

Acknowledgements

SAME, SAME, BUT DIFFERENT

THE USE AND SIGNIFICANCE OF JOURNALISM STING OPERATIONS IN INDIA AND THE UNITED STATES

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under the supervision of

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On my honor, I pledge that I have neither given nor received any unacknowledged aid on this paper.

Name: *Mary Dupen Heller* Date: *June 7, 2008*

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Introduction and Background

In 1978, the *Chicago Sun-Times* published a 25-part series exposing corruption in city enforcement agencies through an elaborate sting operation. The five-person team of reporters and members of the Better Government Association purchased a sleazy bar on the North Side of Chicago and named it The Mirage. The numerous building code violations and safety hazards were plainly overlooked by every enforcement agent in exchange for cash. The *Sun-Times* stories received great praise for exposing corruption and egregious oversight of safety hazards, and even garnered a few awards, including making it to the finals for the Pulitzer Prize for Public Service. But the Pulitzer went to the Philadelphia Inquirer, for coverage of local police abuse of power, and the *Sun-Times* story instead met a wave of criticism from the media community for its tactics.

In India in 2001, a weekly start-up magazine, *Tehelka*, undertook a sting operation to uncover corruption in Delhi's underground system of defense middlemen by offering government officials bribes to get a deal with a fictional arms company. Two *Tehelka* reporters peddled an imaginary thermal camera, paid bribes and recorded the encounters on video. They said they were asked few questions about the product itself and that more focus was given to the bribes. *Tehelka* broke the story to much applause and praise from the media and public alike, and many media organizations sought to imitate it.

In the journalism community across country boundaries, creativity and ingenuity are valued, and "enterprising" reporters are awarded prizes. Reporters gather news through interviewing, following tips, searching public records, digging into thick

documents, canvassing and witnessing. Creative methods of newsgathering are not, however, universally praised. When reporters push the limits of traditional newsgathering tactics, the reaction can be discomfort and skepticism. One such controversial journalistic technique is the sting operation.

In this study, I will examine:

- The practice of the sting operation in India and the United States currently and over the last thirty years, using the *Chicago Sun-Times*' Mirage Bar sting operation and *Tehelka*'s Operation West End as the watershed instances of major sting operations.
- Why the responses in Indian and American media are so different, and
- How and when the two democracies' opinions diverged on the tactic.

In the two chapters that follow, I will provide an analysis of sting operations in the news in India and the U.S. through a brief history of the sting operation in both countries. That history will demonstrate that the tactic is trending upward in India while it is common in the U.S. only in certain journalism circles, including local TV, consumer reporting and attempts to entrap sleazier targets.

The methodology of the analysis is mostly qualitative. My hypotheses are based on retrospective research and on two years of observing sting operations in the Indian and American media and the ensuing reaction. I conducted seven interviews with editors and reporters from major Indian and American newspapers, television channels and wire services, about the impact of the watershed sting operation in each country on their media organizations and views of journalistic practices. I read and analyzed nearly 200 articles from news organizations in India and the United States that illustrated the struggle within the respective media communities on the use of sting operations. I

investigated the results of these analyses through the lenses offered by Michael Schudson, Paul Starr, Stephen Ward, W. Lance Bennett, Timothy E. Cook, Edward Jay Epstein, Gaye Tuchman and Herbert J. Gans, regarding the genesis of a journalistic practice resulting from pressures of institutional needs. Using the frameworks they offer, I will propose a speculative explanation for the differences between the views and uses of the sting operation in the two democracies. I will discuss:

- Why sting operations are conducted in Indian media on important targets.

The motives include:

- To solidify a news outlet's reputation as irreverent and anti-establishment
 - To create a market niche,
 - To work around exclusion from traditional newsgathering methods
 - To improve the bottom line, as sting operations have proven to be profitable.
- Why in India, the tactic is used to catch high-level targets. Initially, smaller or "fringe" media outlets were the only ones using the tactic but larger, more mainstream organizations have picked it up. The public and professional reaction in India is usually favorable, and the stories have traction and the point of the story is not overshadowed by the tactic.
 - Why in the United States, the empirical record shows that there are fewer major sting operations in the mainstream media:

- The sting has been relegated to local news and newsmagazine shows,

- The targets are smaller and less important, outside of the public sector
- The response in the public and professional sectors is far more negative.
- The current condition arose from industrial pressure that discouraged the use of the questionable tactic. Media organizations avoid the tactic because of their desire to curry favor with a wary public and maintain the media's self-image, and to preserve fragile relationships with sources.

- Why Indian metro dailies and network news organizations are still climbing in readership and circulation, while the same media penetration in the U.S. is falling off.
- How the antipathy toward stings is related to a larger condition of coexistence and cooperation between political media and politicians
- How the sting operation can give an irreverent, antagonistic reputation – arguably more undesirable in the United States, but desirable in India where media outlets avoid looking cooperative with the government and strive to appear impertinent and unconstrained.
- How the ethical debate in India is relatively fresh and has yet to hinder the use of the tactic, whereas the response in the United States to the Mirage sting was so quick and definitive that little debate over the industrial attitude ensued.

I will conclude with a more speculative analysis of what media's reaction to stings in the U.S. and in India indicates about the degree of adversarialism in each country. I

will offer a predictive hypothesis that with increased fragmentation, with the hyper-competitive climate on the internet and the new standards of “normal” reporting and journalistic behavior, and with the new additions to the media community with bloggers and freelancers and iReporters, the sting operation may become a more viable tool for journalists in the U.S. because of changes in conditions of media competition.

I should add that the analysis to follow is at best speculative; it is in no way a comprehensive analysis, and much more remains to be done in this field.

Defining the Sting Operation

For the purposes of this study, a **sting operation** is defined as a fabricated situation created to catch a target committing a crime or engaging in some “wrong” act – presumably one the subject would have engaged in anyway, or had been engaging in. To conduct a sting operation, a news organization or reporter sets up a situation to catch a subject committing the crime or transgression laid out for him or her. The sting-er fabricates a persona and a situation, and offers it to the subject as bait. When the subject bites, the reporter has a story; usually, a hidden camera will catch the incriminating acts. The tactic is used in law enforcement. For example, officers pose as drug dealers or prostitutes and solicit customers. The U.S. Department of Justice’s Community Oriented Policing Services (COPS) program, a series of publications intended to instruct police officers in training, wrote in a guideline on sting operations that all police sting operations share the same four characteristics: “an opportunity or enticement to commit a crime, either created or exploited by police; a targeted likely offender or group of offenders for a particular crime type; an undercover or hidden police officer or surrogate, or some form of deception; [and] a “gotcha” climax when the operation ends

with arrests.¹” The victims are assumed to be “willing offenders,” although that perception gets complicated when the subject is coaxed into committing the crime, and his willingness appears manipulated.

The tactic is controversial for a number of reasons, including the complicated ethical implications of deception; the possibility of entrapment, or that the behavior exposed wasn't there all along but was induced or brought about by the sting; and the hypocrisy of engaging in deception. Sting operations are still common in law enforcement, where they are not overshadowed by the controversy, because of the assumptions that the officer is entitled to use necessary means to arrest criminals; that the subject is a criminal and therefore has forfeited his rights; and finally that the subject's actions would be otherwise difficult to find or prove. “Catching offenders in the act is a very persuasive feature that impresses juries, who typically return guilty verdicts even though an element of deception is often involved,” Graham Newman wrote in the COPS essay. The essay also draws a distinction between a sting operation where the conductor created a situation to “snare” the subject, and where the evidence of similar transgressions in the past or contemporaneous with the sting already existed.

Another problem in law enforcement stings is that the “guilty” person was caught committing a fake crime, not a deal that is illegal in and of itself. The person caught hasn't actually committed the real crime, but instead a play-acting version of a crime. Arguably, the person scamming the target is the one committing the crime of fraud.

Also for this study, **investigative journalism** can be defined as an in-depth report involving extensive interviews, analysis of documents, scientific analysis, surveillance, or other means. Undercover reporting is defined as when a journalist infiltrates a community he or she would otherwise not have access to as a journalist, by

posing as someone friendly to the group. This differs from a sting operation in that a situation already exists for surveillance, as opposed to being concocted as bait.

Finally, I define a **news organization** as an association of journalists established to supply current events, information and analysis to the public. This can include newspapers, magazines, radio, television, wire services or web-based services. The more traditional “**mainstream**” **media** are those that are well-established and well-regarded within the profession, those with capital and influence in the industry. The “**fringe**” **institutions** are those that lie outside those qualifications, which could include freelancers, bloggers, and start-ups. In the United States, some fringe news organizations cover national government, public policy and politics, but with a puny market share and few resources; some fringe’s reportage is on the periphery of public policy, and concentrates more on consumer-oriented stories, local stories and entertainment. In India, the fringe is those who are excluded from the media “club” of establishment press. Fringe media typically face a highly competitive market with many available substitutes, and a fickle audience who could just as easily gather news from other sources. Smaller budgets lead to smaller targets, smaller-scale stories and a more local focus.

Why Sting Operations Are Important

The sting operation warrants close inspection for many reasons. It adds an element of glamour to a story, and sparks public interest and scrutiny from the media community, making a splash for good or bad.ⁱⁱ In some countries, its use can lead to great upsets in the political balance.ⁱⁱⁱ Like any deception, the sting enables unusual access to information and puts power in the hands of a journalist who isn’t dependent

on the willingness of sources to cooperate. That freedom from sources and institutionalized structures could give the media the ability to report boldly and more freely.

A sting lends color to a story, with the grainy, surreptitious feel of footage shot by a hidden camera. The Hollywood drama makes for a juicy story, whether or not the contents actually live up to the inherently sinister feel of the footage.

The sting is controversial because it represents an exception from usual ethical restrictions within the industry, such as proscriptions against deceit, lying and misrepresentation to get a story. The tactic is attention-grabbing and generates a great deal of discussion in the media community and the public. The debate centers on the ethics of using deception in gathering information, whether or not the tactic is technically entrapment, or if the wrongdoing would be committed without the presence of the journalist. Opinions voiced in those debates and the consensus that emerges will in part determine the prevalence and prominence of sting operations in the future – whether or not the media will avoid the tactic for fear of policing by their peers.

Stings are also significant for their destabilizing potential in the political system when the targets are politicians. The method is frequently so incendiary in certain parts of the world that when aimed at high targets, the effects can be devastating to a politician or a party^{iv}. The sting operation enjoys frequent usage in India, where in the past stings have resulted in the resignation of politicians and upheaval in the distribution of political power, as in the case of Operation West End discussed in Chapter 1.

The tactic is also interesting because it is the purest case of the media acting as a rogue institution, as a free-wheeling association with no loyalties to sources and

therefore free from attachment to the government as a supplier of information. That freedom can embolden the media and allow them far more scope in reportage.

The popularity of the sting operation in India arose in part from desperation. The institutionalized arrangement of the media and their sources creates a tight club of establishment media with access to newsmakers and information. That club inherently excludes other members of the media, and the fringe media denied the traditional newsgathering channels must resort to other methods of finding news.

Relevant Scholarship on Models of News

The concept of a journalistic technique arising from industrial and political circumstances is not unique to the case of the sting operation. The scholarship on the subject is extensive, but to date, none comment on the industrial, economic, or cultural origins of the sting operation.

In the American media, Michael Schudson argues in his book, The Sociology of News, that news is unavoidably framed or biased, not just by personalities and journalists but also by “socially organized distortions built into the structures and routines of newsgathering.”^v The beat system, he says, arose from government agencies recognizing a journalist’s need for reliable sources and channels of information, and journalists finding it convenient to have these reliable sources. That symbiotic relationship gave rise to what is now a traditional form of journalism, one person covering one topic and becoming well acquainted with the issues and, more importantly, the sources.^{vi}

Another routine practice of journalists globally is the use of the interview, but according to Paul Starr in *“The Creation of the Media: Political Origins of Modern*

Communications,” the interview was not always a key part of news reporting. An “American innovation,” the interview became popular around the mid 1800s, due to the “egalitarian, less deferential culture^{vii}” which “subjected important people to questioning by mere reporters.” Simultaneously, reporters in the United States were highly competitive and thus had an incentive not just to report the news but also to create it, to get an ‘exclusive’ and use interviews for publicity and to ingratiate powerful interviewees. From these institutional pressures of stiff competition, and the cultural attitude that all men are created equal, the interview became a staple of the American press and later, international media.^{viii}

In “*The Invention of Journalism Ethics: the Path of Objectivity and Beyond*,” Stephen Ward asserts that objectivity in reporting is not natural but instead arose from a certain set of conditions and circumstances that made it advantageous to report impartially. During the chaos of the 1920s, Ward argues, the propagandist journalism of the past seemed ill-suited and the industry began to move toward objectivity as the proper way to report the news.^{ix} Objectivity, or unbiased and balanced reporting as though the reporter were not inherently opinionated, was also a response to attempting to target a larger audience, and therefore attract more advertising. Appealing to a wider audience increases circulation and advertising revenues, and thus the economic incentive of so-called “objective” reporting made it popular, and later expected.^x

The content of political news arising from a series of bargains between a reporter and a newsmaker is what Timothy Cooke calls the “negotiation of newsworthiness.”^{xi} The source and reporter will bargain what information will be published and what will be withheld. Media are also used to float trial balloons from one party to the other, from one branch of the government to the other, and sources can watch and gauge reactions

through the media's coverage. Thus, newsmakers in politics pander to the media, providing sound bites and media events with color and showmanship that play well on the television screen. In turn, reporters treat their sources with respect and care, releasing just the information permitted, abiding by the terms of the relationship. This give and take between reporter and source has made the fourth estate a true part of the government, Cook suggests, but has hindered its ability to provide a check on it.

In his *"News: the Politics of Illusion,"* W. Lance Bennett said that journalists tend to err toward plotlines that are convenient and well-worn, that have proven their effectiveness; their popularity stem from that they're easy and cost-efficient to do, and have positive reactions from the audiences. The plotlines relevance helps in response to those institutional pressures of competition and lowering costs, and fit the social structures audiences expect to find in the news. Bennett claims that organized interests use the media to create political power in "support, compliance and just plain confusion among the public.^{xii}" The communication channels, he says, are blocked by these political elites and organized interest groups, particularly on matters concerning the economy and other state or corporate issues. Additionally, he asserts that the news media are mostly a tool for public parties and interest groups to communicate with each other as "political transmission lines," and change is unlikely because in its current form, the news is still profitable and elite journalists are satisfied with the status quo of media in bed with government.^{xiii}

An institutional needs approach, or the study of the institutional pressures which give rise to certain techniques, is also not a novel concept. An early account of the organizational approach is Edward Jay Epstein's *"News from Nowhere,"* in which he asserts that the character of the news is determined by internal needs of the network,

including organizational, technological and commercial needs, as opposed to the news content itself. Editors and news executives pick and choose what the news will be, often seeking the most effective narrative or the best visual story for television as opposed to “mirroring” actual events. News is shaped by “government regulation of broadcasting and the economic realities of networks; certain uniform procedures for filtering and evaluating information and reaching decisions; and certain practices of recruiting newsmen and producers who hold, or accept, values that are consistent with organizational needs, and reject others.^{xiv}” Hiring practices, internal policies and external pressures determine what will be seen on television and how it will be portrayed, and what news editors and executives deem to be newsworthy becomes a self-fulfilling prophecy.^{xv}

Following Epstein’s 1973 “*News from Nowhere*” in the writings on organizational and institutional needs is Herbert J. Gans. In the 1979 scholarly classic^{xvi} “*Deciding What’s News*,” he argues that in reporting, journalists reinforce enduring values, conscious and unconscious opinions, and judgments in a sort of paraideology, and yet still believe that they are objective. Those enduring values originated in the reformist ideals of American Progressivism, and the significant value placed on civil liberties, because the media depend on their freedom as given in the First Amendment. The residual values of the Progressive movement and early America still govern much of today’s journalism. Gans adds that the journalist’s advocacy of individualism and moderatism and their dislike of bureaucracy stemmed from conditions of the workplace.

Gaye Tuchman followed Gans in the organizational needs approach, and in her “*Making News: A Study in the Construction of Reality*,” she points out the need for individual newsmakers and news organizations to routinize their collective work in

working together in a symbiotic relationship, in their actual proximity to one another, and in working similar hours. News, she asserts, is functionally a socially constructed product, the product of a newsperson's daily routine.^{xvii}

This literature places the organizational or institutional approach in a larger framework, which suits the purposes of this study to frame the sting operation as a product of organizational or industrial need. As the beat system, objectivity, and interviewing arose from industrial needs, so does the acceptance or rejection of the sting operation reflect the industrial, economic or political pressures affecting media organizations in India and in the United States. The institutional needs model is not necessarily the dominant explanation for any of these technique's genesis, though, and the sting operation is likely not solely a derivation of industry pressures.

