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WATCHDOG JOURNALISM AND CONFIDENTIAL SOURCES: A STUDY OF JOURNALISTS' NEGOTIATION OF CONFIDENTIALITY WITH THEIR SOURCES

Abstract. *In contemporary societies a journalist's right to protect confidential sources is acknowledged to be one of the basic conditions for freedom of the press and one of the cornerstones of watchdog journalism. The goal of this study is to dissect the reasoning and practices of negotiating source confidentiality as seen by Slovenian journalists. By analysing 15 in-depth interviews with print, television and online journalists the authors identified not only a variety of approaches in the practice of everyday journalism, but also conflicting reasoning of source confidentiality. The lack of conventions concerning source confidentiality indicates that journalism appears without proper answers to issues posed by the contemporary complexities of social life. While caught in the interplay between the public and private interests, watchdog journalism can degenerate into the lapdog of the establishment and/or the show dog of the news media industry.*

Keywords: *confidential sources, watchdog journalism, power, the public, interviews, Slovenia*

Introduction

The use of confidential sources in journalism may be of vital importance when information in the public interest can only be obtained on the condition of source anonymity. In democratic societies journalists have the right to protect confidential sources, as their protection is acknowledged to be "one of the basic conditions for press freedom" (ECtHR, 1996) and can be regarded as one of the cornerstones of the "watchdog" function of the press, in which journalists act on behalf of the public in order to bring to its attention any abuses of power – political, economic or bureaucratic (Sparks, 1995: 52). Using unnamed sources is, however, in contradiction with the journalistic standard of source attribution which serves as a truth-telling check on

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accuracy (Boeyink, 1990: 235). Further, the right to maintain source confidentiality is not absolute, but may be overridden in certain circumstances (Article 19 and Interights, 1998), which is thoroughly discussed and investigated in one of the articles of this issue (cf. Čeferin and Poler Kovačič, 2015).

The long-running debate over the use of confidential sources in journalism has focused on the advantages, as well as the weaknesses of relying on unnamed sources. One the one hand, proponents claim that anonymous sources provide positive benefits to the diversity of thought in the marketplace of ideas (e.g., Blankenburg, 1992), and if anonymity is not granted, the public may be deprived of significant information (e.g., Boeyink, 1990). On the other hand, critics underscore the diminished credibility and threats to fair, transparent reporting (e.g., Duffy and Freeman, 2011), arguing that anonymity is granted far too frequently and too easily (e.g., Gassaway, 1988; Bagdikian, 2005) and pointing out the problem of errors linked to unnamed sources (e.g., Keller, 2004). The common ground of different views is that sources generally should be identified as fully as possible, while source anonymity should only be granted upon well-founded reflection based on legitimate reasons (e.g., Sheehy, 2010: 84) and used only as a last resort (e.g., Davis and Ross, 1996: 93). Exploring the processes of negotiating confidentiality between a journalist and a source, as well as revealing arguments of justification for source anonymity, are crucial to better understanding the dynamics behind the function of journalists as the "guardians of democracy" (Anderson, 2007: 42), aiming to expose and counterbalance the centres of power whenever they start to abuse that power.

The journalistic practice of using unnamed sources has been at the centre of scholarly debate, especially since the 1970s (Duffy, 2014: 238) and particularly in the context of journalism in the United States as the review of the literature indicates. The majority of studies researched the frequency of using unnamed sources (e.g., Culbertson, 1978; Wulfemeyer, 1983, 1985; St. Dizier, 1985; Wulfemeyer and McFadden, 1986; Blankenburg, 1992; Davis and Ross, 1996; Denham, 1997; Zhang and Cameron, 2003; Martin-Kratzer and Thorson, 2007; Sheehy, 2008; Duffy and Williams, 2011; Gladney et al., 2013). Even though some studies indicated that their use has been on decline (e.g., Duffy and Williams, 2011), others pointed to an increased use of unnamed sources (e.g., Aamidor, 2014). The issue of the impact of anonymous attribution on readers' perceptions of credibility was also addressed in numerous studies (e.g., Riffe, 1980; Hale, 1984; Pitts, 2005/2011; Smith, 2007; Sternadori and Thorson, 2009; Pjesivac and Rui, 2014). Some studies discussed the ethical issues of using anonymous sources and examined their use through the lens of utilitarianism (Duffy and Freeman, 2011). Other studies examined the provisions in journalism ethics codes (e.g., Son, 2002; Carney, 2012), media policies concerning their use (e.g., Wulfemeyer, 1983;

Davis and Ross, 1996; Sheehy, 2010), the problem of media ignoring its own rules regarding unnamed sources (e.g., Alexander, 2009; Jackson, 2011) and ombudsmen's views on anonymous sources (e.g., Wilson et al., 1997). Legal issues of protecting confidential sources, including studies of court cases, were also the topic of several studies (e.g., Alexander, 1993; Mitchell, 2005; Abramowicz, 2008; Lee, 2008; Shepard, 2011; Carney, 2012; Fernandez, 2014). Some researchers examined the historical aspects of source confidentiality (Duffy, 2014) and others offered normative guidelines for anonymous source use (e.g., Boeyink, 1990; Duffy and Freeman, 2011).

