attorney, looked at it. I remember her saying, ‘Well who can fire you?’ We couldn't figure out who could fire me because I had no boss. Literally, I reported to no one. It's extraordinary! And they were true to their word. They never interfered with anything.”

While independence is essential for performing the job of an ombudsman, it is equally important to receive strong support from the publisher and editors. “The publisher was completely hands-off in terms of the content, but very encouraging,” said Sullivan. “He wanted me to be tough. He knew that was what the job was about. He wanted to be able to say, look,

we've got this tough person. If I wrote a particularly critical column, that he knew the newsroom was not happy with, very often that would be the day he would stop down and say, you know, that was a good one.” Jamie Gold, public editor at *The Los Angeles Times* from 2001 to 2011 added, “If my gut told me something was wrong, the editors would back me up and so it was just gratifying to feel as if I could help *The L.A. Times* live up to what it should do, despite the fact that a few reporters and editors would be defensive and want to shove something under the rug.” Chacon replayed one tense moment when he published an article critical of Richard Gilman, the *Globe*’s publisher, because Gilman had not revealed that he and the *Globe* owner were part owners in the Boston Red Sox. “I really upset my publisher because I publicly criticized him. The publisher could have spiked my columns and he didn't. He saw the columns before they got published, and he was not happy, but he understood.”

Several ombudsmen did document pushback from newsroom reporters and editors, including Chacon who appeared to get the least cooperation. “There were people in the paper who kind of saw the ombudsman kind of like the internal affairs cop, and treated me that way. The challenge for me at the time was being the ombudsman when Marty Baron was editor of *The Boston Globe*, who was probably, deservedly, the most respected news editor in the country. I had long talks with Marty, because he had a pretty stormy relationship with the previous ombudsman. I didn't want a repeat of that. I don't think that he ever felt like he really needed an ombudsman.”

Mark Prendergast from Stars and Stripes also experienced a strained relationship with his editors. “The two most senior editors while I was there had come directly from professional newsrooms, *The Chicago Tribune* and *The Associated Press*. I think their view was, ‘We're

editors, we're in charge here, we don't need somebody looking over our shoulder second guessing us.' It was a pretty tense relationship from the outset, and it only got worse."

At *The New York Times*, it was less contentious but still defensive. "*The New York Times* is a very esteemed institution," Sullivan explained. "There's a desire not to really admit wrongdoing. There's a reason for that too, which is a very good reason, because *The Times* gets so much criticism from every side. So, the result has been they have a tendency to defend themselves and circle the wagons, because when they do admit wrongdoing, the world blows up. But everybody always cooperated. I mean, they kind of had to. If they didn't, I could write something that said, I tried to look into this, but the National Editor declined comment. That would have been scandalous, because it was very much the culture that you did have to respond."

While there would be some newsroom tension, there were also many in the newsrooms who would use the ombudsman as an avenue to raise journalistic or ethical concerns.

"Some of my greatest sources during my time as ombudsman were the journalists at *The Globe*. They may think journalistically something doesn't seem right to me here," said Chacon. At *The New York Times*, Sullivan said that she would "sometimes get complaints or tips from inside, and people would say, I see this going on and I think it's really bad, and I wish you'd look into it. I would even get like anonymous phone calls from inside the building."

But Alexander warns that at *The Washington Post*, he was also wary about whether the complaint was being fueled by an ulterior motive. "You have to be careful because the *Post* is a very competitive place and sometimes people try to screw people. But by and large, I found at the *Post* that when I was tipped off to problems, it was because reporters or in some cases editors cared so deeply about the paper." Chacon agrees, "What's the motive here? I would

sometimes have to ask those people, you know, why is this bothering you?" Sometimes there is quiet support, explained Hoyt. "I'll never forget a situation where I was involved in something that was quite tense in the newsroom, and I happened to pass the desk of a very senior editor who was sitting there, who very quietly said to me, Don't back down."

While ombudsmen navigated the dramatic ups and downs of newsroom emotions, Chacon explained the public response was much more steadily positive. "When they come to the ombudsman's office with their question or complaint, people can be remarkably grateful and gracious with how they and when they get a response." Elizabeth Jensen added that people tend to "appreciate the transparency and the accountability that is at the heart of the role. It's a public editor. The role is to represent the public and to act as a proxy for the public." But one challenge expressed by all the ombudsmen was the sheer volume of public feedback. "We would get hundreds of emails a week," explained Sullivan, "from readers wanting to complain, or saying they tried to get a correction, and they couldn't get it, and this was their last recourse."