The most common justification for the use of stings in the U.S. is that they are a means in the media's ethical obligation to serve audiences – that the ends are in the “public good.” Washington and Lee University Professor Lou Hodges asserts that the use of deception can be a positive tool for ethical means if used properly and in context. The Mirage and the Food Lion stories are examples of organizations assuming risk to expose corruption or dangers that could not be gotten by other means. That idea is supported also in the findings of the Hutchins Commission, a group formed in 1947 to address the many problems facing the news media, established the theory of social responsibility, that serving the public was journalism's fundamental duty. Finally, the 1998 “Doing Ethics” guidebook by Jay Black, Bob Steele, Ralph D. Barney and the Society of Professional Journalists asserts that deception is acceptable if the stakes make it worthwhile, because the press has the responsibility to uncover information and disseminate it to the public.

Chapter 1: Sting Operations in India

Stings in India Before 2001

The first influential example in contemporary India of a sting operation was the *Indian Express*' exposé on the flesh trade in 1981. Reporter Ashwini Sarin bought a young girl named Kamla (also spelled Kamala) in Dholpur, Rajasthan, with the support of *Indian Express* editor Arun Shourie and Indian Express Group founder Ramnath Goenka. Kamla cost 2,300 Rupees, which was approximately \$150 at the time; she was less expensive than a cow.^{xviii}

The story exposed the modern market for slavery and prostitution, as well as the involvement of a number of government officials. The resonance was so great and lasting that the story was made into a Bollywood hit in 2006, 25 years later. The *Indian Express* mentions the story on its “About the Group” website, saying that the paper has broken “some of the most shocking stories in the history of Indian journalism,” such as the “famous story of Kamla.” Coomi Kapoor, a columnist for and resident editor for the *Indian Express* in Delhi, and president of the Indian Women’s Press Corps, cites this story as the first sting operation.^{xix} She also noted that the paper wrote three ex ante letters stating the paper’s intention, so that after the story broke, if there was any question of the legality or motives for the operation, the ex ante letters would provide answers.

The Madhya Pradesh Government ordered a probe, and the *Indian Express* petitioned the Supreme Court to instate corrective measures – but the petition is still

pending, the probe has not released any results, and female trafficking may even have increased since the story.^{xx} The story was extremely effective on shedding an immediate light on a major problem in Madhya Pradesh, but once the celebrity wore off, the impact was mitigated by how entrenched the problem was.

For nearly two decades, the sting operation was not widely used, and where it was, was used quietly and to little reaction. But in 1999, reporter Aniruddha Bahal carried out a sting on cricket, exposing the black market of bookies and match-fixing. Bahal worked for a small weekly *Tehelka*, with the tagline “The People’s Paper.” The sting was one of the first stories in the fledgling publication.

This operation, called “Fallen Heroes,” was the first step to establishing *Tehelka*’s name – which, translated from Hindi, means “sensation” or “making waves.” The sting showed cricketers taking bribes to throw matches, and as a result of the sting, three members of the Indian national cricket team quit. The story was made into a popular 500-page book by the same name. A well-known Indian critic said that the sting “restored Indian journalism to its lost glory.^{xxi}” Bahal himself was instrumental in emboldening *Tehelka* and earning its literal name, but *Tehelka* had yet to become a household name.

Making Waves: *Tehelka* and Operation West End

After the success of the match-fixing sting, Bahal embarked on a far more ambitious sting operation to uncover corruption in the defense ministry. *Tehelka* was inspired to look in the defense ministry following the media storm of the 1989 Bofors controversy, in which the Indian government awarded Swedish arms dealer Bofors the largest export order of its history, with massive government bribes at every level.

Intrepid investigative reporting by a reporter for *The Hindu* revealed the corruption, but she worked from preexisting evidence, without the use of a sting operation.

Eleven years after the Bofors scandal, according to *Tehelka* editor Tarun J. Tejpal, defense middlemen – agents who broker deals between the government and arms dealers or contractors – had been publicly outlawed, but "the truth is that every one of Delhi's chattering power elite knows that the city crawls with defense middlemen.^{xxii}"

In 2001, Bahal and Samuel Mathew created an imaginary British company, West End International, and crudely marketed a hand-held thermal camera, an item they knew was something the defense ministry was interested in buying.^{xxiii} They approached low-level defense officials to sell them the fictional product, and discovered a "web of graft and wheeler-dealers.^{xxiv}" Secretly filming every episode, Bahal and Mathews reported that officials were "willing to push anything as long as there was a kickback. Percentages and commissions were openly discussed; help of all kinds was generously offered to circumvent the system.^{xxv}" According to *Tehelka*, Members of the BJP (Bharatiya Janata Party, or Indian People's Party) asked few questions about the thermal camera itself and more questions about the payoffs for individual officials. Bahal and Mathews claim they were sent ever higher on the hierarchical ladder, and with each step, the fees increased. Bahal and Mathews also enlisted the help of prostitutes, and offered alcohol as additional bribes, which later diluted the support of the sting operation and tarnished their moral standing.

After eight months and 100 hours of videotape, *Tehelka* presented four hours of footage to members of the press, government, and entertainment industry on March 13, 2001 at the posh Imperial Hotel in Delhi. The footage ran on national television stations

and were on the *Tehelka* website. It was a running story also in the print version of the magazine.

After the Tsunami: Reactions to Operation West End

The public applauded *Tehelka*'s bravery, crying for the resignation of government officials and flooding Tejpal and Bahal with congratulatory calls and newspaper articles. The praise rippled as far as *Time Magazine*, the *Economist*, and other Western news institutions.^{xxvi} "[P]eople all around India applauded a start-up news and views site, *Tehelka.com*, for exposing corruption,^{xxvii}" BBC's Soutik Biswas wrote in "Sting journalism under fire."

The BJP government's immediate reaction was to accuse *Tehelka* of ulterior motives, funding, or false information from Congress, the opposition party. *Tehelka* editor Tejpal says the "moral high ground of governance was abandoned for indulgence in inter-party bickering."

An embarrassed government took the plea that Operation West End was a conspiracy to harm the country and cripple the economy. The tapes had been doctored and the portal's conduct was criminal. Innocent victims had been framed. The defense minister denied anything untoward in the general process of military procurement and resigned thereafter pending an inquiry. The BJP President also resigned.^{xxviii}

Despite the abrupt resignations, the two men most disgraced by the exposé later returned to power and suffered few long-term consequences. But *Tehelka* paid for the story. B.G. Verghese, former *Hindustan Times* and *Indian Express* editor, said in the foreword to *Breaking the Big Story: Great Moments in Indian Journalism*, that the government's retribution was brutal:

A wounded government turned the screws on *Tehelka*. It was raided, questioned by the investigatory agencies and pilloried. Its financiers, two young venture capitalists, were hounded viciously and put out of business. *Tehelka* found itself unable to function or pay its staff and was reduced to a shell... [T]he portal, rather than those whom it had exposed, was put in the dock in an inversion of due process.^{xxx}

Tehelka and its staff were subjected to about 200 legal summonses and 25 police raids.^{xxx} In an *Indian Express* article "Target *Tehelka*: Dead Leopards telling CBI a Tale," (June 27, 2002), which described trumped-up charges against *Tehelka* employees of illegal poaching, *Tehelka* editor Tejpal said, "if there is any casualty of 'Operation West End', it is us. No political party or individual has been victimized in this case except us." University of Delhi sociology professor Gopa Sabharwal agreed with his sentiment that they were targeted: "the government was vicious. They went after him [Tejpal] no holds barred, and destroyed him. Now, I think he would be more careful."^{xxxi}

Ironically, the government based its attack on a reading of professional ethics, accusing them of deception and corruption and claiming that *Tehelka*'s story was a "scam" fabricated by the Congress party under party chairman Sonia Gandhi's leadership. Former *Statesman* editor and renowned journalist Pran Chopra commented that the sting "was a case of mixed motives."

"I doubt that the managers of this operation were motivated only by the desire to expose wrongdoing by politically important people," Chopra said. "It had an odd mix of exposing some people, politicians, political parties, in order to benefit other politicians and parties."

Chopra's view is reiterated in many reactions to *Tehelka*'s sting, and was certainly encouraged by the government.

The government reacted to the scandal by lashing out at *Tehelka*, declaring that the exposé was "a financially motivated exercise and not a journalistic one." It accused the website of operating for foreign

intelligence agencies and of being financed by the Middle East—in other words, in the communal language of the Hindu chauvinist BJP, of working for the Islamic “enemy.”^{xxxii}

These accusations were echoed throughout the party and among other affected people, going so far as to openly accuse opposition party Congress leader Sonia Gandhi of involvement.^{xxxiii}

While initially *Tehelka's* bravery was praised, public opinion shifted slightly as the government's smear campaign hurt *Tehelka's* image. University of Chicago Professor William Mazzarella cites the example of *Tehelka's* use of prostitutes as a starting point for the government's mudslinging.^{xxxiv}

“They were persuaded by the correspondents to accept the bribes,” *Indian Express* editor Coomi Kapoor said. “The officials were entrapped. It didn't seem like they were accepting money regularly. It was an entrapment, not an expose on ongoing malpractice.” Kapoor said the important part of a sting operation missing in *Tehelka's* case was a declaration of intention. “Fifteen years ago, the *Indian Express* committed a felony” in the Kamla story exposing the flesh trade, but before doing so wrote three letters of intent “so people knew what our designs were.”

Tehelka's sting operation was controversial for both its findings and tactics. When the government claimed that the sting had been unethical, the media community was quick to defend Tejpal and protect its own rights as well.

Most editors took *Tehelka's* side but there was always the suspicion that they did so under duress and moral pressure. ...The revelation that *Tehelka's* bribes went beyond cash to include sex gave newspaper editors the opportunity they needed to rethink their stances on *Tehelka's* methods. Almost without exception, every newspaper condemned the use of call girls and raised questions about the ethics of *Tehelka's* investigation.^{xxxv}

Editors initially praised and supported *Tehelka's* story, but as the debate wore on and *Tehelka* started to crumble, the circumstances changed. As information about the prostitutes and alcohol came to light, many within the media community took the opportunity to criticize *Tehelka* for its methods, without appearing to change their mind on the ethics involved.

Under extreme governmental and legal pressures, *Tehelka* and its financiers went bankrupt within a year. But editor Tarun Tejpal rallied support among Delhi's elite and others to finance the publication's re-starting online after a two-year hiatus, and later its resurrection as a weekly. It continues to deliver huge headlines and enterprising sting operations.

***Tehelka's* Wake: Sting Operations After 2001**

Despite some moral qualms, *Tehelka's* Operation West End had a lasting impact on India's journalistic landscape. *Tehelka* reemerged from its bankruptcy as a viable institution. After the scandal generated such attention, the sting operation was adopted into the Indian news media's toolbox as an acceptable and effective method of news-gathering,^{xxxvi} whether it was universally embraced or not.

Stings experienced a huge jump in usage following *Tehelka's* Operation West End. The tactic had proven its ability to generate a buzz in the *Tehelka* story, and many media organizations followed its example. The trend reached near-frenzied heights in 2005 and 2006, both of which members of the Indian media have hailed as "the Year of the Sting."^{xxxvii}

In 2004, the commercial *India TV* aired the first of its sex sting operations, implicating two Swaminarayan holy men in affairs with married female devotees. *India*

TV said the holy men put the women under a trance beforehand. The sting received some negative feedback but many admitted that there was no other way to get the story, since neither party would admit to the events, and there seemed to be a “greater public good” served.^{xxxviii}

The following week, *India TV* aired another sting, this one on three Bihar politicians with prostitutes allegedly provided by a mafia of contractors in exchange for political favors. The politicians, according to the private channel, promised voters empowerment of women, but were indirectly using public funds to pay the sex workers. In response, the Information and Broadcasting Ministry condemned the sting as obscene and threatened to revoke *India TV*'s license if the channel could not provide a satisfactory explanation for airing it.

In March 2005, *India TV* aired a story on Bollywood's “casting couch,” showing aging Bollywood C-list actor Shakti Kapoor attempting to seduce a reporter posing as an aspiring actress with offers of roles in films in exchange for sex. The footage showed Kapoor lounging on a couch and making passes at the reporter. After the Shakti Kapoor story, “viewership [of *India TV*] leapt three-fold for a few days.^{xxxix}” The station followed that sting closely with another one nearly identical, this time targeting actor Aman Verma. While viewership spiked, the media community voiced its disapproval of the easy, sleazy subject and the use of the delicate tactic for a story not in the public's interest.

In May 2005, a sting by *India Today*-owned *Aaj Tak* (Hindi for “up to today” or “up to the minute”) caught the guards of Tihar jail in New Delhi bending visitation rules and dispensing information about Tihar's prisoners for bribes. Seven guards were suspended and charged with corruption.

In August 2005, *Star News* aired hidden camera footage that showed an inspector-general of police sexually exploiting a 22-year-old tribal woman. Also in 2005, *India TV* revealed “Bhaiya Bole,” wherein three legislators of different parties were caught in sexual acts with women. The channel was sued for obscene content and the Members of Parliament implicated claimed that the pictures had been “morphed,” which to date has not been proven. The same year, *Star News* also aired a sting operation revealing the black market for kidneys.

Aaj Tak made headlines again in December 2005 with “Operation Duryodhana,” a cash-for-query sting on eleven Members of Parliament (MPs). The MPs, five of whom were members of the Bharatiya Janata Party (BJP) and most others from smaller factions from backwards states, accepted bribes in exchange for local earmarks and for raising certain pre-determined questions on the floor of the House. They have since been suspended and dismissed from Congress, although they do have the right to appeal. Operation Duryodhana was executed by the same Bahal, who after working with *Tehelka*, became editor of news portal cobrapost.com (similar in feel and function to the Drudge Report). He says he sold the story to *Aaj Tak* because he did not have access to television himself but wanted to air the footage.

In 2006, CNN-IBN (the CNN affiliate in India) conducted “Operation Water Rat,” wherein reporters smuggled explosives into Mumbai to show problems with and the ineffectiveness of security. The story was received positively in the public as something the media “should^{xi}” be doing.

In November 2007, *Tehelka*, which had been relaunched as a weekly in 2003, again shook the Indian government in Operation Kalank: the Truth about Gujarat 2002. The publication again showed what many knew but couldn’t substantiate. Many

consider The Truth about Gujarat to be an even larger or more important sting than Operation West End. In 2002, Modi had essentially unleashed a mob with instructions to murder Muslims, while the police stood by and often added to the violence. In an extensive six-month operation, *Tehelka* reporters endeared themselves to politicians and surreptitiously recorded them telling the stories and bragging about their actions in the 2002 Gujarat riots. *Tehelka* reporters heard activists, police and state officials assert that Chief Minister of Gujarat Narendra Modi gave them three days for a free-for-all targeting of Muslims in the area, disguised as retaliation for a train car's burning^{xli}.

The response across the board was disgust with the administration in Gujarat, and the ethics of *Tehelka's* methods were barely mentioned, or quickly dismissed. Despite the huge reaction to the story, the administration that sponsored the pogrom was reelected not long after the story broke in the predominantly-Hindu state, and members of the media community speculate that the exposé may have actually aided the guilty party in the election.

In March 2007, *Tehelka* caught the defense attorney for a major film star, Sanjay Dutt, confessing that his client may have received preferential treatment for his involvement in the 1993 Mumbai blast case, the most destructive bomb explosions in Indian history. Dutt's involvement in the 13 coordinated bombings across Bombay earned him six years in prison; he was released after 18 months and has been on probation ever since, but the 2007 *Tehelka* story indicating his preferential treatment of a light sentence and easy bail reopened the case. He was sentenced to another six years in July, and was released on bail in November. *Tehelka* is proud of the outcome of that story, but Dutt's cult following from his Bollywood career was not as pleased.

In October 2007, CNN-IBN's Rajdeep Sardesai was going to be arrested and made to appear in police custody before the Uttar Pradesh Assembly to explain the motivations for his channel's airing of a sting operation which exposed an Uttar Pradesh minister and two legislators apparently accepting bribes earlier that year. He was eventually exempted from the appearance after submitting the unedited tapes of the sting. The media community saw this as an attempt to restrict their check on government corruption and was outraged.^{xlii} The politicians stung have not experienced any repercussions.

The apparent consensus on the sting operation is one of tentative acceptance. Empirically, members of the media community seem to have rallied around the tactic as a necessary journalistic device and one that they will support and defend each other in using, particularly in the face of potential government intervention.

