

# Revealing sources of media thesis

[Law](#), [Security](#)



In today's information age, less and less information is considered confidential - whether it is an issue of national security, or merely an issue of someone eventually finding the information anyway, the anonymity of journalistic sources has become a very sticky issue. Often, people are compelled to ask for these sources in order to protect national security, or to determine the source of an illegal leak of confidential information to reporters. However, this pursuit directly steps on laws and principles outlined in the First Amendment of the United States in regards to freedom of speech. Due to the importance of these laws, it is important that journalists not be required to reveal the sources of their information. To do otherwise would inhibit journalistic ambition to investigate controversial issues, if they were discouraged.

In the United States, the right for journalists and reporters to refrain from testifying about confidential sources is known as "reporter's privilege." Shield laws are also in place in 31 states that guard the anonymous sources of journalists from being revealed. These are put in place not only to protect the journalist but to protect the source - reprisals from their employers or the target of the information could put them in danger. In a story about suspensions of two firefighters in Dunmore, PA, the judge rejected the motion that the reporter had to reveal his source, who identified the suspension of the firefighters for failing to complete their training courses - this was done to protect the source from scrutiny (McConnell, 2011).

The protection of journalist's rights does not extend merely to the United States, either. According to the European Court of Human Rights, Article 10, which outlines the protection of journalistic sources, states that freedom of

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expression “ safeguards not only the substance and contents of information and ideas, but also the means of transmitting it. The press has been accorded the broadest scope of protection in the Court’s case law, including with regard to confidentiality of journalistic sources” (European Court of Human Rights, 2010).

There, of course, are instances wherein a journalist might be compelled to reveal their source in the interest of national security – if they were an enemy of the state, for example. However, these are extreme situations, and the court order for the identity of that source would be a slippery slope that would set into question whether or not any source would qualify as someone requiring identification. In the case *Goodwin v. United Kingdom*, the court determined that, unless there was “ an overriding requirement in the public interest,” Article 10 would be violated by the disclosure of sources (*Goodwin v. United Kingdom*, 2011).

The *Goodwin* case set forth even further legislation and declarations that journalists should not be required to reveal their sources. At the Vienna Meeting of 1986, the Organization for Security and Co-Operation in Europe stated that “ They will ensure that, in pursuing this activity, journalists, including those representing media from other participating States, are free to seek access to and maintain contacts with public and private sources of information and that their need for professional confidentiality is respected” (1989).

In the United States, however, there are still significant hurdles to cross regarding the protection of confidentiality of sources. When a case goes to

federal court, the sources are not protected by any rights to anonymity; the federal court will merely refrain from forcing the revelation of sources, with the exception of those sources who must be identified in order to obtain extremely relevant information. While this is a proper attitude, the degree to which the evidence is considered relevant, and the extent of the need for disclosure of the identity of the source, are very subjective ideas, and can become very muddled if clear guidelines are not set.

In conclusion, the inclusion of shield laws, reporter's privilege and the First Amendment of the United States makes it illegal to reveal journalistic sources of information if they are anonymous - this is done in order to protect the sources, who are in danger of reprisals from whomever they may be blowing the whistle on. Forcing journalists to reveal their sources would encourage fewer anonymous sources to come forward, which would in turn lessen the amount of information the public is provided through the news. In the best interests of public dissemination of information, it would be wise to allow journalists access to anonymous sources who could reveal their information in relative safety.

## References

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