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Undercover Journalism's Last Call; News Bites

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Undercover Journalism's Last Call

I took Jack Fuller's *News Values* off the shelf and opened it to the wrong page. I wanted him to remind me why the ethics of investigative journalism have drifted so far that the Sun-Times's undercover *Mirage* series would be unimaginable in a Chicago newspaper today. Instead I found Fuller reflecting on the "voice" of the columnist.

On ethics he can lose me. But Fuller's not only an astute journalist but also an excellent novelist, and he understands that effective writing is always a bit of a con. "The columnist has a persona," he says in his 1996 book. "It has to fit him comfortably in order for him to carry off the act. . . . But there is a distance, too, which permits the columnist to hide certain feelings--moments of pure unreasonableness, perhaps in [George] Will; of dread earnestness in [Mike] Royko; of forgiveness in [William] Safire; of pure sweetness in [Molly] Ivins."

So my thoughts now shifted from the *Mirage* to another of the icons of the Sun-Times's rollicking 1970s. A column is a license to conjure, but readers need to believe in the voice of the conjurer. Whoever Bob Greene might actually be in his personal and family lives, the sketchy revelations that the Tribune permitted last month when it announced his resignation made his heartland persona look like a disguise. That wasn't Greene's first persona, though, and the original might have seen him through; in his early 20s he wrote as a brash prankster who gloried in fabrication. He was Johnny Deadline and Mike Holiday and an Alice Cooper backup singer, and after writing something stunningly sober--his column on his Jewishness after the massacre at the '72 Olympics is the famous example of this--he could boast that every literary effect that made readers cherish the piece was calculated. The Providence Journal-Bulletin's Alan Rosenberg, a Medill student in the mid-70s, wrote a mournful column last week that recalled Greene visiting Northwestern, his alma mater. "He'd been sitting in a bar having a drink and watching TV when he heard about the deaths, he said, and the thought that had come to him was this: If I handle this right, I could be famous."

Even now, I see no particular reason to disbelieve Greene's columns but swallow what he said about them later. One's no likelier to have been a pose than the other. Greene's nonchalance put him squarely in a long tradition of Chicago journalism. There are no rewards for plodding sincerity in popular histories such as John McPhaul's *Deadlines and Monkeyshines* and Ben Hecht's *Gaily, Gaily*. As Hecht wrote of Charles MacArthur, each of them an inspiration for later generations of newspapering youth: his "antics" were "gay and macabre...he would defend a cause with his life, but he would speak of it mockingly, if at all."

And as biographer William MacAdams, with no investment in a shared past, wrote of Hecht as a young Chicago reporter: "He was unsure exactly how to ascertain the facts.

Undaunted, he simply made them up. . . . He was only too aware that he could create news with impunity."

Those were the days, right? Hecht's one of the gods in the Chicago firmament, and his memoirs are full of stories too wonderful to believe. "Seeing himself as a storyteller," MacAdams told us in *Ben Hecht: The Man Behind the Legend*, "Hecht fictionalized everything he ever wrote about himself, including his own birth." Such was the legacy Fuller encountered when he entered the newspaper business and eventually felt a great need to undo.

Like Hecht and MacArthur in their more mythic past, Greene and the *Mirage* shimmered with the joy of working for a newspaper. The premise of the *Mirage* series was that the *Sun-Times* would open a bar and then see who came in, and why. The *Sun-Times* expected a lot of the callers to be payrollers with their palms out, and they were. But Zay Smith, author of the series, had a light hand for moral outrage. "There's a school of thought that says an investigative piece must be written as dryly as possible so as to be taken seriously," says Smith, who's still at the *Sun-Times* writing the "Quick Takes" column. "While the *Mirage* had a great many very serious aspects, it was a tavern in the town. They thought I might be able to have a little fun with it."

A quarter century after that heyday, Greene's personal life did him in. One of the most experienced journalists in Chicago, someone whose personal memories of the 70s are keen, asked me whether Greene would still have a job if the *Tribune's* editor were a man, not Ann Marie Lipinski. He was sure Greene would. I doubted it, and after another look at *News Values* I doubt it even more. Fuller was the *Tribune's* editor from 1989 to 1993, then its publisher, and today he's president of *Tribune Publishing*. His ethical stamp is all over the paper. It might be a joyless credo, but it has a healthy regard for keeping faith with the readership. Apart from what Greene did when and with whom--no small matters in their own right--after the revelation his column became fatally inauthentic.