Industrial Codes of Ethics: The Official Line

The main regulatory body of the media in India is the government's Press Council of India. It is a "statutory, quasi judicial body which acts as a watchdog of the press, [and] adjudicates the complaints against and by the press for violation of ethics and for violation of freedom of the press respectively."^{xliii} The PCI is traditionally chaired by a retired Supreme Court judge, and is composed of 20 members of the press, five members from the Houses of Parliament, and three persons from cultural, literary and legal fields nominated by their institutions. First established in 1966 and now operating under the Press Council Act of 1978, the body was designed to "establish a press council for the purpose of preserving the freedom of the press and of maintaining and improving the standards of newspapers and news agencies in India." But the

“toothless^{xliv}” group has no real punitive abilities and can only censure and admonish news organizations for breaches. Consequently, the opinions of the Press Council are essentially just that – opinions. The rulings of the PCI do not carry much weight in India.^{xlv}

The Press Council’s “Norms” listed on its Web site do not directly address the sting operation, but the document does say that the Press should not tape-record conversations without the person’s consent except for the journalist’s legal protection or for a “compelling good reason.” Otherwise, cameras and tape recorders could no longer be hidden and that all parties taped would have to consent. With regard to “investigative” reporting, the Norms state that “There being a conflict between the factors which require openness and those which necessitate secrecy, the investigative journalist should strike and maintain in his report a proper balance between openness on the one hand and secrecy on the other, placing the public good above everything.”

Specifically on the issue of sting operations, PCI said, “While efficacy of sting operation[s] in exposing deep and pervasive maladies in public figures holding key positions in the administrative set up cannot be under estimated, it will be only wise to be aware that very often, sting operations try to create a mistaken public impression of a crusading role of media by impinging on private and personal life of an individual.” The Press Council does not soundly discourage the use of the sting operation, but it does caution journalists against this false impression of a “crusading” media and from letting media ethics slide in favor of a good story.

From Bofors to Bihar, from Tehelka to Volcker [of the Volcker Report, showing Indian government official’s involvement in the Oil for Food Program], the media has unearthed and or highlighted the arbitrary acts of the powerful. We need media to aggressively pursue the corrupt. The

problem is that increasingly, the media itself appears to be getting tainted by its own aggression.^{xlvi}

The Press Council is cautious, but far from condemning of the use of the sting operation. Only recently has the PCI addressed the issue in reviewing a case; for example, in 2005, it supported a *Star News*'s sting operation on the black market for kidneys, saying that "the Council felt that there could be no doubt that the exposure was in public interest."^{xlvii}

In 2007, the PCI addressed the issue again, warning that the government "questioned the role and values of the electronic media in coverage of some sting operations," and that it was considering "stringent laws" to deal with sting operations. But the Information and Broadcasting Minister PR Dasmunsi said that the government would not enact laws to stop stings, but that complaints should instead be registered with the Press Council.

"There should be no regulation by the I and B Ministry on sting operations. There should be self-regulation by the media organizations on this vital issue," he said.

The Press Council's semi-supportive stance on sting operations is indicative of the larger media community's acceptance of the tactic. While stings had been a defensible media tactic prior to *Tehelka*'s Operation West End, the use of the method spread into the mainstream and establishment media as well in the wake of the scandal. The establishment media such as CNN-IBN and Rupert Murdoch's affiliate *Star News* picked up the sting strategy as an effective and forceful way to catch a big story.^{xlviii}

Targets in India remain ambitious, with sting operations ensnaring Ministers and members of Parliament and sometimes bringing them to justice. The tactic has demonstrated that it is effective in getting attention, and by extension boosting ratings

and newsstand sales. The use of the sting operation has helped establish *Tehelka* as an intrepid and bold magazine, and has bolstered the position of new television channels like *India TV*. While stings are not necessarily commonplace, and are still regarded as an extreme measure to gather information,^{xlix} the use of the sting operation has been popular and effective enough in recent years to be considered an acceptable approach.

operations, as defined for this study, until the 1970s with the *Chicago Sun-Times* Mirage Bar story. Prior to that sting, deception in journalism was confined mainly to "undercover" operations.

In 1887, *New York World* reporter Nelly Bly faked insanity to investigate the treatment of patients at the Women's Lunatic Asylum on Blackwell's Island. Under the editorship of Joseph Pulitzer himself, she spent ten days as a patient and reported on the miserable conditions, later publishing a book, *Ten Days in a Mad-House*. The abysmal conditions of the asylum improved following the story, and many attributed the changes to her enterprising reportage.⁴ Nelly Bly's adventure could be considered an early version of the sting operation, since she faked symptoms and concocted a phony scenario to gain access, as opposed to joining the asylum as an orderly without any deception.

Other often-claimed examples of undercover journalism or misleading practices in U.S. journalism include the work of Ida Tarbell, although her news-gathering methods never involved sting operations nor even deception. Her famous investigative report on Standard Oil used only interviews with an impeccably forthcoming Henry H. Rogers, then director of Standard Oil. Lincoln Steffens and Ray Stannard Baker also

Chapter 2: Sting Operations in the United States

Early Journalism in the United States

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helped develop this brand of investigative journalism, dubbed “muckraking,” using documents and interviews to build an in-depth story.^{li}

A concurrent instance of deception in reporting is Upton Sinclair’s undercover infiltration of a Chicago meat-packing factory. But he added elements of fiction to his reportage to create a novel, “The Jungle.” His book was wildly popular and shone a light on the conditions in the industry, but his methods did not include sting operations.

While these examples did not involve fictitious situations to ensnare a target as in a sting operation, they provide examples of non-traditional news sources and the search for unauthorized information intended to expose or embarrass. They also illustrate a historical willingness in American journalism to engage in a degree of deception if the story warrants it.

Improvements in Technology

The hidden camera is a key element of the contemporary sting operation, and in many cases stings can attribute their success to the invention of the hidden camera and its reduction to a compact, portable and concealable size; there is no other easy way to document the interaction otherwise. The hidden camera made its sensational debut in 1928, when the *New York Daily News* sent a photographer in to record Ruth Snyder’s death by electrocution in Sing Sing prison. The reporter, a *Chicago Tribune* photographer, strapped a camera to his ankle to photograph the electrocution. Catching that picture has been called the “most talked-of feat in the history of journalism.^{lii}”

The 1950s saw the “Golden Years” of television and the beginning of regularly scheduled broadcast journalism in the mainstream. News shows like CBS’s *See It Now* premiered in 1951 and the *Today* show on NBC began the following year. *Candid*

Camera had debuted on ABC in 1948, using hidden video cameras to document unsuspecting subjects confronted with unusual situations – a foray into deception and hidden cameras, but for harmless, light entertainment programming.

The flourishing broadcast industry gave rise to the TV newsmagazine, providing more in-depth coverage than its newscast counterpart. The first was CBS's *60 Minutes* (1968), followed a decade later by ABC's *20/20* (1978), whose name indicates that the show is centered on the visual. Newsmagazine shows multiplied over the years, peaking in the late '80s. With the proliferation of these newsmagazines came more undercover journalism. The hidden camera became a regular tool on the shows, particularly on ABC's *PrimeTime Live*, which debuted in 1989. A hidden camera allowed viewers to see for themselves what the anchors described. Throughout the 1970s, *60 Minutes* gained acclaim with its use of undercover operations and hidden cameras, and the other newsmagazine television shows picked up on the technique.

Undercover stories have become a mainstay of newsmagazine shows like *20/20*. In 1994, *20/20* did an exposé using hidden cameras on 17 chiropractors treating children with ear infections, clearly without the proper training. In 1999, *20/20* discovered that many former zoo and laboratory animals were being released and sold as pets. The following year, the investigative crew used hidden cameras to show that companies were trafficking fetal tissue for medical research. In 2004, *60 Minutes* used hidden cameras to nab salesmen posing as regular consumers “secretly pitching products.^{liiii}” *20/20*'s 2007 “Undercover Pharmacy Investigation” revealed that many overworked pharmacies at drugstores like CVS Pharmacy were giving out the wrong dosages of medications. All of these instances, and many more like it, were compiled

with the aid of hidden cameras, but few used active offers to solicit wrongdoing, and therefore do not qualify as sting operations.

Tainted Love: Food Lion v. Capital Cities/ABC

In 1971, in a major court decision for journalism, the Ninth U.S. Circuit Court of Appeals ruled on a privacy case in which a *Life Magazine* reporter recorded a private meeting and secretly took pictures without the hosts' consent. A. A. Dietemann was a plumber by day and practiced herbal medicine by appointment, and *Life* reporters surreptitiously recorded their appointment, posing as his patients. The magazine had run a segment called "Crackdown on Quackery" that named Dietemann as a "quack." The article included photographs taken in Dietemann's home without his consent.

Eight years later, after a series of appeals, the Circuit Court ruled that there had been no outside advertising for his services, and the reporters had used a private invitation to gain access and get "treatment" from Dietemann. The Court ruled that this was an act of intrusion, saying that "the First Amendment has never been construed to accord newsmen immunity from torts or crimes committed during the course of newsgathering. The First Amendment is not a license to trespass, to steal, or to intrude by electronic means into the precincts of another's home or office.^{liv}" This set a precedent for surreptitious recording and hidden cameras, and likely scared a media wary of an invasion of privacy suit away from taking on a sting operation too lightly.

In 1992, *Primetime Live* reporters used hidden cameras to capture Food Lion employees changing the labels on expired meat and reselling it, bleaching spoiled poultry, and selling cheese that had been nibbled on by rats. The report gained a great deal of attention and put undercover operations again in the public eye. While the news-

gathering used deception, this again is not an instance of a technical sting operation because it lacks the aspect of entrapment, the active involvement of the reporter baiting the subject.

Food Lion took ABC to court, arguing the means, not the findings. The chain grocery store's suit claimed that the producers had committed fraud with their undercover reporters' false resumes and failure to disclose their employment with ABC. In *Food Lion v. Capital Cities/ABC*, the court initially awarded Food Lion \$5.5 million in punitive damages. Bob Steele, director of the ethics program at the Poynter Institute, said the verdict could "chill important investigative reporting and [prompt] news organizations to back off.^{lv}"

The awarded damages were later reversed, though the verdict remained the same. Instead of the \$5.5 million, Food Lion was awarded nominal damages of \$1.^{lvi} The potential chilling Steele warned against was mitigated by the reduction of the damages, but the titular victory was still a warning, if a weak one, against deception in reporting.

The Debut of the Sting Operation in Mainstream Print: The Mirage

The first major instance of a sting operation in national print media is *The Chicago Sun-Times* Mirage bar sting operation, an exposé of the corruption and graft among Chicago's city inspectors.

In May 1977, a handful of reporters and former police officers teamed up with the city's Better Government Association and bought a seedy bar on the North Side of Chicago for \$5,000. They named it, fittingly, the Mirage. The bar itself was riddled with building code violations and safety hazards, but enforcement agents overlooked these obvious problems for small cash kickbacks. The reporters, with the help of *Sun-Times*

photographers posing as repairmen in the rafters of the building, recorded and reported public officials and accountants openly offering tips on how to run the bar and skim a little off the top. Inspectors accepted bribes as insignificant as \$10 to ignore violations.

The Sun-Times ran the story in a 25-part series beginning in January 1978. The piece received great praise for exposing corruption and egregious lapses in safety enforcement, and even garnered a few awards, including making it to the finals for the Pulitzer Prize.

“It was generally believed by everyone in media circles at the time that the *Sun-Times* was a lock to win the Pulitzer,” CBS News’ former Washington D.C. Deputy Bureau chief Tom Mattesky said, “even though I think there were very differing opinions about whether the [sting] was more admired for its style than for its actual substance.”

But the story was denied the Pulitzer because members of the committee disapproved of the tactic of the sting operation.^{lvii} The judges – most notably Ben Bradlee, former executive editor of *The Washington Post* – blocked the story from winning the Pulitzer because they could not overlook the ethics of the means by which the reporters got the story.^{lviii} For the judges, the inherent deception of a sting operation – with journalists posing as bartenders and concealing their true identities and purposes – overshadowed the merits of the story; they were afraid that rewarding such tactics with a Pulitzer would have set a dangerous precedent of condoning deception in reporting.^{lix}

The Mirage sting is significant for its use of the sting operation in mainstream national print, and particularly for the sharp reaction that followed. That the sting operation that tested the waters was so rejected and the *Sun-Times* functionally reprimanded by losing the Pulitzer for the deceit in the sting was an unmistakable indication that sting operations were not generally accepted by some of the media

community, largely the prestige press and thus opinion leaders, even if the story was popular in the public arena. In large part, the self-regulation was effective; since the Mirage, U.S. journalists have been wary of sting operations and approach them with caution, or target subjects of less import to reduce the glare of the spotlight.

Sting Operations Since the Mirage

Almost concurrently with the Mirage sting, the Federal Bureau of Investigation undertook a massive sting operation in 1978 known as ABSCAM, targeting 31 members of Congress. The FBI created "Abdul Enterprises, Ltd" and agents posed as businessmen from the Middle East offering money for political favors from a fictional sheikh. The "sheikh" wanted the officials' aid in getting asylum, in an investment scheme, and in laundering money out of his country. The FBI found that congressmen were more than willing to help, and gave out more than \$400,000 in bribes over the course of two years.

NBC Nightly News aired video from the FBI's sting operation in February 1980; the operation led to 11 convictions, including one senator and five House members. The ethical debate following the sting centered on the sting-er's past as a con artist, and whether or not his selection of targets had been fair. The following year, U.S. Attorney General Benjamin Civiletti issued "The Attorney General Guidelines for FBI Undercover Operations" and Congress held a number of debates and hearings on the ethics involved. In 1982, the Select Committee to Study Undercover Activities issued its official report acknowledging the need for the undercover operation, but said that the sting operation "creates serious risks to citizens' property, privacy, and civil liberties, and may compromise law enforcement itself." Ultimately, the committee's findings supported the sting operation and suggested guidelines and training to "improve internal controls.^{lx}"

In all, it was a set of mild reforms suggesting stricter scrutiny but not entirely discouraging the use of the sting operation.

In 1989, a little over a decade after the Mirage sting, *Newsday* devised a plan for a large-scale sting operation to uncover racial bias among Long Island real estate agents. It would have been one of the “most ambitious, elaborate, and expensive undercover operations ever contemplated by a newspaper,^{lxi}” according to Marcel Dufresne, an assistant professor of journalism at the University of Connecticut - Storrs. The newspaper envisioned a huge scientifically designed experiment with black and white test couples to see if real estate agents would “steer” the couples to predominantly black or white neighborhoods. “A steering test would have been the smoking gun,” said housing reporter Michael Alexander.

But the idea got bogged down in *Newsday*'s hierarchy with complaints that it was too complicated, it could not be kept secret, and “it smelled like a sting.^{lxii}” *Newsday* was nervous about engaging in such a massive, costly and contentious tactic with no guarantees it would actually find a bias. After ten months of deliberation and tough questions, *Newsday* editor Anthony Marro finally vetoed the idea. The series ran in 1988 using anecdotes and first-hand accounts, without the sting, a decision with which many of the reporters are still unsatisfied.^{lxiii}

Some reporters speculate that the editors were hesitant to use the sting operation because it could hurt the stories' chances for a Pulitzer, judging from the precedent set by the Mirage.^{lxiv} *Newsday* nominated the story in 1991 for the Public Service category, but it didn't win the prize. *Newsday* reporters and editors deny that the Pulitzer was a consideration in vetoing the sting, but the professional discomfort with the tactic was certainly acknowledged as a factor.^{lxv}

In 2005, Spokane, Washington's *The Spokesman-Review* received tips that Mayor Jim West had molested underage boys, and used the power of his office to entice others. After diligent research and following leads as far as possible, *The Spokesman-Review* hired a computer forensics expert to confirm the identity of the mayor's online profile and prove that the mayor was trolling gay Web sites for young boys. The computer forensics expert posed as a 17-year-old boy on gay.com. When confronted with the evidence, the mayor admitted to all of it except the sexual abuse of minors dating back 20 years, saying that he had been in relationships only with people 18 or older. He also denied abuse of office. Seven months after the story was published, West was ousted by a two-thirds majority. He attempted to sue the paper for invasion of privacy. The media community was skeptical of the newspaper's methods, but at the time, the public outrage took center stage and the questionable tactics were overshadowed. The paper's editor, Steven A. Smith, defended the reporters' actions to *The New York Times*, saying it was "the cyberversion of hiding in the bushes."

The Spokane story was anomalous in the newspaper's decision to use a sting operation, but it met the same negative response as the Mirage sting. That the reaction is reminiscent of the reaction to the Mirage demonstrates that the industry attitudes, and the extent of the professional hostility toward stings, have changed little in the nearly 30 years since the *Chicago Sun-Times*' Mirage.^{lxvi}

To better understand the nuances and to have a firmer moral credibility, Spokane reporters met with representatives from the Poynter Institute to debate the ethics of the situation. But following the sting, the reporters found themselves in the spotlight for engaging in questionable tactics. Then-online editor Ken Sands said that it was a harder

decision from the inside, and that the situation was not “black and white, [with] good guys and bad guys.”

