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censorship charges fly in wake of Grenada action

In an atmosphere of growing concern about the Reagan administration's preoccupation with "leaks" and information control, the government's decision to support military demands for a press blackout during the first crucial days of the U.S. invasion of Grenada resulted in a storm of criticism from the media. The administration's "campaign of secrecy and news orchestration," to quote an article in the *Washington Post*, provoked not only a bitter confrontation with the press, but created conflict within the White House as well.

The furor began when the administration decided that reporters would not be permitted to accompany the invasion force, ostensibly to protect their safety, and additionally that the press would be kept in the dark and even misled about the military action for as long as possible. For three days, American reporters were forced to obtain what scanty information they could about events on the Caribbean island from temporary outposts in neighboring Barbados, from monitoring Radio Havana and from cooperative ham radio operators.

Four reporters who managed to land on the island independently were evacuated by U.S. forces by helicopter and effectively held incommunicado for several days. The four, Edward Cody of the *Washington Post*, Don Bohning of the *Miami Herald*, Morris Thompson of *Newsday* and British correspondent Craig Chamberlain were part of a group of seven journalists who chartered a fishing boat to Grenada. The three others were separated from the group but were also unable to file stories.

The conflict between the administration and the media developed on two levels. One was the protest from the press against the prohibition on entering the island to obtain more than the official view. The other was a conflict between White House reporters and administration spokesman Larry Speakes over Speakes' efforts to keep reporters in the dark. Even as the invasion was underway, Speakes replied to a CBS query about whether marines had landed on Grenada by saying it was "preposterous." It later emerged that Speakes and other White House press staffers had themselves been informed of the military action only after it was well underway.

The formal explanation given by both the White House and Gen. John W. Vessey Jr., chair of the joint chiefs, was that reporters were barred for their safety. Officials acknowledged, however, that no such action had been taken in Vietnam, El Salvador or Lebanon, where the danger was greater.

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J. Dennis Day, Chairperson.

Defense Department officials said privately that Britain's tight control over press coverage of its war with Argentina over the Falkland Islands last year had made an impression on some American military commanders, especially Gen. Vessey. "The President and Secretary Weinberger are backing their commanders on this thing," one Department official said.

During the war over the Falklands, British reporters were allowed aboard British ships and were allowed onto the islands with the invasion force. Their reports, however, were censored by British authorities.

In a letter to Secretary Weinberger, Edward M. Joyce, president of CBS News, wrote, "I would like to protest the attitude expressed by your Public Affairs office as indicated in the statement to our correspondent Bill Lynch that 'we learned a lesson from the British in the Falklands.'"

Other media organizations also protested the restrictions. Howard Simons, managing editor of the *Washington Post*, said, "I think a secret war, like secret government, is antithetical to an open society. It's absolutely outrageous."

In an editorial published October 28, the *Post* stated: "If the American media can be excluded by their own government from direct coverage of events of great importance to the American people, the whole character of the relationship between governors and governed is affected. . . . This is an administration already well known for its tendency to use the national security label to limit the flow of information to the public in various ways. So it is perhaps not so surprising that the convenience of the military—or its insistence on the primacy of its convenience—triumphed over good sense, healthy democratic practice and the strong standing tradition of press-government cooperation in coverage of unfolding

military events . . . The government set aside tried-and-true rules for ensuring that the media and through them the people would see, know and understand in the most timely and credible way how it was exercising military power in their name. This was done in an excess of caution and with a trace of arrogance."

On October 31, the American Society of Newspaper Editors filed a formal letter of protest with the Defense Department. Signed by Creed Black, publisher of the *Lexington Herald-Leader* and president of the group, and by Edward R. Cony, vice president for news of the *Wall Street Journal* and chair of the group's Freedom of Information Committee, the statement said in part: "The press landed with United States troops in Normandy on D. Day in 1944. Time and again in both Korea and Vietnam reporters were able to give the American public firsthand accounts from the front. In this case, however, it was more than 48 hours before pool reporters were allowed in. . . . We believe that the Defense Department has let down the American public."

The irony of the situation was that by and large the American media supported the Grenada action. Even while they were banned from the island, most media sources reported the official view in a generally favorable manner. And after reporters landed on the island—for the first week only for brief visits accompanied by military escort—their reports tended to be consistent with administration positions. Indeed, one argument raised by many in the media was that the press blackout was in the end a disservice mainly to those who imposed it, since press coverage from the beginning would have done much to alleviate the doubts about the action among the American people.

That, apparently, was also the view of some in the White House. According to some accounts, Larry Speakes was "furious" about being misled about plans to mount an invasion and complained in a memo to White House superiors James Baker, Michael Deaver and Edwin Meese that "the credibility of the Reagan administration is at stake." On October 28, White House deputy press secretary for foreign affairs Les Janka resigned, charging that "circumstances surrounding this week's events in the Carribean have damaged, perhaps irreparably, [White House] credibility."

But most administration officials defended not only the blackout but the vigorous effort to orchestrate public opinion in favor of the action, an effort carried out by and large independent of the usual White House press channels. Reported in: *Washington Post*, October 27, 28; *New York Times*, October 27, 28; November 1.

Ms. Bruce had been contacted by the news media after the agent had visited City Hall and although she talked with them, it was to be off the record and not released unless the Secret Service did so. On November 16, however, after she had been served the subpoena, the story broke in the *Oneonta Star*. Marie Bruce became somewhat of a local celebrity with the story being picked-up by the Binghamton and Syracuse newspapers.

Almost from the beginning of her ordeal, Ms. Bruce had been receiving daily phone calls of support from the NYLA Intellectual Freedom Roundtable and the NYLA IFDPC as well as from individual librarians from around the state. Judith Krug of the ALA Office for Intellectual Freedom and the Freedom to Read Foundation had also been in contact. The support was important to Marie because it let her know that she was not alone and that she was, in fact, doing the correct thing in sticking to the letter of the law outlined in CPLR 4509.

Having been served with the subpoena, Ms. Bruce contacted NYLA and was put in touch with a representative from the American Civil Liberties Union who arranged for a Syracuse attorney to advise her at the Grand Jury hearing. She was also advised that the NYLA Intellectual Freedom and Due Process Committee would have a representative on hand to see that she was given due process and was not subjected to more harassment from the Secret Service.

On Friday, November 18, Ms. Bruce appeared before the Grand Jury and turned over the circulation records under the guidelines of CPLR 4509. Although she could not have counsel in the Grand Jury Room, Dan Braveman from the Syracuse University Law School was there to give her counsel outside the room and after her testimony. Mr. Braveman was the attorney solicited by the ACLU. Also present to give Ms. Bruce support were Gerald Shields, immediate past president of NYLA, who had driven in from Buffalo and Jim McPhee, chair of the NYLA Intellectual Freedom and Due Process Committee.

After the hearing, Ms. Bruce asked to be allowed to give a deposition to the Attorney General's office on the treatment she had been given by the secret service in this matter. With Mr. Braveman and Mr. McPhee present, she gave the deposition to Nancy Jones, the assistant attorney general for the Syracuse office. Ms. Jones stated that on Monday, November 21, the Attorney General would present her deposition to the head of the Secret Service in Syracuse for appropriate action.

At the deposition, Ms. Bruce stated that although she felt she had done the right thing she was appalled at the treatment she had received when she tried to do it. The