"I really did try to listen to readers, and readers, not all of them, but hell of a lot more than you would suspect, are very sophisticated readers," adds Alexander. "These are people that know the issues, often angry but often very thoughtful. When I wrote an explanatory column, there were two reactions: One, you're sucking up to the paper because you're not really ripping them. But the overwhelming reaction was from people saying, 'Thanks, I had no idea!' And why should they? It's a great mystery to them."

THE TWITTER FACTOR:

Each interviewed ombudsman had a strong opinion about social media, its ability to communicate between the public and news organizations, and whether it offers an adequate substitute for an in-house ombudsman. “Twitter is not a public editor,” said Jensen from NPR. “You can find anyone to say anything you want on Twitter,” but an ombudsman goes beyond public commenting and actually investigates. Prendergast from *Stars and Stripes* added, “If the reporters and editors are not responding to those comments, in either a direct or a transparent way, then it's just noise. That's where the ombudsman should be very proactive.” Clark and Sullivan, both from the *New York Times* argued that social media comments don't provide a deeper understanding of the “ambiguities and gray areas” (Hoyt). “It's one thing to criticize, it's another thing to actually investigate. That is not something that happens on Twitter” (Sullivan).

Nevertheless, in 2017, *New York Times* publisher Arthur Schlesinger Jr. eliminated the public editor position. Hoyt disagreed with the decision and “analysis that says that because there is social media now, and so many voices criticizing media, you don't need this role within the organization.” He went on to explain that there is a difference between critics voicing concern on social media and the official role of an ombudsman. The ombudsman “has the ability to address an issue with the people in the organization to get answers to questions, and then make an independent judgement.” Jamie Gold from the L.A. Times added, “It doesn't matter how much criticism you get, it's whether the institution responds to it that matters.”

Prendergast sums up the current voice of publishers in three ways. “One, we have a budgetary crisis, we're laying people off all over the place. We're devoting resources to a person who basically sits there and tells us and the public everything we're doing wrong. We could use

that money to hire one or two reporters or line editors or what have you. Second, mainstream journalism is under fire, under pressure. Having somebody sniping at us from a protected perch in-house is really not a wise thing to do at this time. And third, with the rise of social media, people have ample opportunity to express publicly, and in a way that the editors will see, their displeasure over something that was covered, that was not covered, or how it was covered.”

THE NEED FOR AN OMBUDSMAN:

Most ombudsmen believe that the rise in criticism on social media makes the need for ombudsmen even more relevant now than ever before. “The presence of someone of a neutral party, who is going to hold your feet to the fire, will make a reporter think, I need to revisit that story. A lot of reporters and editors just ignore comments from readers,” explained Gold. Jack Lessenberry was the ombudsman for *The Toledo Blade* from 1999 to 2018. He added, “The industry needs to step up and explain what journalism is and how it works. People need to know what news is, people need to know what news values are. Ombudsmen are very essential in keeping that goal. They can't afford not to have that function in some form. You have to have public trust.” The comments from the other ombudsmen mirror his views. “We're willing to scrutinize ourselves with the same kind of energy that we scrutinize outsiders,” said Jensen. “A public editor can sort of wade through the whole debate, look at what's valid, what's not. They're inside the building, so they can actually go and get answers. There's an expectation that the newsroom at some level will cooperate with them to give them answers.” The *Post's* Alexander added, “They have said well in the age of social media, we have so many people who are critics. That is true, but nothing replaces the ability of an ombudsman or a public editor to go to

somebody's desk and say, I'm here. I'm essentially from Internal Affairs. I'm going to ask you some very uncomfortable questions. I'm going to act as a reporter. That is something that the outside world of critics can't do.”

Clark Hoyt also referred to the rush of the 24/7 news cycle, saying “To hold journalists accountable on those occasions when for one reason or another, human error, whatever, we fall short of our aspirations. That role done well makes a difference.” Richard Chacon expressed the same political concern found in Tien-Tsung Lee’s 2010 examination of why the public does not trust the media. “The role of the ombudsman and the public editor is increasingly important today, because of the polarization, the divide, the fragmentation of news, and that it's not just the news anymore that's just informing the society. Having that transparency and ability to explain, I think goes a long way towards reaffirming the integrity of the news organization.”