“Everybody wants to be the next Woodward and Bernstein, taking down a presidency as if all the bad people were taken down and it was all the good people who did the work of the gods,” he said. “That’s taking it a little too seriously. The people who want to remain ethically pure I think sometimes aren’t doing their jobs.” Sands believes fear of an ethical misstep or of getting sullied by a tactic like a sting operation could inhibit a journalist from getting a story.

Sands added that stings are thought of as entrapment, “that you’re enticing someone to do something that they might not otherwise do....You’re handing them the opportunity to break the law.”

“We didn’t really like calling it a sting operation. It was just trying to figure out his identity,” he said, since the group was trying to confirm that the mayor was in fact the guy behind the online identity they were tracking, instead of approaching him online with a lure. “It wasn’t trying to entrap him in any way. We didn’t entice him into any illegal behavior; it was simply a method of identifying who he was.”

Sands cited the Society of Professional Journalists’ rules in *The Spokesman-Review*’s decision, but says that despite the sound decision-making process and guidance from the esteemed Poynter Institute, the newspaper was reprimanded by the larger media community. The information was too sensational, and in retrospect, Sands thinks that perhaps not all avenues were exhausted before the reporters turned to the option of a sting.

In June 2007, Harper’s Magazine Washington Editor Ken Silverstein concocted a fictional London-based energy company with interests in Turkmenistan, The Maldon

Group, and contacted a number of top D.C. lobbying agencies, soliciting bids for a public relations contract to “burnish that country’s image.^{lxvii}” The reputation of Turkmenistan, north of Iran and Afghanistan, is that of an “ugly, neo-Stalinist regime^{lxviii}” with a terrible human rights record and shadows of its Soviet past. Two top-tier lobbying firms, Cassidy & Associates and APCO, took the bait and offered to place op/ed pieces, events and other PR stunts from supposedly unbiased parties puppeteered by the lobbying firms, for annual fees topping \$1.5 million. The reaction to the sting was passionate; most media people and publicists denounced Silverstein for his deceptive tactics.

The Washington Post’s media critic Howard Kurtz decried the ethics of the story, saying that “no matter how good the story, lying to get it raises as many questions about journalists as their subjects.^{lxix}”

CBS’s Matthew Felling wrote in his column “Public Eye” that the story did not warrant the deception used to get it. It was a “gotcha” without a “get,” as he put it.

When you’re going to take the risky step into ‘Gotcha Journalism,’ you need to ‘get’ something. You need to uncover something that either can’t be found out in any other way, expose hidden political corruption or a potential health threat. When you indulge in subterfuge to merely provide the conventional wisdom with a concrete example, that’s when the cost – to the journalist, to the media outlet, to the media at large – isn’t worth the benefit. This is deficient reporting – when the payback is far smaller than the cost.^{lxx}

Felling’s commentary essentially called the corruption of D.C. lobbyists common knowledge, so banal that it didn’t even warrant reporting -- a belief that not everyone holds.

In response to the criticism, Harper’s Silverstein wrote an article in the *Los Angeles Times* five days later entitled “Undercover, under fire,” in which he said it’s

“almost impossible to imagine a mainstream media outlet undertaking a major undercover investigation.^{lxxi}” He cites the ABC v. Food Lion lawsuit as a cause of the media’s aversion to sting operations, saying that the lawsuit demonstrated that the accuracy of the reporting was not defense enough.

He concludes that those with ethical qualms about the way he got his story can dismiss the findings, but he stands behind the legitimacy of his sting. “Could I have extracted the same information and insight with more conventional journalistic methods? Impossible.^{lxxii}”

He admonishes the White House press corps, saying that “As a class, they honor politeness over honesty and believe that being ‘balanced’ means giving the same weight to a lie as you give to the truth.”

Silverstein called Felling’s article the “funniest” bit of criticism he had received. Felling’s claim that the story was old news was to Silverstein emblematic of the larger media’s complacency and laziness.

I can see his point. Why make a fuss? Corrupt lobbyists have been around forever, like war, disease, and the poor. And no one does poverty stories unless there’s a hook – remember how after Hurricane Katrina there was all that media soul-searching about the plight of the poor and how the press had ignored them? It was so serious that Anderson Cooper shed tears. But how many articles and TV specials about American poverty have you seen recently?^{lxxiii}

Silverstein claims that this media complacency hinders their ability to cover stories accurately and fairly. Furthermore, he asserts that the reportage of the mainstream media is eroded by a smug relationship with those in power – the Washington elite they are supposed to cover. Such tactics as sting operations are so invasive and often embarrassingly expository that they have fallen out of favor, because their use is detrimental to the relationship with those who would be stung. Silverstein says in his

L.A. Times rebuttal that that relationship is the reason why the mainstream media, voiced by Kurtz and Felling, are so uncomfortable with his tactics.

The decline of undercover reporting – and of investigative reporting in general – also reflects, in part, the increasing conservatism and cautiousness of the media, especially the smug, high-end Washington press corps. As reporters have grown more socially prominent during the last several decades, they’ve become part of the very power structure that they’re supposed to be tracking and scrutinizing.^{lxxiv}

Silverstein positions himself as a foil to the lethargy of the so-called mainstream press, namely through his use and defense of sting operations.

Gradually, the story died, with no repercussions for the behavior Silverstein exposed. The outrage over the methods overshadowed the point of the story.

While the sting is marginalized in mainstream print media and rarely used on big targets, it is still widely accepted and almost institutionalized in TV news and nonfiction programming. The candid camera has been used since the beginning of television broadcasting, initially as an entertainment technique which became popular in news. It is now used to catch less influential targets, on local television shows or on newsmagazine shows, particularly in stories on consumer products and sleazy scam artists or predators.

Between November 2004 and April 2007, *Dateline NBC* ran a series, “To Catch a Predator,” that consisted entirely of sting operations. *Dateline* teamed up with Internet watchdog group Perverted Justice to identify and detain would-be sexual predators. Members of Perverted Justice posed as underage girls or boys online and enticed the predators to come to a specified location – where the show’s host, Chris Hansen, would be waiting. Hansen surprised the predator/victim and interviewed him on camera before he was arrested by the police. The formula was repeated in such 2007 spin-offs as

To Catch a Con Man, *To Catch an ID Thief*, *To Catch a Car Thief*, and *To Catch an i-Jacker* (for iPod thieves). The six-night report aired during sweeps in 2004, and “helped the station get good ratings.^{lxxv}”

To Catch a Predator has been harshly criticized for its partnership with Perverted Justice. Many media critics and professional journalists say that putting journalists “in bed^{lxxvi}” with law enforcement, regulatory agencies or advocacy groups taints the journalism and skews the objectivity. For many, it’s not just the sting operation but also the partnership with Perverted Justice that compromise the journalist’s independence at the outset.

The criticism of *To Catch a Predator* has escalated further lately in the wake of a target’s suicide in November 2006. Texas prosecutor Louis Conrardt had chatted online with the Perverted Justice bait, but never showed up at the discussed location to meet. But when the police went to arrest him for soliciting sex online, he shot himself. Now, his sister is suing the network, asking for \$100 million. Her lawyer told the *New York Post* that “NBC was responsible for his death. They conducted their sting operation and intentionally and with negligence sensationalized the situation.^{lxxvii}”

In the summer of 2007, one of the show’s main producers, Marsha Bartel, was abruptly let go. Bartel is suing the network for \$1 million, saying her firing resulted from her ethical objections to the reporters pairing with Perverted Justice. Bartel also said that paying the actors to pose as children in the show was essentially the network paying for news, which violated the network’s ethical guidelines.^{lxxviii} But despite the lawsuits and ethical qualms, the series continued.

“The biggest use of [stings] is the Predator series by *Dateline NBC* which...worked from a ratings standpoint fairly well for *Dateline*, but it’s also generated

tremendous criticism from all different types of media circles,” Mattesky said. “NBC has found [it] to be very ratings-friendly and it’s got that element of “gotcha” that has intoxicated some of the electronic media.”

Industrial Codes of Ethics: The Official Line

TV newsmagazines like *Dateline* and print publications such as Harper’s Magazine clearly support and defend the use of sting operations, but this is not an industry norm. One institutional standard set by The New York Times Company’s code of journalistic ethics states that journalists should not misrepresent themselves when gathering the news – but adds that accurately representing themselves is not always necessary.

Staff members and others on assignment for us should disclose their identity to people they cover, though they need not always announce their occupation when seeking information normally available to the public. Those working for us as journalists may not pose as anyone they are not – for example, police officers or lawyers.^{lxxix}

The NYT’s ethical standard allows a loophole for when no one explicitly asks if a reporter is a reporter – better known as passive deception, considered appropriate for food critics and travel writers. But a sting such as Silverstein’s or the Chicago Mirage is expressly wrong, because those journalists posed as, say, the Maldon Group, or bartenders and bar-owners. The code of ethics goes on to enumerate that reporters for *The New York Times* “may not record private conversations without the prior consent of all parties to the conversations,” and that “[e]xcept in limited circumstances, we do not use hidden cameras; any exceptions should first be discussed with the top newsroom manager and the legal department.”

The Society of Professional Journalists' Code of Ethics seems to allow for sting operations. A reporter should "avoid undercover or other surreptitious methods of gathering information except when traditional open methods will not yield information vital to the public. Use of such methods should be explained as part of the story."

Bob Steele, the Nelson Poynter Scholar for Journalism Values at the Poynter Institute, listed 12 conditions under which sting operations are acceptable. They include when the information is profoundly important (of public interest or crucial to preventing significant harm); when all alternatives are exhausted; when the journalist is willing to disclose the deception and reasons behind it; when the harm prevented outweighs the harm of the deception; when the reporter and news organization do their best to pursue the story fully; and when the journalists involved have had a "meaningful, collaborative and deliberative decision-making process on the ethical and legal issues." Steele adds that these rules cannot be mixed and matched; in order for deception to be defensible to him, it must meet all criteria.

The Radio and Television News Directors Association says under its Code of Ethics section on Integrity that electronic journalists *should* "use surreptitious newsgathering techniques, including hidden cameras or microphones, only if there is no other way to obtain stories of significant public importance and only if the technique is explained to the audience.^{lxxx}" The code does not directly address the issue of deception and the presentation of false identities. It says journalists should "recognize that professional electronic journalists are duty-bound to conduct themselves ethically," which could be interpreted as a ban on deception— but does not expressly say so.

Former D.C. deputy bureau chief Mattesky said CBS's stance on sting operations in many ways mirrors the SPJ rules. He says CBS allows for stings or deception, but only under special circumstances.

"The CBS policy is fairly strident," he said. "It discourages the use of hidden cameras when there are other means available. It doesn't exclude the use of hidden cameras but it says they should be used when essentially other ways to get to the story have failed." He adds that each sting idea is subject to review on a case-by-case basis.

"The policy in essence says that hidden cameras can be used with prior approval by the senior vice president for standards and the legal department," he said. Approval is more difficult for stings conducted in private places like a home or hotel room, as opposed to those in public and semi-public locations.

Stings may be subject to case-by-case evaluation, but they are accepted in certain circumstances. But the divide in the way the U.S. media view the acceptability of sting operations is important. One set of criteria are embraced by the print media and involve stories of national importance and public officials. By contrast, the newsmagazine and smaller TV stations have adopted the sting operation, usually on lower status-targets to expose wrongs with no national import. In view of the intense backlash to the few major, national sting operations – the Mirage's Pulitzer loss, Silverstein's abuse from Kurtz and other media critics, Dateline's lawsuits and disdain from media institutions – a journalist must be convinced that the story is worth the criticism. With the stringent network and community ethics standards, and the disincentive of condemnation from fellow reporters and news organizations, mainstream print reporters in the U.S. are likely to shy away from a tactic so controversial, but in the areas where scrutiny is less, the sting operation is still a common tool.

Analysis of Empirical Findings

India: the Set-up, the Affiliations

The 2005 and 2006 upsurge of sting operations after Operation West End is emblematic of the divide within the Indian media. The mainstream media (MSM) in India have been an active voice since before independence in 1947. Some reputable newspapers were established under the Raj, such as *The Hindu* in 1889. During the independence movement, these press organizations gained credibility with their readership through their enthusiastic nationalist coverage.^{lxxxix} After independence, government-owned television and radio stations started up; All India Radio dominated the airwaves, and subsidiary television station Doordarshan (loosely translated to “far vision”) was the only television station until the airways were opened in the early nineties.^{lxxxii} When the government allowed private and foreign firms to broadcast in 1991, the number of channels available on televisions nationwide grew exponentially.^{lxxxiii}

Since then, these papers and broadcasters have become increasingly aligned with particular parties and people. The press' slant is evident in their coverage of events, the editorials listed, and either thinly veiled propaganda, or explicit government ads.

Additionally, socioeconomic classes are extremely polarized in India and inequality is a major problem. The clear class separation can lead to a tendency toward loyalty and familiarity between members of the elite – such as those in power and members of the press. J.V. Vilanilam said in his “*Mass Communication in India: A Sociological Perspective*,” that this camaraderie has worsened recently, that

“[p]andering to the elite mood became a habit of the media during the early 1990s.^{lxxxiv}”

The relationship in India between newsmakers and those who cover them can verge on a conflict of interest. This sympathy of the media toward parties or the government is a function of class, money, and social cohesion.

The classes in India are still polarized and the structure does not afford much mobility, according to Gopa Sahara, a professor of sociology at Lady Shri Ram College for Women in Delhi University. Those in the upper classes tend to associate almost exclusively with each other, and intra-caste or intra-class loyalty is very strong. Owners of newspapers, who are typically well-off, are members of this Indian upper-crust society, as are the politicians, newsmakers, and major money-holders. Hindustan Times writer Vikramaditya Singh said that, “people who run newspapers and people in government who are power figures have relationships where it’s mutually beneficial.^{lxxxv}”

The organizational sociology of journalism determines that reporters whose sources keep them well nourished are less likely to look elsewhere. “It’s rarely that you see journalists with tremendous access do great stories. The two don’t go together. On most occasions, access only comes at the price of silence. Or worse, being pliant enough to push somebody’s agenda,^{lxxxvi}” *Tehelka*’s Bahal wrote.

An extension of this comfortable relationship between politicians and reporters is that news channels in India are comparatively politically affiliated, making few attempts to veil any kind of political bias or slant. Most Indian newspapers, TV channels, magazines, and members of the MSM are politically aligned. Vilanilam said the Indian press is “subordinated or pressed into service to uphold the values of the elite.^{lxxxvii}”

The Indian media avoid reporting negatively on their editors' friends and other newsmakers for fear of losing their jobs.

Editors in 'respected' dailies are now appointed...on the basis of their 'access' to the Prime Minister's Office or other powerful ministries. ... This situation generates undue pressure on the journalist community and acts as a deterrent to their professional performance....the business interest of the owner might be adversely affected, if the clout of the rich, resourceful, and the powerful is exposed. Hundreds of journalists cave in, fearing loss of their jobs, or non-renewal of their contracts.^{lxxxviii}

The idea that the government influences and persuades journalists more than perhaps a democracy should is shared by many observers of and participants in Indian media, including CNN-IBN's Rajdeep Sardesai. In his essay "Manipulation and Bias in News," Sardesai comments that with these political affiliations, the line between propaganda and fact blurs, and news organizations end up acting as tools of one camp or another.

Often stories that make headlines do so ... because of the angle that some politician has given to destroy, or at least undermine, his political opponents. This happens on a regular basis and journalists unfortunately have got increasingly divided into camps. You have those who seem to be pro-BJP and those who seem to be pro-Congress.^{lxxxix}

The elitist club of the media is divided within itself into political camps. That political bias in news reporting is a function of the overly close relationship between journalists and those they cover.

But the Indian public is not oblivious to the slant they may be receiving.

According to Pran Chopra, the public is aware of these biases in news, generally taking the view that "I can't get rid of falsehoods, but I can choose my own falsehood.^{xc}" The media have become "a battlefield between two or more versions of the facts, and many of them are motivated by their own particular allegiances and policy groups. For the person who works for and reads newspapers, it becomes much more of a challenge or a task to make his own judgment between competing points of view.^{xcii}"

Until recently, the party slant was more obvious in the Indian media with the use of government and party ads in newspapers. A few years ago, the government in power, the BJP, placed ads in newspapers and other media outlets, which provided a major source of funding for the media. The conflict of interest arose in that the BJP's ad campaign, called "India Shining," did not necessarily promote objective journalism, as India was not quite "shining." Newspapers ignored real issues in favor of the party line. But allowing the government to largely subsidize papers was attractive, particularly to smaller publication houses.