Researchers on the journalistic practice of using confidential sources were mostly concerned with textual analyses of such news items (e.g., Culbertson, 1978; Wulfemeyer, 1985; Stenvall, 2008; Duffy and Williams, 2011), while research on the process of negotiating confidentiality among journalists and sources (e.g., Wulfemeyer, 1983; Gassaway, 1988; Flynn, 2006; Duffy and Williams, 2011; Kimball, 2011) is scarce and also insufficient as it is mostly limited to particular issues and the context of American journalism. Therefore, the goal of this study is to obtain a comprehensive insight into the journalist-source relationship when negotiating source confidentiality as perceived by journalists from Slovenian news media in order to discuss the manifestation of structural relations between journalism, the public and various forms of power in everyday journalism practice.

Theoretical Framework with Research Questions

The use of anonymous sources is in conflict with the journalistic standard of full attribution (Boeyink, 1990). The so-called attribution rule requires that journalists give the source for every fact in a story to let their readers know how much credibility to put into each statement of fact (Meyer, 1987: 50). However, without source anonymity some important stories could not be told. Justifications for not revealing the source lie with the same ethical principles that provide a firm basis for the practice of full attribution – in truth telling, doing no harm and seeking justice (Boeyink, 1990: 235–236).

Previous literature on source anonymity in journalism is mostly focused on normative arguments bolstering the need for confidentiality privileges; these arguments try to legitimise the use of unnamed sources in the public interest rather than in the limited interests of the journalistic community (Carlson, 2011: 42). Such reasoning is reflected in numerous journalism ethics codes and newsroom policies, including the *Code of Journalists of Slovenia* (DNS and SNS, 2010), which states that a journalist may use an unnamed source only if information cannot be obtained in any other way and its publication is in the public interest. The right to use unnamed sources was codified not only after the fall of socialism (DNS and SNS, 1991; 2002), but already contained in the codes adopted during the era of Yugoslav self-management (ZNJ 1973; 1988), although Slovenian journalism has gone through profound normative changes – from a Marxist version of advocacy journalism to what is regarded as the high-modern paradigm tied to the notion of the public and liberal understanding of participation. Furthermore, the legal protection of journalists not revealing their sources is also grounded in the concept of a journalist serving the public interest. One of the judgments of the *European Court of Human Rights* (ECtHR, 1996) explicitly stated that without protection, "sources may be deterred from assisting the press in informing the public on matters of public interest. As a result the vital public-watchdog role of the press may be undermined".

Since the mid-nineteenth century, journalists have used the ideas of the "fourth power" and the "fourth estate" to legitimize their critical stance towards power (e.g., Splichal, 2001a: 40). In drawing from these ideas, "watchdog" journalism is regarded as a distinct social institution, "occupying a sort of social space between the various agencies of power and the public" (Sparks, 1995: 52). While the dominant view of the watchdog function in democratic theory is that journalism "functions on behalf of the public as against the possible abuses of power by its wielders", a critical conception would stress that the function of the media is designed to preserve social order by drawing "the attention of the powerful to threats and opportunities maturing amongst the public" (ibid.: 52–53). According to Sparks (ibid.: 52), there is no question of responsibility or accountability in this watchdog construct, which assumes that the media "is motivated in its activities by its own volition". In this sense, the beneficial acts, such as protecting the anonymity of the source in pursuit of a story, are located somewhere in the conflict between "the civic virtue of journalists" and "the commercial value of such journalism" in the media of western societies (ibid.).

Studies mostly dealt with legitimate reasons for granting source anonymity, such as a source giving information in the public interest and facing retaliation if going on the record, being demoted, fired or killed (e.g., Bagdikian, 2005). Yet some studies indicated that journalists use confidential sources for a variety of reasons. According to McBride (in Kopp, 2013), one of the bad reasons for using them is to gain a competitive advantage: "A lot of times sources don't want to go on record for selfish reasons or unimportant reasons and reporters – rather than insisting that they go on the record or passing the story by – will do a lot of stories with anonymous sources because they know if they don't do them their competitors will." Carlson observed that access to elite sources "has become a hallmark of being an elite news outlet, and anonymity displays a connectedness to influential sources that props up the authority and standing of the outlet without necessitating the identification of the source" (Carlson, 2011: 41). Journalists may use unnamed sources to make a story seem more important than it actually is (Carlson, 2012: 11) or refer to them with particular reference automatisms, which can be (mis)used as a substitute for verifying information (e.g., Červ and Kalin Golob, 2012).