The ombudsmen interviewed also explained that the role would now have to be a lot more active on social media. “We would have to be much more nimble, much more productive, if that's possible,” said Alexander. “My predecessor did a blog, but not very often. I did it maybe twice as often as she did. But still I didn't do it often enough.” Clark Hoyt added, “I did some blogging, but not a lot. The volume of that would have to increase. A presence on social media would be necessary. The ombudsman probably has to be faster in the reporting, looking into a situation, and the reaching of judgements. Although, I would be very careful about that. Letting speed take over from careful probing and reaching smart judgements.” Chacon, from the *Boston Globe*, suggests a regular podcast would be valuable. “There are all sorts of potential that a public editor, today or tomorrow, can really reach audiences in bigger and more meaningful ways than they have before, beyond just the column every other week. There are all kinds of

engagement opportunities, and in public, too. To meet with communities across the country to talk about the role of public editor, and the importance the integrity of the news.”

RESTORING TRUST AND CREDIBILITY:

Reestablishing the presence of ombudsmen in newsrooms is not a sentimental wish for those interviewed. It is rooted in the belief that it would help restore trust and credibility for journalistic organizations, and also help shield from political attacks. It’s the same value expressed in the survey conducted twenty years ago by Starck & Eisele, where editors and ombudsmen agreed the ombudsman process increases fairness and accuracy (Starck & Eisele, 1999, p.41). “Journalism is in a crisis,” explained Jensen. “You have the top leader of the country every day casting aspersions on the credibility of the journalists who are doing the work essentially of the public.” “The mainstream media are under fire,” added Hoyt. “It’s been growing, the degree of hostility, the degree of push back. This is an important role to help explain the role of journalism, to help explain the values of journalism and why it’s vitally important to our society.” Chacon offered a similar sentiment, “In this climate, there is a desperate need for voices of trust, of reason, of independence. The role of people like public editors or ombudsmen, at least for now, can help guide us as a society to try to get back to that midpoint.”

While ombudsmen can help to restore public credibility and trust in journalism, they are not the only remedy. “One of the big problems we have in journalism is trust,” explained Sullivan. “(Having an ombudsman) is one of the things that news organizations can do to try to rebuild trust. It does not mean you’re going to make people happy, because you won’t, you can’t.

But at least it would say, we have someone, and this person is independent, and we leave them alone. They get to say what they think, and they're going to represent you.”

Hoyt agreed. “I do believe that it can make a difference. It's not the answer, the sole answer, to media credibility. Having an independent voice that has the ability to look into things within a news organization, and then make an independent judgement about that to the public, can help build credibility.” Andrew Alexander echoed Hoyt, “In an era when we have such problems with credibility, having an independent person, like a public editor, to explain this is actually how it works.”

“Why do we have journalism?” asked Elizabeth Jensen. “It's to hold institutions accountable. Having an ombudsman, having a public editor is a way to say to the public, to your public that we're also holding ourselves accountable. It's a way of saying that we care about our credibility with you, the public, so much so that we're going to put ourselves under the microscope internally and we're going to fund this position.” The ombudsman also offers a real person on the other end of those Twitter comments, emails, and phone calls, explained Margaret Sullivan. “Having a public editor, an ombudsman, is a great way to say, we're listening, and we're willing to change. If it's done right, and you have the right person, it is likely to build trust. But those are two big ifs.”

There was one dissenting opinion, from Jamie Gold, who doesn't see a correlation between the ombudsman role and the level of public trust. “I don't know if an ombudsman adds to credibility. The honesty has to be between the editors and the reporters and the public. I'm still not positive credibility has anything to do with accuracy. If you have an ombudsman or a neutral party whose job is just to say accuracy, that helps, but I don't know if that adds to the credibility.”

But the views of the seven other ombudsmen are summed up well by Alexander. “A truly independent ombudsman can help restore trust in two ways, by being honestly independently critical when the news organization strays from its own standards and by using opportunities to explain the process.”

THE CJR EXPERIMENT:

If news organizations no longer see the value in funding ombudsmen, is it viable to have an external ombudsman? Several of the former ombudsmen are watching the *Columbia Journalism Review* (CJR) project closely but have reservations on whether it can be effective. Kevin Pope, the editor of CJR explained why they stepped in. “The timing is exactly wrong for these places to sort of scale back on their public accountability and public transparency. The media is under attack and there's all kinds of conspiracy theories and misinformation flowing around how journalism happens. That's exactly the wrong time to sort of pull back on your interfacing with the public.”