These [smaller] publications have to face a severe financial crisis due to denial of advertisements from the government and private agencies; therefore, some of these, in spite of good circulation and popularity, find their existence precarious...This situation also inhibits freedom of expression.^{xcii}

In order to be financially viable, these smaller publishers monitor their output and avoid offending any party that could pull funding, functionally giving the government an economic check on their reportage. Additionally, political manipulation and "planting" stories is a common practice; Rajdeep Sardesai cites his first few years at *Times of India*.

Planting stories, particularly by politicians and political parties, has existed for years. They are innocuous levels – someone wants a press release published or a sound byte used on television. You do it in the hope that in the future you will get a bigger and better story. This also happens at a more serious level when news is distorted to create all kinds of political complications.^{xciii}

Sardesai illustrates with an example from Rajiv Gandhi's term in office. Political manipulation of stories is routine, and the media in India often cooperate without removing the slant. Actual government funding offered a huge incentive for media to refrain from certain kinds of reporting, which could account for the lack of sting operations.

Had funding from the government remained a large part of revenue, it would compromise the integrity of the reportage. "Economics now are slightly different," Sabharwal said. "With government ads in newspapers, there's a clear message that if I don't like you, I can kill you." Newsmakers and reporters are both comfortable within their biases, but "if you do something drastically stupid, then it will blow up in your face^{xciv}" – meaning that in the past, the sponsoring political organization could pull funding. Now, however, raids on newspaper offices and censoring of news organizations or their reporters are among the more commonly practiced methods of censorship.

Those raids and censures are the coercive side of the relationship, in direct contrast to the friendly and cooperative side of the press's relationship with the government. "[P]oliticians have two objectives in mind – particularly today's politicians cutting across party lines – they will either seduce you or they will intimidate you. You have to take your pick.^{xcv}" Press institutions are subjected to abuse by the government through court cases, office raids, lawsuits and overt threats and bullying. "Till 1978, there was no law on the press except for some pre-censorship or cases under libel laws and in extreme cases, deportation. Sometimes thugs who were hired by those people the editors had written about beat them up.^{xcvi}" Sabharwal cited an incident where the 20 nationwide offices of Outlook magazine were raided within 24 hours of the publication of an article criticizing a government official.

Nor is a bias necessarily just friendship or fear; the government can subtly or blatantly bestow honor or aid upon news organizations whose reportage is pleasing. The fame of India's major officials, big names and families can be magnetic, and the line between a politician and an entertainer in India often blurs. "Mass communication bestows 'prestige' or 'status' on certain individuals whose news or photographs appear

in the media.^{xcvii} Journalists can also have a penchant for fame; “[on] shows like Walk the Talk [similar to Meet the Press], what are they out to do? Be a media star?^{xcviii}”

Sabharwal asked. The proximity in class and everyday business can confuse the role and objectivity of a reporter.

[A]t some level journalists, particularly those in Delhi, tend to get too close to politicians and tend to believe that because they are reporting on people in power they are powermongers, too. Or they can become powerbrokers, which is a more appropriate word for the manner in which some journalists behave.

There are editors who are given television shows not because of their talent but because you feel that if you give them shows to anchor on a particular channel, then your uplinking and other problems will be overcome....the space for merit journalism is reducing.^{xcix}

The members of the media with recognizable names and faces might prefer that the spotlight reflect on them, too, so they “hobnob” and “rub elbows” with the higher-ups whom they hypothetically are covering. “These guys want to be friends. The media want to be in with the government.”^c

The classical counterargument is that the fourth estate must be a separate and impartial body, hands clean of political dirt. According to Gopa Sabharwal, “the independence of the media is a need for the public^{ci}” in order for the public to trust the news. Appeasing the government is not helpful in a responsible democracy, and misinforms the reader.

As India’s MSM maintain this affable yet cautious relationship with the government, there is a growing movement toward a so-called “alternative media.” Institutions such as *Tehelka* and *cobrapost.com*, among other smaller or more niche-oriented titles, arose in response to the industrial standard of cooperative coverage. “This situation is forcing people who want to know the truth...to develop alternative channels of information and an alternative media. The internet is emerging as a great facilitator to this process.^{cii}” The institutional arrangement between the MSM and the

newsmakers they cover left a gap in reportage; the alternative media attempt to fill that gap.^{ciii} According to Arvind Sind, a commentator in *A Handbook of the Media in Contemporary India*, “Big media are not the answer; only the small media can be effective in voicing dissenting views and the views of the least in society. There must be media affordable to the voiceless and the unempowered.^{civ}”

The Fringe and Sting Operations

Tehelka's Operation West End was the first influential sting operation in Indian media history, and it launched a surge in the use of the tactic. Stings are certainly a prime vehicle for exposing corruption in a dishonest government, especially for a desperate news outlet in the “fringe” media. Members of the alternative media have embraced the sting operation as a means to the end of earning a place in the journalism landscape. The sting operation helped establish institutions as viable sources of news, not only with viewership and readership but also among their media peers and the newsmakers they had been previously unable to access.

The fringe media have experienced at least moderate success in their attempts, through stings, to expose corruption, to establish audience and to gain access to newsmakers. *Tehelka* is not the most revered name in the journalism industry, but it has built significant name recognition.

Under serious government pressure and aggressive targeting of its financiers, *Tehelka* went bankrupt and was forced to close its doors in the aftermath of Operation West End. But due in large part to its already-established reputation as anti-establishment and intrepid, and thanks to editor Tejpal's loyal friends, *Tehelka* was able to re-start and is now a weekly and a website, through private funding.^{cv} It now has

sufficient and respectable advertising and subscription revenue. Editor Tejpal says that the support has been encouraging and is growing.^{cv} With *Tehelka's* established name and apparent place in the market, its gamble on sting operations appears to have paid off.

Stings in India: Overriding Themes

Sting operations are trending upward in the wake of *Tehelka's* 2001 Operation West End. That milestone in Indian journalism gave the sting operation credibility as a tool that could expose corruption otherwise unavailable in an opaque government. While no data exist to document the exact number of stings conducted annually, sting stories that caught public attention multiplied and dominated some news channels, which demonstrates the proliferation of the tactic. But more important than the rise in usage is the newer notion of acceptability, and the perception among professionals in the media community that stings have arrived as a part of the standard journalistic toolkit. "The sting has become a legitimate weapon in a journalist's armory, the hidden camera and its sophisticated variants are now part of the media landscape. Every channel, large or small, has used the hidden camera, often to devastating effect,^{cvii}" asserts CNN-IBN's Sardesai, in explanation of his respectable channel's engaging in a sting. The tactic's unpopularity prior to 2001 and the numerous major cases afterwards illustrate that the sting operation has become acceptable, but more than that, it is in vogue. In fact, sting operations are so popular in the Indian media today that how to conduct a sting operation is now a key lesson in journalism schools. "Following the *Tehelka* tapes, the institutes imparting journalism courses are going strong over classes on sting operations. And now, with Operation Duryodhana and Chakjrahvuh rocking

Parliament, lessons on tricks with hidden cameras are being taught,” a DNA India article reported.^{cviii}

The use and acceptability of sting operations arose not just from *Tehelka's* daring; the institutional needs of the media landscape gave rise to a climate in which the sting operation became useful, then defensible, and finally acceptable. These institutional needs are for media to create a market niche, and thereby revenues; to gather information where otherwise there is none available; and to establish or maintain a reputation as irreverent and anti-establishment.

Sting operations are a useful tactic to establish a name and turn a profit for otherwise languishing organizations. Stings garner sensational headlines by catching and attempting to topple those in higher positions. If a newspaper is struggling and circulation is low, a sting can help spike sales. Papers with lower circulation tend also to be those already marginalized by the establishment outside the larger publishing houses. These smaller newspapers are also marginalized financially and gain most of their revenue from news rack sales or sales on the street, peddled to passengers of auto-rickshaws and taxis. Under those circumstances, a paper depends on a catchy and must-read headline to sell.^{cix} This is particularly true of a weekly paper such as *Tehelka*, which needs a headline juicy and revolutionary enough to sell all week. “[*Tehelka*] need[s] to make an impact... You’re only as good as your first lead story.^{cx}” Stings, usually aimed at upper-level politicians and other influential figures, provide these ground-breaking headlines and up readership.

The television station *India TV* was established in 2004, and broadcast countless sting operations on a loop. After running the Shakti Kapoor and Aman Verma casting couch sting operations, *India TV* jumped to a channel share of 22.4 percent for the day

it aired, beating the regular Hindi-channel leader *Aaj Tak*, which had 20.2 percent market share. “For the Shakti Kapoor story, we [*India TV*] received 70,000 SMS [text] messages in the first two days! Every minute there’s an email coming in.^{cxix}”

The two other functions of a sting are inherently intertwined. Stings may be used as a remedy for an information disenfranchisement or limited access to traditional newsgathering channels. This is because the established media “club” excludes newer or less party-aligned news organizations, and consequently those newer organizations have restricted contact with those newsmakers and to politicians.^{cxii} The print media in particular are “monopolized by a few proprietors,” according to Dr. Abraham George, dean of the Indian Institute of Journalism and New Media in Bangalore. “Consequently, many papers do not have the financial strength to take on today’s major players in the market.^{cxiii}” The alternative media isn’t invited to the cocktail parties, doesn’t get the tips, and misses the exclusive interviews that the mainstream media enjoy. Stings are a response to this exclusion from the mainstream media, and signify that division between the various news organizations. Where information is scarce, the sting operation serves as a tool to forcibly get the story.^{cxiv}

In a polity where bureaucrats are trying to muzzle the Right to Information Act, where prosecuting agencies have to take the government’s permission to proceed against officers above a particular rank, and where the production capacity of corruption is seemingly unlimited, you need diverse weaponry to be able to bayonet the Huns.^{cxv}

Bahal, the “King of Sting^{cxvi}” and leader of Operations West End and Duryodhana, is in the institutionalized pattern of manipulated information becoming news in India. His membership in the fringe media gives him even less access to these newsmakers, but equips him with this confrontational tactic and little to lose.

Finally, sting operations can contribute to a greater image of rebelliousness and indicate a news organization's anti-establishment bent. A paper that gains all of its news from press releases and up-close interviews can tend to be seen by its readership or the public as establishmentarian, and more an extension of those in power. Those "fringe" institutions do not have these ties to newsmakers and political parties. This disconnect could give credibility in the sense that these smaller outsider media outlets are not compromised by party affiliations or friendships, but are seeking the truth through whatever means necessary. Because stings are so radical and confrontational, they can establish or solidify a paper's reputation as a foil to the cooperative MSM.^{cxvii} While *Tehelka's* bankruptcy following Operation West End points to stings as a failure as purely a business proposition, its resurgence with private funding and the clamor to keep it running show that its reputation aided its resurrection.^{cxviii} It has that reputation as a foil to the mainstream media, a rogue news outlet, anti-establishment and courageous in the face of a lazy press. Stings provide the ideal vehicle to establish or maintain that reputation. As *India TV* Editor-in-chief Rajat Sharma said in an interview with rediff.com: "*India TV* now has people's expectations to live up to."^{cxix}

The U.S.: the Set-Up, the Affiliations

In the United States, the mainstream media organizations consist of such news organizations as longstanding television networks including CBS, ABC, NBC, established newspapers such as the *Washington Post*, *The New York Times*, *The Wall Street Journal* and others, as well as wire services like AP, Bloomberg, Reuters and less recently, UPI. Those in the mainstream media do not acknowledge any political bias or affiliation either way. Some have inherent or implied biases, such as FOX news'

apparent conservative slant, and CNN's lean. The public generally criticizes American media as being leftist and liberal^{xxx}. But the spread of political opinion is confined to blogs, which are open if not aggressive with their political leanings and opinions.

The "mainstream media" in the U.S. are an amorphous group that is difficult to enumerate, as many news organizations have off-shoots that function differently from the parent company. But on the whole, the establishment press is those with the first few rows in the White House Press Briefing Room: the aforementioned wire services, mammoth newspapers, reputable TV networks, and magazines like *Time* and *Newsweek*. They form a corps that establishes professional norms about when to pose questions to the president, when to stand and applaud and when to raise a skeptical eyebrow. The prestigious group of White House Press correspondents develops a rapport and a friendship among its members. Members are dispatched in press pools to follow the president and are invited on trips to Sarasota, Iraq, and Texas for family vacations. The lines blur.

"If you're in the White House press corps, it's a group thing," said *Congressional Quarterly* Innovation Editor Ken Sands. "It's pack journalism."

The front rows at the White House have strings attached. Those members of the White House press corps are invited to the White House Christmas Party, to the White House Correspondents Dinner and other prestigious events.

"Journalism has become part of the establishment," according to Sands, a recent D.C. transplant from Spokane. "We are the watchdogs, but as someone who's lived outside of the Beltway, from the outside I could always see how journalism and government was all part of the same establishment here, that the White House Correspondents Dinner is this big joke fest with the president."

“The black-tie-and-cocktails circuit still serves a function in the lives of the powerful, allowing elected leaders, staffers, journalists, and lobbyists to rub elbows. The annual White House Correspondents Association dinner and the tony Bloomberg After Party are hot invites,” reports The Washingtonian in its “The New Power Lunch,” a segment of its list of D.C.’s 150 most influential people.^{cxxi} The article lists the White House Correspondents Association dinner and Bloomberg After Party as number 3 out of the “10 Biggest Social Events,” saying “the dinner, with comedians such as Stephen Colbert, is now just a prelude to the Bloomberg party, one of the toughest-to-get invites in town.”^{cxxii}

“People who are in government and politics and lobbying and journalism, they all know each other and they all party together and they’re all of the same economic class roughly,” Sands said.

Perennial watchdog Helen Thomas, author of “Front Row at the White House,” has covered the presidency since Kennedy. She echoed Sands’ idea that the media have become “not only complacent, but complicit!”

“The media have a role to play. They have a role to seek the truth,” she said. “They should be asking the questions the American people want asked. They are very privileged to be in a position to question authority, and they should always question authority.”

The Fringe and the Sting Operation

The leftover media are excluded from the press pools and the White House Press Correspondents Dinner. They are relegated to a blogger's conference where media-hungry Hillary may or may not show. Respect for journalists outside of the "corps" is lacking.

Blogs and the advent of ubiquitous technology have aided media across the board, adding iReport sections to CNN's website, among others, and capturing moments of disasters or events when reporters may still be unaware.

"There are a lot more eyes out there than there have been in the past. It seems like there isn't any event that goes on now that isn't captured by a cell phone camera or some form of video," CBS's former deputy Bureau Chief Tom Mattesky said. "The record keeping is better because of the internet and technology, and searches of public record or records in general are easier now and not as time consuming."

Blogs, "new" media, and the smaller news organizations that make up the "fringe" enjoy the freedom – or license -- that giving preeminence to advocacy rather than rigorous testing of assertions brings. But simultaneously, that non-relationship between the fringe press and those they cover gives the fringe media the freedom to report the news, without the fear of damaging fragile relationships with political sources, not cowed by the idea that they might not get invited to Thanksgiving at the Bush family ranch. With nothing to lose, these media institutions are equipped with more extreme tools – which could include the sting operation.

TV newsmagazine shows include *20/20*, *Dateline* and *60 Minutes* are also considered to be "fringe" because of their coverage; they tend to be more sensational, less objective and hard-news oriented, and cover consumer news, local news and

entertainment. Newsmagazines by definition are more in-depth and provide more context for the viewer, but often the material veers more toward the sensational, in order to go in-depth and still maintain a viewer's attention. Dateline's tag line is "News stories about crime, celebrity and health" – the bare bones of sensational stories, a genre where the sting operation fits in well.

TV newsmagazines don't just profit from boosted ratings; they also have a reputation to support. As the foil to regular news shows, they have made a name as more investigative and more in-depth than their 7 o'clock counterparts. Sting operations help support that image: the tactic comes across as irreverent, used by journalists who aren't cowed by those they're deceiving. As a result, the journalists look like hard-nosed muckrakers doing everything in their power to bring the viewer ground-breaking investigative news. The irreverence of a sting operation augments a TV newsmagazine's reputation as brave and in-depth, and distinguishes it as different from and a supplement to the regular news broadcast. Newsmagazines are, in some sense, in a fringe relationship with the main thrust of national TV newscasts, and are therefore more likely to embrace sting operations.

Likewise, local television stations' reportage often includes small-scale sting operations in the face of intense local competition for a limited viewership. Local TV and TV newsmagazines are both prone to the use of sting operations, but both aim for easy targets such as sexual predators or quack doctors, as a response to those competitive pressures and the quest for ratings.