The strange thing about the *Mirage* series is that a charge of inauthenticity did it in. It was condemned as an antic, a sleight-of-hand unworthy of journalism's highest honors. A historic project, it had a historic fall. I found the spot in *News Values* where Fuller talks about the *Mirage*--it's in a chapter called "Deception and Other Confidence Games." Fuller begins by recalling how he broke in as a police reporter, working with old-timers that Hecht and MacArthur "used as models for characters" in *The Front Page*. He wasn't as wily as they were, "but I did become a passable liar in pursuit of the truth."

He admits to the "thrill" he'd personally felt going undercover. "Deception carried a hint of danger that ordinary investigative techniques simply did not have. Perhaps I sensed something forbidden about it, the secrecy, the betrayal. Or perhaps it was the recognition that deception invites rage and retribution. The feeling was not entirely pleasant, but still when it was over, I wanted to feel it again."

That's how we talk about sin. Fuller's notion of journalistic sin is more expansive than mine, and when it occurs he's less willing to forgive it. *News Values* is up to the important business of setting journalism on a new foundation more honorable than the old, but Fuller sweeps undercover journalism into a bin with a lot of old-time techniques we can agree were outrageous, like stealing photos and posing as a cop. The *Tribune*, Fuller grants, won several Pulitzers for its own undercover investigations. But when the technique "went out of fashion altogether," Fuller shed no tears.

The Mirage was the event that changed everything. The Sun-Times "opened a tavern, staffed it with reporters and photographers, and waited for the city inspectors to come and shake them down. They sardonically called the bar the Mirage, and it drew petty crooks like drought victims to a vision of water."

Series of this magnitude--the Mirage was 25 days of stories that began on January 8, 1978, preceded by four months in late 1977 of running the bar and many more months of planning--aren't measured by the good they do. They succeed if they collect the biggest prizes. Mirage was a Pulitzer finalist, but Ben Bradlee of the Washington Post and Eugene Patterson of the St. Petersburg Times argued for its defeat. "The Pulitzer Prize Board decided not to award the Sun-Times the prize because the series was based on deception," Fuller related. "The board concluded that truth-telling enterprises should not engage in such tactics."

This judgment reflected the uneasiness seeping into a business that, after the Pentagon Papers and Watergate, was taking itself especially seriously. "We would not allow reporters to misrepresent themselves in any way, and I don't think we would be the hidden owners of anything," Bradlee told me at the time. Patterson said, "Some felt the Mirage story could have been reported in another way," and he compared the Sun-Times to an undercover policewoman enticing a john.

The Mirage's champion when the Pulitzer board met had been Clayton Kirkpatrick, then the editor of the Tribune. Kirkpatrick argued not merely for the opposition's big story but for a way of journalistic life in Chicago. It was his own paper, in fact, that won three Pulitzers earlier in the 70s for undercover projects. The Sun-Times didn't get into that business until Pam Zekman came over from the Tribune in 1975, bringing the tavern idea with her. The Tribune had said no to it for liability reasons--the editors imagined the horrible spot they'd be in if someone staggered drunk out of their bar, climbed into his car, and drove into a school bus. Sun-Times editor Jim Hoge said yes.

Even so, Kirkpatrick wanted to honor the Sun-Times for pulling the gamble off. Fuller, who wrote for the Tribune's editorial page back then, went along with Kirkpatrick. But as he rose in the ranks to head of the editorial page and to editor and then publisher he thought hard about the ways in which newspapers grind their daily sausage, and his opposition to undercover journalism became categorical.

"First, because in most cases there are other ways to get the information: deception is just a shortcut," says News Values. "Second, because it creates an environment that tolerates lying, which is highly dangerous for a journalistic enterprise. And third, because a newspaper's strongest bond with its audience is the simple truth.

"Any departure from that," Fuller goes on, "can hardly help but erode the confidence that forms the very basis of the enterprise."

There were solid business as well as ethical reasons why undercover journalism passed out of newspapering fashion. With all due respect for Fuller's notion of a "shortcut," projects such as the Mirage were enormously expensive and time-consuming, and if they weren't going to stock the trophy case they weren't worth doing. Besides, TV's hidden cameras could spy more spectacularly. And new legal perils arose. Targets of undercover probes discovered that if they sued their inquisitors for fraud (for lying, say, on the resumés that put investigators inside the plant) instead of libel, truth was no longer a defense.

But I've never spoken to anyone involved in the Mirage project who's lost a second of sleep to remorse, or who says good riddance to the kind of journalism it embodied. Inauthentic? On the contrary. They hail it as journalism verismo.