The CJR has hired four journalists and assigned these “public editors” to four mainstream media organizations:

- Gabriel Snyder, assigned to *The New York Times*
- Ann Marie Cox, assigned to *The Washington Post*
- Maria Bustillos, assigned to MSNBC
- Emily Tamkin, assigned to CNN

Pope explained to me that the decision was made without any consultation with any of the four

organizations, and none of the four works within the walls of his or her assigned organization. “We’re defending the tradition of something that has been eliminated. The whole point of this is that we’re trying to revive this position. We were trying to make a point. We think it’s bad that the public editor job has gone away. One of the ways we tried to make that point was to call all these people public editors. Now we obviously realize that historically public editors had functioned inside these organizations. Again, all these places got rid of them.”

Is this really a public editor? “I don’t think they’re in a position to be quite as effective as an internal ombudsman, because they’re seen as more external media critics,” said Sullivan. “Do they really have access to the complaints that are coming in? Not really.” Clark and Alexander agree. “It’s really another voice from outside news organizations. It doesn’t have an institutional presence within these news organizations, with the implied imperative that the organization has to respond to it,” said Hoyt. Alexander added, “It’s nowhere close to the same as someone who has the backing of the top people in management saying, you’re going to have to answer to the ombudsman.”

Pope defended the effort and said the four news organizations have been mostly cooperative, “If you read those columns, you’ll see that we quote their top brass and addressing the issues that we’re writing about.” One ombudsman, Jack Lessenberry supports the effort and the outsider concept. “It’s probably better not to have an employee do it. Something like that (CJR model) would be a very good model. You’d need to have some kind of overseer; you need to have something to make sure they’re fair. If they could get some sort of grant, if they extended it to media beyond the sort of famous legacy media.” Sullivan sums up the pros and cons. “The argument for doing it is you really are independent. Your paycheck is not coming from that news organization. That’s an interesting argument. The downside is that when [news organizations] are

paying you, they've got an investment in it, and there's more of an ownership of it. Therefore, more of an inclination to be responsive.”

While conceding the concept is not perfect, Pope maintains the ultimate goal for the CJR is to get news organizations to restore their own ombudsmen again. “If all these places told us tomorrow that we started to see the value of this, and we're going to reinstate our own ombudsman, we would say ‘Great, job done, let's move on.’” A goal amplified by Elizabeth Jensen at the NPR, “I wish I weren't the only full-time public editor at a major news organization left in the United States.”

SOCIAL RESPONSIBILITY NOW MORE THAN EVER:

Interestingly, all of the former ombudsmen described the role as being a lonely job, a difficult position but very rewarding. Rewarding in that they felt they were both helping to maintain journalism excellence while also providing an outlet for the public. While no one used the term “social responsibility,” it was clear their work was rooted in it. As Siebert explained, an organization has an obligation to act in a manner that benefits society (Siebert et al., 1956). It's this sense of responsibility that drove each ombudsman to perform at a high level and also provided them great satisfaction that their role does make a difference. They truly believe they helped each newsroom adhere to a code of standards and ethics.

None of the ombudsman expressed the concern echoed by Nerone that the government could step in and “regulate the media” (Nerone, 1995), despite that threat from President Trump. While running for president, Trump pledged to “open up our libel laws” and impose fines on critical journalists (CJR Winter 2018 Joel Simon and Alexandra Ellerbeck). Trump has also

suggested the FCC pull the license of the NBC Network, even though the FCC doesn't license networks, overseeing local stations instead. This notion of government control was what Jefferson debated with Madison. Madison arguing journalist need independence while Jefferson felt that society was "obligated to intervene if the press lacked self-discipline" (Logan, 1985, p.69). Ombudsmen said they strike a happy medium. All of the ombudsmen said they work for the public despite being paid by the publisher. They also said it was their responsibility to make sure the news organization maintained high standards. This is the self-policing that was recommended by the Hutchins Report.

Social-responsibility theory dictates that journalists take it upon themselves to make sure their reporting is fair and accurate (Nerone, 1995). It is in this spirit that all of the ombudsmen interviewed agreed with Siebert's view that they provide and promote the avenue for the media to resolve reporting disputes by having a dialogue with the public (Siebert, et al., 1956).

CONCLUSIONS AND LIMITATIONS:

Ombudsmen came into vogue with the social responsibility movement ushered in by the Hutchins Report in the 1950s. Along with it came the development of journalistic and ethical standards, to increase professionalism in the media. Since then, journalistic standards have evolved along with changes in society. The interviews in this study confirmed ombudsmen, mostly used at large newspapers, vanished due mostly to financial pressures caused by declining circulation and ad revenue. The large institutions, like the *New York Times*, were the last to eliminate the position.