Those stings that *are* conducted in the U.S. today largely target sexual predators as in *To Catch a Predator*, or real estate scams, or alcohol and drug busts. Government officials are rarely targets, and those stories are left to be conducted by the FBI and

reported on after the fact, or reported on through a trail of receipts and the occasional anonymous source (which is another thesis in itself).

“Stings that you see now are more aimed at catching the kind of folks that government officials should be catching, as opposed to government officials, catching government officials themselves,” Mattesky said.

Stings in the U.S.: Overriding Themes

Stings in the United States, in contrast to India, are institutionalized in TV newsmagazine shows and local television, but more marginalized by major print organizations and network broadcasts. The reaction to the 1978 Chicago Mirage Bar sting was so absolute that it was prohibitive of another sting by any mainstream journalism organization.^{cxxiii} As hidden cameras became feasible and popular, the Society of Professional Journalists and the Poynter Institute released guidelines in 1993 for ethical dealings in journalism, effectively reprimanding the overuse and cautioning those who would dabble in deceit to gather a story.^{cxxiv} The revised 1996 SPJ rules are fairly permissive, with the stipulations that deception isn't undertaken lightly, the story is significant and can't be gotten without deception, and the deception is fully disclosed to the public. "In defamation law," Minnesota attorney Pat Tierney said in an *American Journalism Review* article in 1995, "the future is in attacking television stations which have created news rather than reported it." The use of hidden cameras in stories in general is less popular now than it had been, due in large part to privacy lawsuits.^{cxxv} In the only example of a major print sting operation since the Mirage, Ken Silverstein was so maligned by the media community that another prolonged silence is likely.

Additionally, the media in the United States are wary of sting operations because of the ethical issues involved. Constantly marshalling the sticky ethics of a sting operation is too great a cost to a news organization attempting to preserve a reputation and certain moral standing. Because the ethics can overshadow the story itself, the investment of moral capital is often not worth it. The complicated ethics are evident after any major sting operation in the United States, as in the reaction to the Harper's Magazine sting. Stings are seen as appropriate when the story is fully worth it, but newsmagazine shows and local news consistently set that bar low.

Sting operations are also seen as too antagonistic and disruptive to relationships with important and productive sources. Most established media in the United States are comfortable with their established relationship with sources. A generally respectful relationship with sources has become tradition in the industry and made information-gathering pleasant and easy, as in Cooke's "negotiation of newsworthiness," and Bennett's symbiotic government-media relationship. A sting operation would threaten relationships with sources and would make them wary of speaking to an aggressive press, and therefore the tactic is avoided by a media who want to appear diplomatic and tactful.^{cxvii}

Sting operations that serve as a boon to Indian media are poison to media operations in the U.S., and are damaging to the media's self-image. The media in the United States are sensitive to the negative perception by the audience^{cxviii}. Former CBS News correspondent Marvin Kalb, senior fellow with the Shorenstein Center on Press, Politics and Public Policy at Harvard University, told the *American Journalism Review* in 1995 that hidden cameras and sneaky journalism "may be one reason for the low esteem in which the profession is held." A sting operation that is so harsh and

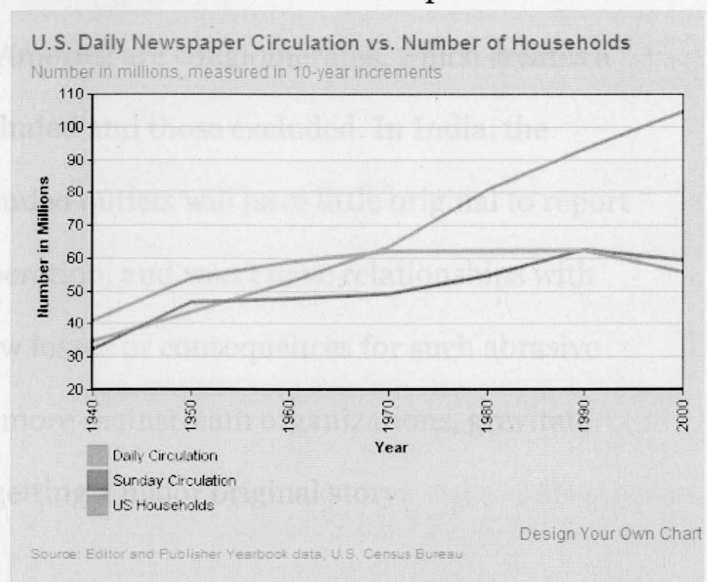
embarrassing to the government elected by the public would only serve to damage that relationship with the public more. Sting operations are avoided in the United States to burnish the media's self-image as peaceful and friendly, and to curry favor with a displeased and cynical public.^{cxxviii}

Comparative Analysis: India v. The U.S.

The use of sting operations in Indian media to create a market and increase revenues makes sense for a growing media market. Startup organizations with nothing to lose are more inclined to take on greater risks for the possibility of gaining a readership. But in the U.S., news media are aware of a decline across the board in terms of readership, subscriptions, and penetration. That decline changes the climate of the entire environment, making news organizations trying to hold onto their audience more risk-averse and more timid.^{cxxix}

India's broadcast channels were only recently released from government control in 1990, when the licensing regime ended; newspapers have enjoyed real freedom since independence, but were silenced during Indira Gandhi's strict censorship.

In India, market penetration of newspapers is currently about 25 percent. The United States has slipping penetration levels from 77 percent of households in the 1970s to around 55 percent today. Room for growth in India



is massive as more and more of its 1 billion people learn to read and pick up his or her first newspaper; in the United States, literacy levels are around 99 percent and nearly the same percentage that read newspapers watch television. IBN-CNN's Sardesai wrote in December of 2005 that "we live in a period of unprecedented media growth. Newspaper and news channels seem to multiply by the month and the news business is more influential than ever before." That growth in India contrasts sharply with the stagnation and declining American newspaper readership.

The declining audience in the United States could create either a more cautious establishment press, or it could create an environment where media become more desperate to get attention^{xxxx}. In such an instance, the American media may turn to more controversial tactics such as the sting operation. But because market pressures are not the only factors bearing on American media, such a turn toward stings in the mainstream remains unlikely.

The American media are comfortable with the institutional channels for information gathering provided by the government and other newsmakers. The disenfranchisement felt by the fringe media in India is not so pronounced in the U.S., where the club of the informed is slightly larger and the information more accessible to other outlets. Most mainstream media in America are conglomerates, which creates a structural divide between those media included and those excluded. In India, the disenfranchisement is so distinct that excluded outlets will have little original to report without aggressive tactics like the sting operation, and won't have relationships with sources to worry about damaging. With few losses or consequences for such abrasive tactics, the Indian fringe media, and later more mainstream organizations, gravitate toward the sting operation as a means to getting a major original story.

Additionally, some journalists assert that the U.S. media don't want the irreverent, anti-establishment reputation sought after in India;^{cxxxix} by the same token, some in the Indian media say they do not want the reputation of being obedient or cooperative, for fear of appearing coerced by an all-persuasive government.^{cxxxii} In the United States, the public is skeptical of the press. The scapegoat of the media is blamed for negative campaigns, for sensationalizing murders, for exaggerating and exacerbating financial crises. But in India, the press is perceived more as the warrior for the people against a corrupt and opaque government – elected, but abusive. “We are a notoriously opaque society, with an extended history of corruption and non-accountability,” CNN’s Sardesai wrote. “In the Indian system, the hidden camera can become a valuable instrument of empowerment, a technological tool to expose those who misuse and abuse their authority.^{cxxxiii}” Corruption is so inherent and obvious in the Indian system that the public sees those attempting to expose it as “on their side.^{cxxxiv}”

Finally, the issue of the morality of sting operations is a relatively fresh discussion in India.^{cxxxv} The proliferation of the tactic is so recent that the media community is still figuring out all the angles. The media have only recently come to explore the nuances of the ethical problems implied in the years since *Tehelka* demonstrated the sting's effectiveness. Now, in the face of potential government regulation through the Broadcast Bill, which has yet to be debated, the Indian media community is crying for a degree of self-regulation so that it may continue the use of sting operations, but only where made necessary by the public interest.^{cxxxvi}

Conclusion

Opinions within the Indian media community

Looking forward, the fringe media are and will be an integral part of the Indian media. With the establishment media like the *Hindustan Times* or the *Indian Express* preoccupied with their respective party or pro-government stances, the fringe media can help maintain responsible journalism for the Indian public. The fringe media in India have a strong future, but should be cautious of incorporation into the mainstream. One danger is that adoption into the MSM's overly friendly relationships could corrupt the relative objectivity and freshness that they as alternative media could bring to the industry. The current arrangement enjoyed by the MSM necessitates the fringe media's existence.

There is an urgent need for an alternative media dedicated to the vast majority of common people of the developing world and to the working class of the developed countries, who are fed half-truths and lies about the global situation by the mainstream media.^{cxxxvii}

Sinha claims that the alternative media are thriving with the advent of the Internet, and hopes that "along with the struggle of the human race for democracy, freedom, dignity and equality, this alternative media will continue to grow and develop as a simultaneous process."^{cxxxviii}

There are a number of dangers in the overuse of the sting operation: the success of stings could work the irreverent fringe media out of a job; the overuse of stings could progress to easier targets and operations not in the public interest, losing the public's

support; excessive use could decrease the tactic's effectiveness and newsworthiness; and finally, legal and ethical complications from their abundance could make them less attractive.

The first of these dangers is that the fringe media would be successful in using these confrontational tactics to establish themselves, and in gaining a name in the journalism world. Consequently the need for stings as a desperate measure to get a story would diminish. Over time, these media outlets gain the access they were denied before, because they now would have authority comparable to their MSM counterparts and command enough fear, if not respect, from newsmakers to get statements, interviews, and comments they previously went without.

Secondly, the proliferation of the tactic directed at less important targets where the "public good" was indiscernible, would degrade the sting operation's defense as a moral crusade. The Bollywood casting couch sting on *India TV*, for example, was not conducted in the public interest. It had no bearing on Indian taxpayer's rupee, and it did not serve the public to know about a sleazy actor's actions behind closed doors.

If illegal social evils like corruption, child prostitution or dowry are exposed by investigative journalism, it is welcome and lauded, as the exposed parties are typically tried in court. In this case [of the casting couch], where the extent of illegality and the magnitude of social impact of the issue is suspect, the entire journalistic coup reeks of selfish motive.^{cxxxix}

The intent of the story, seen through the content, determines its worthiness. BBC News' Soutik Biswas says that the Casting Couch story "most say, marked the nadir of sting journalism in India."^{cxli}

[Overuse] dilutes the ability of many journalists to pursue serious stories using hidden camera gear where public interest is unquestionable for it colours even serious pursuant of the art with a strong dose of frivolity. ... Most alarmingly, it would necessarily lead to a dilution of the ambition

and thirst of young journalists to get the big story. If Shakti Kapoor and Aman Verma are going to be the way to "glory" (even transient) for a journalist I might as well exit my profession.^{cxli}

Reporters started to pick the low-hanging fruit, such as *India TV* reporters targeting corrupt politicians in Bihar. Bihar is one of India's more backward and struggling states, and the corruption of Bihar's political network is unquestionable and accepted knowledge, but makes for a sad and easy target.^{cxlii} Bahal poses it as a challenge: "I personally prefer worthy opponents."^{cxliii}

"If we don't get the big fish, people will certainly stop caring about the minnows in the net," NDTV's Pachauri wrote in December 2005.

Third, because of the overuse in Indian media, the effectiveness of stings could be diluted in the marketplace, as would their political effectiveness. They would become less sensational, less ground-breaking, because of their ubiquity. The reaction of the audience, and related spikes in viewership, would diminish.

Finally, stings begin to create their own legal problems. Cobrapost.com's Bahal explains that with the stings' decline in quality as they rise in usage, regulation becomes a viable argument for the government of India. Stings such as the casting couch could give the government "an excuse to step in and frame some guidelines via a body like the broadcast authority which they are planning to set up. That would be disastrous."^{cxliv} Self-regulation, he suggests, is the best choice.

Initially after Operation West End, only BJP members suffered from what appeared to be a one-time-only massive sting operation. But as the tactic became more and more popular, it began to affect politicians across the spectrum. Realizing that they were all affected, members of Parliament banded together and proposed the Broadcast Bill, which would basically limit the media to stings "in the public interest," as defined

by the government. Through the “as defined by the government” clause, the Broadcast Bill could negate the press’s fundamental independence from the government by giving Congress and courts a leash on the media, a check on the very institution intended to counter them. As Arun Bhatia said in a *Times of India* commentary, “It is not for the state to sit on judgment on what the public should consume. The market will eventually decide whether sting operations are viable or not.” The Supreme Court ruled against the Broadcast Bill in October, but it remains a priority for Congress.

Additionally, some of the victims of stings began to fight back. Bollywood actor Aman Verma filed a criminal complaint against *India TV*, accusing the network of attempting to blackmail and extort money from him using a sting, claiming that the reporters demanded money for not running the story.

The legal issues now associated with sting operations make undertaking one even riskier. Media outlets risk lawsuits, mostly from the targets, like Aman Verma’s blackmail lawsuit and the MPs claiming that the video footage was “morphed.” No matter how ludicrous the lawsuit, those potentially high legal costs aren’t sustainable for a small startup media outlet. And in addition to other inherent dangers and costs, the risk may prove too high to undertake a sting operation. The increase in the price of a sting could deter many smaller institutions. These four factors led to the sudden silence in the news media for most of 2007, as the Broadcast Bill sat in Congress, public reception of the stories waned, and the cost of undertaking a sting became unsustainable.

Despite their dangers, stings may be a crucial part of the fringe media. In turn, the fringe media are inherent to the Indian media. By extension, then, stings themselves are intrinsic and essential to Indian media’s functioning. While sting operations inhabit

a journalistic moral gray area, they are important balance to help give scope to an otherwise biased and incomplete reportage, and free media from a reliance on official channels and open up stories that organizations wouldn't otherwise get. "It would be a blow to freedom of expression if stings were to be outlawed. It would also be a serious setback to media freedom,^{cxlv}" said Arun Bhatia, a municipal commissioner for Pune in an online debate about stings. Sting operations are a necessary institution because they represent a break with the excessive deference of the mainstream media's slanted coverage.

Since 2001, stings have become insurgent in the Indian media. But increasingly, the insurgent mentality they epitomized is a normal part of Indian media culture. Even if the sting operation is abandoned for higher moral ground, the legacy remains that the condition of the Indian media, post-sting operation and post-Operation West End, has been transformed to accommodate that insurgent motive that initially inspired the sting resurgence.

Stings could remain in the Indian media's toolbox, with the burden of journalistic responsibility and with more tact and more caution – without as much of a thirst for profits alone. The scare of the Broadcast Bill and the ongoing debate on their usage will serve as a check on the media's overdose on sting operations and its descent into shadier ethical areas, and safeguards can come from within the media themselves.

My strong opinion is that the area is best left unregulated relying instead on the wisdom and instincts of the editors of individual media platforms themselves like it is now. But for that to continue to happen editors have to get a good safety net going.^{cxlvi}

With the fledgling partnership between King of Sting^{cxlvii} Bahal's cobrapost.com and television station Star News offering sting operations every Saturday and Sunday, the

danger for abuse threatens. But even so, at least the insurgent side of the media, and by extension, India's free press, will have been preserved.

CNN-IBN's Sardesai wrote that "the 'sting' seems to have well and truly arrived in Indian journalism. What started off as some form of 'parallel' journalism when Anirudh Bahal and co. first used the hidden camera to expose match-fixing and defense deals has now become 'mainstream.'"

"In fact, when the *Tehelka* story first broke, most journalists were dismissive of the hidden camera," he wrote. "At best, it was seen as 'intrusive,' at worst, downright unethical. Questions were raised over whether ends could ever justify the means...Four years after the *Tehelka* story broke, those questions are no longer asked with the same vigor. In fact, in most instances we don't ask them at all. The 'parallel' has become 'mainstream.'" But Sardesai is quick to point out that while his channel has engaged in a sting operation, they are not a "sting channel." The idea of being a "sting channel" still carries a stigma, so the sting operation has not shaken its negative image entirely, and probably never will.

Many, like Sardesai, claim that the sting operation is "a necessary evil," particularly in a country like India. In his December 2005 article, NDTV senior editor Pankaj Pachauri wrote that "in a pluralistic democracy driven by market economy, we need all the information we can get to make our choices on everything from political parties to mobile handsets."

Tehelka's Tarun Tejpal reiterated those sentiments in a November 2007 interview with CNN-IBN that "sting journalism has brought back the juice into journalism, into public interest issues in a democracy as embattled and complicated as India."