Next Friday, October 11, at 5:30 the Chicago Headline Club is sponsoring and the Sun-Times hosting a panel discussion on the Mirage on what is more or less the bar's 25th anniversary (tickets are \$10; call 773-604-1994 to reserve them). Ethical issues will be on the table, but the dominant note struck is likely to be celebratory. Smith will participate, along with Pam Zekman, the project's mastermind, who's now at Channel Two, and Bill Recktenwald, who at the time was an investigator for the Better Government Association. Recktenwald later joined the Tribune, worked there until he retired, and now teaches at Southern Illinois University in Carbondale.

"All we did," says Recktenwald, "was what any citizen should be able to do--open a business. We didn't hang out a poster that said 'Bribes are welcome here,' and we didn't offer money to people. But if people asked us, we gave them the money. If we'd been offering money we probably would have had a lot more people taking it, but they had to ask. When we tried to run a business we found out we couldn't run it honestly, so we documented it. And at the conclusion of our investigation, we reported everything to the state police."

Besides Smith's writing, what really sold the Mirage series to Chicago, Recktenwald believes, was the name of the bar. "I thought of the name after consulting a dictionary," he says. "When you see something and you don't see what you're seeing, that's a mirage." It was a last-minute inspiration. A lot of the other names bandied about also celebrated the joint's pretense but were awful--names like Sunny Times Tap, Golden Scoop, and La Tappe Lloyd. Recktenwald recalls another contender, the Scarlet Lady--"because of Pam's bright red hair. But that sounded like the place a block south of us, which was a house of questionable behavior." Before Smith was done, that house found its way into the series.

Recktenwald might have been alone in this, but it never occurred to him that the Mirage deserved a Pulitzer. Ethics had nothing to do with it; the petty corruption the Mirage was uncovering just didn't seem that important to him. "Nobody's life hinged on this," he says. As a BGA investigator he'd helped the Tribune win a couple of Pulitzers for undercover stories documenting vote fraud and corrupt ambulance services. "People were being abused," he says. "People were dying. Lives were at stake."

The conventional expose separates its cast of characters into predators and victims. The small-bore urban venality that the Mirage chronicled washed over everyone. It turned out that victimized barkeeps had scams of their own: worldly-wise accountants, coin machine vendors, and liquor salesmen taught their techniques for cooking books and trimming taxes. Thanks to the Sun-Times, the Illinois Department of Revenue discovered the state was losing so many millions of dollars in taxes that it created something called "the Mirage audit unit."

Could all of this have been revealed in a way more tolerable to Eugene Patterson? Maybe so. But perhaps Patterson failed to weigh against the subterfuge the fact that the Mirage was the rare investigative series the public actually followed. "I'd come in on the el," says Recktenwald, "and it was very funny to watch people. The night before, I'd be going over the galley proofs with Smith, so I knew where the funny parts were. I'd watch them read, and I'd see them laugh at the right place."

As far as he's concerned, newspapers have unilaterally disarmed. "I'm sure there are a lot of bad guys who are chuckling over that. If the government had announced that newspapers could not do undercover investigative reporting, people would have gone into a tizzy."

A fourth panelist at next week's Mirage conference will be Bernie Judge. The editor and publisher of the Daily Law Bulletin, in 1977 he was also the Tribune's city editor. Judge was invited to provide the voice of the opposition. (Fuller was also asked, but he'll be out of town.) The Sun-Times had been tempted to keep the Mirage open through the end of 1977 because Christmas seemed a promising season for graft, but the wheels were coming off: the Tribune and Daily News had both found out that the Sun-Times was running a bar, and they were looking for it. Judge assigned William Crawford, a top investigative reporter who'd worked with Zekman on paper stories, to scour the bars of the near north side for her. "I think it was the best assignment he ever got," says Judge.

What if he'd found it? "I would have done something," says Judge, who isn't sure what. "I wouldn't have wrecked it. I wanted to steal a piece of it."

By the end of 1977 Jim Hoge was editor of both the Sun-Times and the Daily News. Marshall Field had given him the Daily News in a last-ditch attempt to save the afternoon paper, which would close in March of 1978. Zay Smith remembers that Daily News reporters came to Hoge and told him they'd found out about the Mirage and written a story revealing the operation.

"That put Jim in a very rough position," Smith remembers. "He just said, 'I'm going to say one thing to you guys. Don't do anything irresponsible.' And the story did not run."

Channel Two is where Zekman's spent the last 21 years. Life there hasn't been a bundle of laughs for anyone, and at one point several years ago she thought about going back to the Tribune. She talked to Fuller, and he made it clear that the Tribune was out of the undercover business. "He just didn't feel it was appropriate," says Zekman. "He said that if we're being deceptive, how can we then report on or accuse people of being deceptive?"

Even if the Mirage was the baby thrown out with the bathwater, that's a tough question to answer.

Says Zekman, "I'd do it again in a second."