One of the two research questions centered on what changes should be made to improve public accountability should the role of the ombudsman (or public editor) return. Most

ombudsmen agreed that the role would have to have a greater public presence. The ombudsman cannot be a quiet, mostly internal role where there is an occasional article in the newspaper. They now envision the role as being more than an arbitrator between the public and the news organization. They also believe ombudsmen need to be public educators. Educating on the journalistic practices, ethics, and editorial process. They believe the ombudsman would need to be more visible on social media and have a Twitter account. There were also suggestions for blogging, podcasts and conducting public forums. The ombudsmen explained that educating the public about how journalism is done has taken on greater importance because of the Twitter factor, where social media comments and complaints come quickly and are often inaccurate or misguided.

But while the ombudsmen call for the role to have greater public interaction, they emphasized the position is much more than just a public feedback or public relations effort. They also affirmed the other central research question, explaining the return of ombudsmen would also improve the public's perception regarding media fairness, accuracy and trust. The role of ombudsman, through its independence and autonomy, provides accountability both within news organizations and with the public. There have been dramatic changes in media since the Bernstein Study in 1986, but the result is the same. When news consumers know there's an ombudsman, they have a greater level of confidence in the content (Bernstein, 1986). All but one of the ombudsmen interviewed said a return of the position would help to restore trust and credibility in the media. They are under no illusion that their role would dramatically reduce the 65 percent of the public who believe there is a lot of "fake news" (Harvard-Harris, 2017), but the ombudsmen do maintain they can help news organizations to make fewer mistakes and to uphold high journalistic standards. They all agree with Pope that, despite the ridicule the mainstream

media receive via social media, it's a bad time for newsrooms to retreat from their readers (Pope, K. 2019). Ombudsmen are needed more than ever to show the public news organizations are willing to subject their reporting to an objective third party who has real power to investigate and independently report back to the public. As Grove noted earlier, both the news organization and the public benefit because the ombudsman builds trust (Grove, 2017). That willingness to show openness and to admit and correct mistakes would go a long way to assuring the public that the media are reporting in a responsible manner.

This public expectation of social responsibility is not lost on publishers, editors and reporters. While they strongly defend their First Amendment right to a free press, they do recognize they cannot and should not be reckless. Can they be defensive? Certainly, as was documented by the ombudsmen. But more often, while protecting their independence, journalists do acknowledge they have to be accountable to the organization and the public. At a time of such uncertainty and confusion in the consumption of news, ombudsmen can help differentiate and educate the public. They can help sort the good from the bad, the real from the fake. A thriving democracy requires an informed public. The ombudsman was born out of this sense of social responsibility. This study supports the need to not only restore and fund the position, but for the use of ombudsmen to be broadened.

This research project is not without limitations. It only gathered the observations, opinions and views from former ombudsmen. It did not seek out the views of the public, journalists, or the owners of mainstream media organizations. While the ombudsmen see their role as vital to a healthy media and support its return, would the public agree? Would journalists and their owners support it? Are the political views of Americans so polarized that they would

corrupt any effort to increase trust in the media? If ombudsmen were restored, who would pay them? Would the funding come from news organizations or from an outside source?

The results of this qualitative research call for further inquiry on many levels.

APPENDIX:

Questions asked during interviews were:

- Why is the role of an ombudsman important?
- What were the most positive and negative aspects of being an ombudsman?
- Who is the ombudsman working for – the paper or the public?
- How does an ombudsman affect the public's perception of journalism?
- What was the public's overall feeling about your role as an ombudsman?
- What aspects of the ombudsman process were well understood by the public?
- What was misunderstood?
- How did reporters and editors feel about your role as an ombudsman?
- What types of resistance or support did you receive from leadership?
- How much independence did you have in the review process?
- How much independence do you have in the rendering of an opinion?
- If ombudsmen returned, what changes would you make in the structure?
- How does the internet and social media change the role of an ombudsman?
 - Do you believe that the criticism provided by users on social media is an effective replacement for in-house ombudsmen?
 - Do you think the speed in which social media amplifies criticism would influence your review process as an ombudsman?
 - Criticism on social media directed toward news publications is often divided along polarizing political lines. How would you, as an ombudsman today, work to avoid accusations of political bias?

- Social media can sometimes be used as a tool for spreading misinformation. What role if any would ombudsmen have in combating this kind of misinformation?
- Would ombudsmen improve the current state of journalism?
- How does the ombudsman role influence public perception of trust and credibility?

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