You can keep running page after page of non-combative, non-exposing kind of journalism and you'll be very happy because advertisements will flow in, readership revenue will flow in, and no one will rock the boat. It's a beautiful status quo. It's a conspiracy of silence between all the interested groups and the media is now a part of it.^{cxlviii}

Adversarial journalism, according to Tejpal, is necessary to keeping a democracy alive for "the powerless Indian," who "loves the fact that somebody can go out there and nail the system that is crushing him most of the time." It is the responsibility of the media, he said, to dig up the real stories and keep the public informed. "There is the business of democracy which the media has to be involved in," Tejpal said, "which is about getting into the gutter and dirtying your hands."

The sting operation is a tool for the disenfranchised to gain a voice and turn their exclusion from the "media club" into commercial advantage, by touting that they haven't been co-opted by the government to a leery public. Even if the media outlet is in fact being used as a tool for another party, of leaking politicians and manipulative strategists, the story still benefits the media outlet and the public for shining a light on an otherwise obscured corner of an often-shady government.

"If our democracy can absorb this kind of aggression from the media, it's a sign of our strength," said "king of sting" Aniruddha Bahal in a Daily News & Analysis article published December 14, 2005. "It's something we should be proud of."

Opinions within U.S. media community

The sting operation is generally a marginalized tactic in the United States, in large part due to the negative connotations a sting operation carries. Many U.S. journalists think that stings walk a fine line between entrapment and deception, and

when the journalist comes out of a story with his hands as dirty as the subject he's incriminating, it detracts from the impact of the story, and puts the journalist in a distracting spotlight.

The code of ethics the SPJ offers, and policies set out by individual networks and news organizations, are further tempered by what Ken Sands calls the media "policing its own." The media community in America is largely disapproving of the use of sting operations, as evidenced by the Pulitzer boards' obvious distaste for the tactic, and it is that general aversion to sting operations that inhibits many organizations from using stings more often.

The Harper's example demonstrates that stories reported with the use of sting operations will have a total lack of traction upon publication, due to the controversy the means generate. Judging from that precedent, it's possible that as soon as the sting hits closer to the center of power, the media community will self-regulate and shut down the story with ethical rhetoric, harsh criticism and denunciation.

But even so, sting operations are not universally shunned. They have demonstrated that they may deserve a place in a media toolbox, in such instances as predatory mayors and corrupt city officials. While they remain controversial, perhaps that controversy is an effective way of tempering the media's use of sting operations, and ensures that stings are used only when necessary to expose a story, and when all other means are impossible.

Within the media community, there are still staunch opponents of that view who decry losing any moral ground within the profession and view the ethics as black and white. Hearst Newspapers' Helen Thomas maintains that a reporter has a duty "to find out what's going on and to expose it entirely. Let the chips fall where they may." But she

deemed the use of stings wrong and unfair, "because it involves deception. Deception is always wrong."

"Your word is so important, for your own sake," she said. "It's not a question of vanity."

Mattesky and Sands both were hesitant about the definition of the sting operation. Most organizations will avoid something with a "gotcha' tag," which carries "all kinds of questions like deception, entrapment, and other words that are not really welcome in the journalist vocabulary." Mattesky was more comfortable with "undercover reporting" than "sting operation," the difference being that a sting "says we're out to get somebody, as opposed to, 'we're out to find what the story is.'" The presumption of guilt is more present in a sting than in so-called "undercover reporting."

The issue of deception and entrapment is an old one that arose with the use of cameras themselves, according to Mattesky.

Network television in particular has been using hidden cameras, conducting sting operations, doing that type of reporting almost from the start. Its background or its use in television news traces to the 1950s and again the same questions have always been in place. Was there some form of deception involved in drawing up the plan, enticing people? Was there entrapment? The same questions that exist today have existed from the very start when this type of reporting was initiated.^{cxlix}

Mattesky added that news organizations in the U.S. have found that much of the information gleaned from a sting operation can usually be acquired through more traditional journalistic means.

"Could this be done in a different way and accomplish the same means or is it being done this way because it does have that 'gotcha' element and it just makes for better television?" he asked. Given that television is so dependent on pictures to tell a

story, he adds, the allure of the sting operation is particularly hard for television to resist during the sweeps period.

But Mattesky and Sands both allowed room for sting operations in their “ideal media landscape,” saying that sometimes, they’re justifiable.

“They’re rare, but there may be instances where you have to resort to hidden cameras or sting type of operations,” Mattesky said. His only point of contention is that the journalist must never misrepresent himself purposefully in order to get inside, but must always go into the sting being completely upfront.

There is definitely a need at times to get inside places that you otherwise can't get into as an outsider As long as that person is going in very upfront about the fact that he has no experience, and does not lie about previous employers or things like that and the company hires him anyway, then I don't think there's anything wrong with that. [It's no] different from an employee coming to a reporter saying something is wrong inside.^{cl}

If conducted with the passive deception Mattesky describes, he thinks the sting operation, carefully defined and truthful, may not die out any time soon.

“You’re not going to see in most situations a total prohibition on that kind of thing,” he said. “You’re going to see [stings and undercover reporting] used for a long time to come if that’s what it takes to get to the heart of a story.”

Ken Sands has other suggestions to help assuage the public’s concern over the use of sting operations. He called himself the “shepherd of transparency” for the sting, as the *Spokesman-Review*’s electronic editor; with a sting operation, he said it was crucial to make all video tape and transcripts available to the public so that audiences can view the raw material in its full context, and can discern for themselves whether or not the sting was entrapment. The ability now to offer the entirety of phone conversations,

videotape and full transcripts of everything without constraints of print on a page means that the entire sting operation can be offered up for scrutiny.

“The transparency was a critical element to all of this,” Sands said. “If I were to go back to 1977 in the *Chicago Sun-Times*, I would have taken all the tapes, all the photos, all the interviews, and posted it on the Web.”

With the endless space on the Internet for context and raw transcripts, a substantial change from traditional professional practice, the sting operation may have a new life. Not only that, but with the extreme competition on the Internet for hits per story, not necessarily for the “news bundle” presented by a well-respected newspaper or media institution, an environment may arise that lends itself to more competitive tactics – like the sting. With the dominance of *drudgereport.com* and other online portals, an individual story is prized for its ability to get hits.^{cli} “The competition on the level of the individual story is more intense than ever before,” Michael Scherer wrote for *Time Magazine’s* *Swampland* blog. “There is enormous pressure to distinguish yourself from the pack.” More often than not, that means a more sensational headline, juicier news and more exclusive insights – a climate that is ripe for the resurrection of the attention-grabbing, controversial sting operation.

India and the United States: Same, Same, But Different

Americans in India often find that there are few times when a language barrier is more evident than when shopping or ordering in a restaurant. More often than not, you’ll end up with a meal or a pair of shoes that wasn’t what you bargained for. But in India, a degree of flexibility in these situations is essential, and it could turn out that the differences you might be scrutinizing do not matter. For example, when asked the

difference between this meal and that meal, the waiter may reply, "same, same," the meal is noodles. "...But different:" the first is vegetarian and the second has two eggs. When you request a red tee shirt, and receive a blue: same, same, they are tee shirts – but different, only in color. The "Same, same, but different" mantra is repeated across South Asia, and is even custom printed on tee-shirts (which are same, same, but different to a Taj Mahal souvenir tee-shirt).

The media in India and the media in the United States are also same, same, but different. They share many of the same qualities – a disenfranchised "fringe" media, comfortable institutional channels and a distaste for the ethical taint of the sting operation. But they sit on opposite ends of the spectrum in their treatment of the sting operation, the way in which they utilize it, and the media opinion on its use. The differences are due in large part to the age and stage of the democracies and economies, and consequently the institutional needs of the respective media.

The dynamic between the Indian media and government is one that easily gives rise to an antagonistic press through the disenfranchisement of fringe media and symbiotic source relationships restricting the media. In the United States, that relationship is more comfortably situated with an institutionalized media and a smaller constituent of "fringe" media. Indian media tend to be more adversarial, targeting big names with tactics that seem brazen and abrasive to an American ethical palette.

A possible explanation for the differences between the two outlooks is the inherent structure of the societies; the United States was essentially founded with progressivism, equality, that everything is possible. The so-called "American Dream" is never too far out of the reach of any citizen. Anyone can grow up to be president. The "rags to riches" ideology has so permeated society, and the age old incentive-driven

capitalism that rewards hard work and merit teaches Americans that those in high positions have earned them, and that warrants respect. Therefore, the media have the precarious job of checking the actions of the esteemed powerful without offending or disrespecting them.

By contrast, India has an entrenched class system, as described earlier in this paper. While negative discrimination based on the caste system is technically illegal today, it continues to cast a long shadow on society and colors citizens' view of their chances in society. The majority of India's population is oppressed by this ancient system, and generally only the elite few benefit. After centuries of this structure, the worldview has evolved to such that the majority believe those who rule them rule for their own good, not for the good of the whole. Thus, a media on the lookout for corruption in the elite are a media defending the helpless "little guy" against entitled influential leaders laundering their rupees. Deceptive practices like the sting are therefore fair tools to expose the graft in the corrupt elite.

But that divergence between the Indian and U.S.'s zeitgeist could change, as American media face increasing competition with sliding media penetration numbers and hit-hungry Internet advertising. The premium on sensational, daring stories is rising, which could blur the clear lines the media community has drawn in the past. In India, however, the adversarialism is likely to continue, and the sting operation will continue to play a huge role in the media's check on its government, until either the corruption in the government reaches a level that the public finds sustainable or tolerable, or until the government steps in with regulation. There are still plenty of everyday scams and low-level bribery to be dug out by gritty investigative journalism and the sting operation certainly has a place in that toolbox. Despite initial efforts like

the Broadcast Bill and disapproval from the IBM and PCI, the media will probably defend their right and ability to use extreme means to get a story. Media self-regulation could temper the tendency toward an excess of cheap, Bollywood-esque sting operations, and government regulation will be avoided.

With increased transparency and the new moral codes of the Internet, the sting operation may be an important tool for the global media community. SPJ, Poynter and Pulitzer standards previously held in the U.S. could quickly look outdated in the face of a new breed of adversarial journalism. Eventually, the global media community could reach equilibrium and mediate the current conditions in India and the U.S. The Indian media's youth and aggression lend themselves arguably too frequently to the sting operation, and the caution exercised in the U.S. and the comfort within the media community prohibits what could be a valid tactic. But YouTube, Drudgereport, blogs, iReporters and freelancers may turn more and more toward the sting operation as Internet reporting grows and news organizations across the world compete for the best headline. The two views in India and the U.S. could balance out globally, with the sting an accepted part of the journalistic toolbox, but one that is approached still with caution and context.

NOTES

- ⁱ Newman, Graham E. with the assistance of Kelly Socia. "Sting Operations." *Problem-Oriented Guide for Police Response Guides Series*. No. 6. U.S. Dept. of Justice, Office of Community Oriented Policing Services. October 2007. <<http://www.cops.usdoj.gov/files/ric/Publications/e10079110.pdf>>.
- ⁱⁱ See pages 18-27, 35-45
- ⁱⁱⁱ Ibid.
- ^{iv} See pages 18-23
- ^v Schudson, Michael. "The Sociology of News." W. W. Norton. 19 February 2003.
- ^{vi} Ibid.
- ^{vii} Starr, Paul. "The Creation of the Media: Political Origins of Modern Communications." Basic Books. 5 April 2005.
- ^{viii} Ibid.
- ^{ix} Ward, Stephen. "The Invention of Journalism Ethics: the Path to Objectivity and Beyond." McGill-Queen's University Press, 31 May 2006.
- ^x Ibid.
- ^{xi} Cook, Timothy E. "Governing with the News." 2nd Ed. Chicago: The University of Chicago Press, 1998.
- ^{xii} Bennett, W Lance. "News: the Politics of Illusion." Longman, 1983.
- ^{xiii} Ibid.
- ^{xiv} Epstein, Edward Jay. "News from Nowhere." Ivan R. Dee. 25 February 2000.
- ^{xv} Ibid.
- ^{xvi} Rosen, Jay. "Special to PressThink: Interview With Herbert Gans, America's Senior Sociologist of News." *PressThink*. 13 January 2004.
<http://journalism.nyu.edu/pubzone/weblogs/pressthink/2004/01/13/interview_gans.html>.
- ^{xvii} Tuchman, Gaye. "Making News: A Study in the Construction of Reality." New York: Free Press, 1978.
- ^{xviii} Grjebene, Louis. "Reporting on Prostitution: the Media, Women and Prostitution in India, Malaysia and the Philippines." *Communication and Society*. United Nations Educational, Scientific and Cultural Organization. <<http://unesdoc.unesco.org/images/0007/000772/077215eo.pdf>>.
- ^{xix} Interview with Coomi Kapoor, *Indian Express*.
- ^{xx} Grjebene, Louis. "Reporting on Prostitution: the Media, Women and Prostitution in India, Malaysia and the Philippines." *Communication and Society*. United Nations Educational, Scientific and Cultural Organization. Available URL: <http://unesdoc.unesco.org/images/0007/000772/077215eo.pdf>
- ^{xxi} "Aniruddha Bahal: The King of Sting." *The Independent*. 19 November 2006.
<<http://www.independent.co.uk/news/people/aniruddha-bahal-the-king-of-sting-424594.html>>.
- ^{xxii} Verghese, B.G. "Introduction." *Breaking the Big Story – Great Moments in Indian Journalism*. Penguin, 2003.
- ^{xxiii} Ibid.
- ^{xxiv} Ibid.
- ^{xxv} Ibid.
- ^{xxvi} "Troublemaker." Interview with Aniruddha Bahal; Rahman, Masheeh and Michael Fathers. *Time Magazine*. 30 June 2005. <<http://www.time.com/time/magazine/article/0,9171,501030707-461890,00.html>>.
- ^{xxvii} Biswas, Soutik. "Sting Journalism Under Fire." *BBC*. 23 October 2006.
<http://news.bbc.co.uk/2/hi/south_asia/6076040.stm>.
- ^{xxviii} Tejpal, Tarun. "Tehelka: Hitting Dirt, Getting Hurt." *Breaking the Big Story – Great Moments in Indian Journalism*. Penguin. 2003.
- ^{xxix} Verghese, B.G. "Introduction." *Breaking the Big Story – Great Moments in Indian Journalism*. Penguin, 2003.
- ^{xxx} Nesan, K. "Indian Government Cracks Down on Journalists." *World Socialist Website*. 31 July 2002.
<<http://www.wsws.org/articles/2002/jul2002/indi-j31.shtml>>.
- "Sonia, Congress behind sting ops: Amar." *The Times of India*. 3 June 2006.
<<http://timesofindia.indiatimes.com/articleshow/1611957.cms>>.
- ^{xxxi} Interview with Gopa Sabharwal, Delhi Univeristy
- ^{xxxii} Nesan, K. "Indian Government Cracks Down on Journalists." *World Socialist Website*. 31 July 2002.
<<http://www.wsws.org/articles/2002/jul2002/indi-j31.shtml>>.

