Entretien avec Emily Bazelon, Journaliste au New-York Times Magazine, Professeure à la Yale Law School (version anglaise)

Jean-Philippe Foegle
Both French and U.S electoral races have led to an unprecedented rise of fake news and attempts by Trump's team to escape basic journalist fact-checking.

How does this change your daily work as a journalist?

1. I think the traditional media has more of a responsibility than ever to report in an accurate way. It is not really that our job has changed, it is just that there is more noise and distraction from inaccurate reporting, so the truthful media has to try to respond to some of the fake news. In media outlets like the Washington Post or the New-York times, you will see traditional journalist fact-checking, which is still important, but you also see more and more reporting on rumours. Until this year, when there was a fake story, the New-York times basically ignore it because it is fake, but now it is clear that some fake stories have a lot of influence. So, now, when the New-York Times hears about a story like that, it will sometimes try to dispell the falsehood so that people are not fooled. Also, I think that we and the media in general are covering how fake news spreads, in hopes that informing leaders will make them less vulnerable to it, less credulous, more skeptical.

Since Donald Trump's inauguration, the newly elected president has launched verbal attacks on the press. In the meantime, many journalists expressed worries about corporate attacks on the press through aggressive libel litigation. Are these attacks on the press something new in the U.S context? What are the tools and strategies that the press could, or should use to fight back?

2. I don't think this is brand new. Certainly, there have been presidents in the XIX century, or Richard Nixon in the 1960s, who were really disregardful of the press. However, I do think that Trump revels in trying to turn the press into a punching bag, an adversary. Calling the press the enemy of the people is like Donald Trump bringing in fresh meat to
its base. This has been effective in eroding social norms in the United States about the role of the press and we have seen some increased actual violence towards the press in some rare circumstances, and at the Trump rallies, the trump team did put the press in a car, to wall them off, make reporters seem other, setting them up as a target of public disdain.

3 As for the corporate attacks on the press, what seems new to me is the idea of billionaires bringing suits against media outlets in order to bankrupt them, essentially. It is what Idaho’s wealthy businessman did with the magazine Mother Jones, for example. When people have deep enough pockets, the normal rules of litigation don’t apply. I doubt that Trump really thought that he would win the libel suit when he sued the publisher of Tim O’Brien, who wrote a book about Trump. What Trump said that he wanted, was to cost the publisher and the author a lot of money, to make them miserable, essentially. So what you see is libel suits being used as a kind of intimidation and a way of trying to chill more coverage, and I do think that it is effective. It was not effective in the individual cases we have talked about, but in general, when there is a huge amount of push back and reporters know that a libel suit is a real possibility, they may pull their punches.

4 The recent leaks concerning Mr Trump’s alleged ties with Russia has been compared to the Watergate. This time however, an impeachment of Mr Trump seems unlikely in a near future, and it doesn’t seem that the scandal has widely affected Donald Trump’s legitimacy. Should this be viewed as an indication that the press has lost a part of its ability of holding the executive accountable?

I think what has really changed is that there is this alternative right-wing media in the United States, led by Fox News, which presents its viewers with a different set of facts, a different set of empathies. Sometimes when there is a big story related to the Russian investigation, it is covered widely and prominently on CNN, on the networks, in the New-York Times, but you barely see it in Fox News, or it is treated in a different way, as a story to drum up support among the president supporters. That is a formidable change, because it means that a lot of americans absorb a different set of facts, as opposed to different analysis and opinions about those facts. I think that is a challenge for the FBI and special-counsel investigation of the Trump campaign’s potential ties to Russia. That said, it is also important to keep in mind that it took over a year for the initial watergate investigation to lead to Nixon’s impeachment. It’s worth remembering that these things take a lot of time to play out, so I don’t think we have already seen a whole failure of the american system of checks and balances. However, many people are getting news from outlets that seem to be just covering the president without much interest in institutional values, covering the president like their fans would. That is a real shift that is worrisome.

5 A great part of your work is dedicated to the issue of bullying and harassment. In a recent op-ed, you stressed that Donald Trump’s public stances on minorities and women created a culture of bullying minorities. What are the ways of tackling this culture of bullying?

That is also good question. I think that this is something that starts with individuals, that starts with families, at home with parents setting the example. The whole idea of small moments of empathy, instilling empathy in kids, by getting them them to think about people who are different from them, that is important. School and religious organizations have also a big role to play here, and there is a way in which the values of community have to stay strong and reject a culture of bullying in a way that sends a message about what is socially acceptable, and what is not. Something about this is in flux in the U.S now, in a way that i’m surprised by. We should have settled certain questions of justice
and fairness and just decent treatment by now. I also think that having a president who doesn't seem to feel that he has any responsibility to set a moral example for children has some kind of impact. We are not really sure what it is yet, but as a parent I find it upsetting.