- xxxiii "Sonia, Congress behind sting ops: Amar." *The Times of India*. 3 June 2006.
<<http://timesofindia.indiatimes.com/articleshow/1611957.cms>>.
- xxxiv Mazzarella, William. "Internet X-Ray: E-Governance, Transparency and the Politics of Immediation in India." *Public Cultures*. Duke University Press, fall 2006.
<<http://publicculture.dukejournals.org/cgi/reprint/18/3/473.pdf>>.
- xxxv Sanghvi, Vir. "Much Ado About Nothing?" India 2001: A symposium on a year that was. Special issue, *Seminar* 509. 2002. <<http://www.india-seminar.com/2002/509/509%20vir%20sanghvi.htm>>.
- xxxvi Venkatesan, V. "Public Interest v. Privacy." *Frontline*. 6 May 2005.
<<http://www.hinduonnet.com/thehindu/fline/fl2209/stories/20050506001109300.htm>>.
- xxxvii Singh, Prabhakar. "How Effective are Sting Operations?" 17 July 2006. *Media Yug*.
<<http://mediayug.blogspot.com/2006/07/how-effective-are-sting-operations.html>>.
- xxxviii Venkatesan, V. "Public Interest v. Privacy." *Frontline*. 6 May 2005.
<<http://www.hinduonnet.com/thehindu/fline/fl2209/stories/20050506001109300.htm>>.
- xxxix Biswas, Soutik. "Sting Journalism Under Fire." *BBC*. 23 October 2006.
<http://news.bbc.co.uk/2/hi/south_asia/6076040.stm>.
- xl Sreekrishnan. "Randomly..." Randomly ! 15 July 2006.
<http://sreekrishnan.blogspot.com/2006_07_01_archive.html>.
- xli "The Truth About Gujarat 2002: In the Words of Those Who Did It." *Tehelka*. 3 November 2007.
<http://tehelka.com/story_main35.asp?filename=Ne031107gujrat_sec.asp>.
- xlii Udwal, Tarun. "Sardesai case reopens the debate on sting operations." *ZESTmedia*. 22 October 2006.
<<http://www.mail-archive.com/zestmedia@yahoogroups.com/msg02408.html>>.
- xliii "About Us." *The Press Council of India*. <<http://presscouncil.nic.in/>>.
- xliv K. "Je Ne Sais Quoi." *Don't Trust the Indian Media!* 10 September 2007.
<<http://presstalk.blogspot.com/2007/09/je-na-sais-quoi.html>>.
- xlvi Ibid.
- xlvi The Press Council of India. "Trivialization of Content in Media" *The Press Council of India*. 10 February 2006.
<<http://presscouncil.nic.in/>>.
- xlvi Civil Writ Petition No. 7654 of 2005 Filed by Shri Jaswant Singh Vs. Star. News and others in High Court of Delhi at New Delhi. <<http://presscouncil.nic.in/AR/Pg-1-137.pdf>>.
- xlviii Bahal, Aniruddha. "Scoop or sting;" *Chowk*. 20 March 2005. <<http://www.chowk.com/articles/8878>>.
- Morrison, Dan. "India's cultural elite revive muckraking magazine." *The Christian Science Monitor*. 26 July 2004.
<<http://www.csmonitor.com/2004/0726/p06s02-wosc.html>>.
- xlix Bhatia, Arun. "View/Counter View: Supreme Court's reservations about stings a setback for media freedom?" *The Times of India*. 25 October 2006. <<http://www.asiamedia.ucla.edu/article.asp?parentid=56121>>.
- ¹ Lutes, Jean Marie. "Into the Madhouse with Nelly Bly: Girl Stunt Reporting in Late Nineteenth-Century America." *American Quarterly*, 2002. <http://muse.jhu.edu/journals/american_quarterly/v054/54.2lutes.html>.
- ⁱⁱ Tarbell, Ida. "The History of The Standard Oil Company." McClure, Phillips and Co. 1940.
- ⁱⁱⁱ Shahid, Sharon. "80 Years Ago in News History: Sex! Crime! Sensationalism!" *Newseum*. 10 January 2008.
<http://www.newseum.org/news/news.aspx?item=nh_RUT080110&style=f>.
- ⁱⁱⁱⁱ "Undercover Marketing Uncovered." *60 Minutes*. CBS. 25 July 2004.
<<http://www.cbsnews.com/stories/2003/10/23/60minutes/main579657.shtml>>.
- ^{lv} Tedford, Thomas L., Dale A. Herbeck. "Dietemann v. Time, Inc. No. 23096." *Freedom of Speech in the United States*. 5th Ed. 2005. Strata Publishing Inc: States College, Pennsylvania. Accessed through Boston College website. <http://www.bc.edu/bc_org/avp/cas/comm/free_speech/dietemann.html>.
- ^{lv} Meier, Barry. "Jury Says ABC Owes Damages Of \$5.5 Million." *The New York Times*. 23 January 1997.
<<http://query.nytimes.com/gst/fullpage.html?res=9F02E2DB163AF930A15752C0A961958260>>.
- ^{lvi} Food Lion Inc. v. Capital Cities / ABC, Inc. No. 97-2492. FindLaw. <<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=4th&navby=docket&no=972492p>>.
- ^{lvii} Lisher, Mark. "Lying to Get the Truth." *American Journal Review*. October/November 2007.
<<http://www.ajr.org/Article.asp?id=4403>>.
- ^{lviii} Ibid; Interview with Tom Mattesky, CBS.
- ^{lix} Ibid.
- ^{lx} United States. The Office of the Inspector General. "Chapter Four: The Attorney General's Guidelines on FBI Undercover Operations." *The Federal Bureau of Investigation's Compliance with the Attorney General's*

-
- Investigative Guidelines (Redacted)*. September 2005.
<<http://www.usdoj.gov/oig/special/0509/chapter4.htm>>.
- ^{lxi} Dufresne, Marcel. "To Sting or Not To Sting." *Columbia Journalism Review*. May/June 1991.
<<http://backissues.cjrarchives.org/year/91/3/sting.asp>>.
- ^{lxii} Ibid.
- ^{lxiii} Ibid.
- ^{lxiv} Ibid.
- ^{lxv} Ibid.
- ^{lxvi} Egan, Timothy. "A Mayor's Secret Life Jolts a Northwest City." *The New York Times*. 8 May 2005.
<<http://www.nytimes.com/2005/05/08/national/08spokane.html>>.
- ^{lxvii} Silverstein, Ken. "Undercover, Under Fire." *The Los Angeles Times*. 30 June 2007.
<<http://www.latimes.com/news/opinion/la-oe-silverstein30jun30,0,1939913.story?coll=la-opinion-righttrail>>.
- ^{lxviii} Ibid.
- ^{lxix} Kurtz, Howard. "Stung by Harper's in a Web of Deceit." *The Washington Post*. 25 June 2007.
<http://www.washingtonpost.com/wp-dyn/content/article/2007/06/24/AR2007062401677_pf.html>.
- ^{lxx} Felling, Matthew. "'Gotcha' Without a 'Get.'" *Public Eye*. CBS. 28 June 2007. <<http://www.cbsnews.com/blogs/2007/06/28/publiceye/entry2992465.shtml>>.
- ^{lxxi} Silverstein, Ken. "Undercover, Under Fire." *The Los Angeles Times*. 30 June 2007.
<<http://www.latimes.com/news/opinion/la-oe-silverstein30jun30,0,1939913.story?coll=la-opinion-righttrail>>.
- ^{lxxii} Ibid.
- ^{lxxiii} Silverstein, Ken. "The Beltway Press Needs a Good PR Firm." *Harper's Magazine*. 2 July 2007.
<<http://harpers.org/archive/2007/07/hbc-90000427>>.
- ^{lxxiv} Silverstein, Ken. "Undercover, Under Fire." *The Los Angeles Times*. 30 June 2007.
<<http://www.latimes.com/news/opinion/la-oe-silverstein30jun30,0,1939913.story?coll=la-opinion-righttrail>>.
- ^{lxxv} "Case Study: The Sting." *Society of Professional Journalists*. <<http://www.spj.org/ecs3.asp>>.
- ^{lxxvi} Interview with Ken Sands, *Congressional Quarterly*; Interview with Tom Mattesky, CBS.
- ^{lxxvii} Fagen, Cynthia R. "Dateline Sued in Sex Sting Suicide." *New York Post*. 18 July 2007.
<http://www.nypost.com/seven/07182007/tv/dateline_sued_in_sex_sting_suicide_tv_cynthia_r_fagen.htm>.
- ^{lxxviii} Baram, Marcus. "Turning the Tables on 'To Catch a Predator.'" *ABC News*. 5 June 2007.
<<http://i.abcnews.com/US/Story?id=3235975&page=1>>.
- ^{lxxix} The New York Times Company. "The New York Times Company Policy on ethics in Journalism."
<<http://www.nytc.com/press/ethics.html>>.
- ^{lxxx} "Code of Ethics and Professional Conduct." Radio and Television News Directors Association. 14 September 2000. <http://www.rtna.org/pages/media_items/code-of-ethics-and-professional-conduct48.php>.
- ^{lxxxi} Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{lxxxii} "A Snapshot of Indian Television History." *IndianTelevision.com*.
<<http://www.indiantelevision.com/indianbroadcast/history/historyoftele.htm>>.
- Sinha, Nikhil. "India." <<http://nikhilsinha.org/>>.
- Kohli-Khandekar, Vanita. *The Indian Media Business*. Sage Publications, June 2006.
- ^{lxxxiii} Perry, Alex.
- ^{lxxxiv} Vilanilam, John V. "Mass Media in India: A Sociological Perspective." Sage Publications, 2005.
- ^{lxxxv} Interview with Vikramaditya Singh, *The Hindustan Times*.
- ^{lxxxvi} Bahal, Aniruddha. "The Fussiness Has Got to Stop." *cobrapost.com*. 10 October 2006.
<<http://cobrapost.com/documents/spyart.htm>>.
- ^{lxxxvii} Vilanilam, John V. "Mass Media in India: A Sociological Perspective." Sage Publications, 2005.
- ^{lxxxviii} Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{lxxxix} Sardesai, Rajdeep. "Manipulation and Bias in News" *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{xc} Interview with Pran Chopra, *Statesman*.
- ^{xci} Ibid.
- ^{xcii} Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.

- ^{xciii} Sardesai, Rajdeep. "Manipulation and Bias in News" *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{xciv} Interview with Gopa Sabharwal, Delhi University.
- ^{xcv} Sardesai, Rajdeep. "Manipulation and Bias in News" *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{xcvi} Kohli-Khandekar, Vanita. *The Indian Media Business*. Sage Publications, June 2006.
- ^{xcvii} Vilanilam, John V. "Mass Media in India: A Sociological Perspective." Sage Publications, 2005.
- ^{xcviii} Interview with Gopa Sabharwal, Delhi University.
- ^{xcix} Sardesai, Rajdeep. "Manipulation and Bias in News" *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^c Ibid.
- ^{ci} Ibid.
- ^{cii} Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{ciii} Bahal, Aniruddha. "The Fussiness Has Got to Stop." *cobrapost.com*. 10 October 2006. <<http://cobrapost.com/documents/spyart.htm>>.
- ^{civ} Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- ^{cv} Gupta, Anuradha Sen. "Being Tarun Tejpal: *Tehelka* man on sting-ing secrets." *CNN-IBN*. 4 November 2007. <<http://www.ibnlive.com/news/being-tarun-tejpal-tehelka-man/51705-3.html>>.
- ^{cvi} "Tehelka's philosophy remains crusading and investigative journalism." *Indiantelevision.com*. 10 May 2004. <http://www.indiantelevision.com/mam/interviews/y2k4/tarun_tejpal.htm>.
- ^{cvii} Sardesai, Rajdeep. "Sting in the Tale." *CNN-IBN*. 14 September 2007. <<http://stg.ibnlive.com/blogs/rajdeepsardesai/1/2502/sting-in-the-tale.html>>.
- ^{cviii} Pandey, Vineeta. "Stings are getting popular among students." *Daily News & Analysis India*. 22 December 2005. <<http://www.dnaindia.com/report.asp?NewsID=1003628&CatID=2>>.
- ^{cix} Morrison, Dan. "India's cultural elite revive muckraking magazine." *The Christian Science Monitor*. 26 July 2004. <<http://www.csmonitor.com/2004/0726/p06s02-wosc.html>>.
- ^{cx} Interview with Gopa Sabharwal, Delhi University.
- ^{cxii} Interview with Gopa Sabharwal, Delhi University.
- ^{cxiii} George, Dr. Abraham M. "Indian media in Transition." *Indian Institute of Journalism & New Media*. 13 December 2005. <<http://www.ijnm.org/deans-rept.htm>>.
- ^{cxiv} Bahal, Aniruddha. "The Fussiness Has Got to Stop." *cobrapost.com*. 10 October 2006. <<http://cobrapost.com/documents/spyart.htm>>.
- ^{cxv} Ibid.
- ^{cxvi} "Aniruddha Bahal: The King of Sting." *The Independent*. 19 November 2006. <<http://www.independent.co.uk/news/people/aniruddha-bahal-the-king-of-sting-424594.html>>.
- ^{cxvii} Interview with Gopa Sabharwal; Gupta, Anuradha Sen. "Being Tarun Tejpal: *Tehelka* man on sting-ing secrets." 4 November 2007. *CNN-IBN*. Available URL: <http://www.ibnlive.com/news/being-tarun-tejpal-tehelka-man/51705-3.html>
- ^{cxviii} Morrison, Dan. "India's cultural elite revive muckraking magazine." *The Christian Science Monitor*. 26 July 2004. <<http://www.csmonitor.com/2004/0726/p06s02-wosc.html>>.
- ^{cxix} "India TV promises more exposes." *Rediff.com*. 17 March 2005. <<http://in.rediff.com/movies/2005/mar/17minter.htm>>.
- ^{cxx} "How the Public Views the Media." Media Bias Basics. *The Media Research Center*. <<http://www.mediarsearch.org/biasbasics/biasbasics4.asp>>.
- Noyes, Rich. "The Liberal Media" *The Media Research Center*. 30 June 2004. <http://www.mediarsearch.org/SpecialReports/2004/report063004_p1.asp>.
- ^{cxixi} Graff, Garrett M. "The New Power Lunch." *Washingtonian*. 1 October 2007. <<http://www.washingtonian.com/articles/people/5607.html>>.
- ^{cxixii} Graff, Garrett M. "10 Biggest Social Events." *Washingtonian*. 1 October 2007. <<http://www.washingtonian.com/articles/people/5608.html>>.

-
- cxiii Lissit, Robert. "Gotcha!" *American Journalism Review*. March 1995.
<<http://www.ajr.org/Article.asp?id=1433>>.
- cxiv Ibid.
- cxv Ibid.
- cxvi Interview with Tom Mattesky, CBS.
- cxvii Ibid; Paterno, Susan. "The Lying Game." *American Journalism Review*. May 1997.
<<http://www.ajr.org/Article.asp?id=598>>.
- cxviii Interview with Ken Sands, *Congressional Quarterly*.
- cxix Editors. "Who Will Tell Us?" *Columbia Journalism Review*. May/June 2008.
<http://www.cjr.org/editorial/who_will_tell_us.php>.
- cx "The State of the News Media 2008." *The Project for Excellence in Journalism*. March 2008.
<http://www.stateofthenewsmedia.org/2008/narrative_overview_eight.php?cat=1&media=1>.
- cxxi Ibid.
- cxii Interview with Gopa Sabharwal, Delhi University.
- cxiii Sardesai, Rajdeep. "Sting in the Tale." *CNN-IBN*. 14 September 2007.
<<http://stg.ibnlive.com/blogs/rajdeepsardesai/1/2502/sting-in-the-tale.html>>.
- cxiv Interview with Gopa Sabharwal, Delhi University.
- cxv Sanghvi, Vir. "Much Ado About Nothing?" India 2001: A symposium on a year that was. Special issue, *Seminar* 509. 2002. <<http://www.india-seminar.com/2002/509/509%20vir%20sanghvi.htm>>.
- cxvi Sardesai, Rajdeep. "Sting in the Tale." *CNN-IBN*. 14 September 2007.
<<http://stg.ibnlive.com/blogs/rajdeepsardesai/1/2502/sting-in-the-tale.html>>.
- cxvii Sinha, Arvind. "Growing Need of an Alternative Media : A Critique of the Mainstream Media." *Making News: A Handbook of the Media in Contemporary India*. India: Oxford University Press, September 2006.
- cxviii Ibid.
- cxix Vasudevan, Shobha. "Is this Media 'Shakti'?" *rediff.com*. 17 March 2005.
<<http://www.rediff.com/news/2005/mar/17guest1.htm>>.
- cxl Biswas, Soutik. "Sting Journalism Under Fire." *BBC*. 23 October 2006.
<http://news.bbc.co.uk/2/hi/south_asia/6076040.stm>.
- cxli Bahal, Aniruddha. "Truth Behind the Sting Operations." *IndiaInfo.com*. 21 March 2005.
<<http://news.indiainfo.com/columns/bahal/032105shaktikapur-sting.html>>.
- cxlii Interview with Coomi Kapoor, *Indian Express*.
- cxliii Bahal, Aniruddha. "Scoop or sting;" *Chowk*. 20 March 2005. <<http://www.chowk.com/articles/8878>>.
- cxliv Bahal, Aniruddha. "Opinions on Indya Tv's sting operation on casting couch." *cobrapost.com*.
<<http://cobrapost.com/documents/IndyaTv.htm>>
- cxlv Bhatia, Arun. "View/Counter View: Supreme Court's reservations about stings a setback for media freedom?" *The Times of India*. 25 October 2006. <<http://www.asiamedia.ucla.edu/article.asp?parentid=56121>>.
- cxlvi Bahal, Aniruddha. "Scoop or sting;" *Chowk*. 20 March 2005. <<http://www.chowk.com/articles/8878>>.
- cxlvii "Aniruddha Bahal: The King of Sting." *The Independent*. 19 November 2006.
<<http://www.independent.co.uk/news/people/aniruddha-bahal-the-king-of-sting-424594.html>>.
- cxlviii Gupta, Anuradha Sen. "Being Tarun Tejpal: *Tehelka* man on sting-ing secrets." 4 November 2007. CNN-IBN.
Available URL: <http://www.ibnlive.com/news/being-tarun-tejpal-tehelka-man/51705-3.html>
- cxlix Interview with Tom Mattesky, CBS News.
- cl Ibid.
- cli Scherer, Michael. "The Internet Effect on News." *Swampland*. Time Magazine. 24 March 2008.
<http://www.time-blog.com/swampland/2008/03/the_internet_effect_on_news.html>.