While the literature has mostly concentrated on (normative) assumptions of justifying the use of unnamed sources, journalists' own views of their (various) reasons for granting anonymity have been ignored, particularly in the context of the dynamics among journalism's relation to agencies of power and the public and its practices. Therefore, our first research question is: ***What are journalists' reasons for using confidential sources?***

Previous research on the journalistic practice of using confidential sources mostly focused on analysing textual characteristics of news items, such as inclusion of details about the unnamed source's identity (e.g., Duffy and Williams, 2011), types of anonymous sources quoted (e.g., Wulfemeyer, 1985; Stenvall, 2008), different expressions used to underline anonymity (e.g., Culbertson, 1978; Stenvall, 2008) and offering explanations or justifications of anonymity (e.g., Duffy and Williams, 2011). Only occasional studies were concerned with the process of negotiating confidentiality between journalists and sources and they were limited to specific steps, such as establishing sources' motives to disclose information on the condition of anonymity (e.g., Gassaway, 1988; Flynn, 2006), the problem of independent verification (e.g., Duffy and Williams, 2011), assessing the value of different types of anonymous sources (e.g., Flynn, 2006) and revealing the identity of a confidential source to editors (e.g., Wulfemeyer, 1983). Only one study tried to systematically explain the process journalists take when determining whether to grant source anonymity (Kimball, 2011). Another study examined confidential sources' views on their relationships with journalists: interviews suggested that "reporters may be able to drive a harder bargain than they are aware of in persuading confidential news sources to go public and provide information on an attributable basis" (Gassaway, 1988: 76). Thus, questions about the thoroughness of journalists' deliberations when deciding on source anonymity are raised.

These studies present useful insights into the topic and call for further, more detailed analysis of this context-driven process of negotiating confidentiality among journalists and sources. Such an investigation would be important for at least three interrelated reasons. The first reason is to reconsider the logic of checks and balances in the journalistic watchdog agency (cf. Sparks, 1995; Splichal, 2001a; Anderson, 2007); the second reason is to reveal restrictive mechanisms in using anonymous sources, as well as the criteria and guidelines embedded in them (cf. Boeyink, 1990; Duffy and Freeman, 2011); and the third reason is to scrutinise the argumentation behind protecting a source after publication, which is not an absolute right but can be overridden by reasons for disclosure, since journalists are not exempt from competing obligations (cf. Day, 2000: 167–171). To examine the journalists' decision-making process concerning source confidentiality from the moment anonymity is first initiated, whether by a journalist or a source, until the final agreement on whether it is granted or not, our second research question is: ***How do journalists negotiate source confidentiality with information sources?***

Method

One of the problems of researching the relationship between journalists and their secret sources, as pointed out by Gassaway (1988: 69), is that the actual confidential dealings almost always take place beyond the researchers' view. Therefore, a researcher has to resort to the method of surveys or interviews. To answer the research questions, we used the method of qualitative interviews with 15 journalists who use unnamed sources while covering politics or the economy. The journalists work for the Slovenian print news media (Delo, Dnevnik, Večer, Finance and Mladina), television news programs (TV Slovenia and POP TV) or news websites (Planet Siol.net). The interviews were conducted by Igor Vobič from the Chair of Journalism at the Faculty of Social Sciences, University of Ljubljana between November 2014 and April 2015.

As numerous studies in leading scientific journals publishing journalism research indicate, interviews are one of the main qualitative methods for data collection. The semi-structured interviews conducted in this study were used to collect and analyse journalists' personal opinions of realities surrounding the reasons and processes of source confidentiality. Although one of the weaknesses of interviews with journalists is often identified as the discrepancy between interpretations and the interviewees' actual practices, the authors opted for this method due to the inaccessible empirical material from journalists' decision-making concerning source confidentiality. The interviews had five features (Legard, Keegan and Ward, 2006: 141–142). First, they combined structure with flexibility to permit topics to be covered comprehensively and to allow responses to be fully explored. Second, the interviews were interactive in nature because the researcher's careful listening to the interviewees was followed by a direct response determined by their answers. Third, the researcher used a range of enquiries, follow-up questions and other techniques to achieve depth with respect to penetration, exploration and explanation. Fourth, the interviews were generative in the sense that new knowledge or thoughts on the issues in question were created during the interviews. Fifth, the interviews were conducted face-to-face.

The interviews were taped and then transcribed.[1] The average length was 70 minutes. In addition to the research topics presented in this article, the interviews also included other questions concerning the topic of unnamed sources.[2] The transcriptions were analysed following McCraken's (1988: 41–46) five-stage process of interview analysis that described "a movement from the particular to the general" (ibid.: 42). The first stage was based on the careful reading of the transcriptions and treated each statement in the data on its own terms in order to sort important material from the unimportant with respect to the scope of the study. The second stage took these observations and extended them beyond their original form in regards to all logical relations – not only those of identity and similarity but also those of opposition and contradiction. In the third stage, observations were developed again, but now in relation to other observations in order to identify patterns and themes. The fourth stage took the observations generated at previous levels and subjected them to collective scrutiny in order to determine "patterns of intertheme consistency and contradiction" (ibid.). The fifth stage took the themes from each interview and assessed them into "general properties of thought and action" among the interviewees (ibid.: 46).

As emphasized by Carlson (2011: 39), studying the practice of unnamed sources is complicated by the reluctance of sources or reporters to speak about their covert relationships. Our selected journalists agreed to be interviewed on the condition of their complete anonymity due to the professional sensitivity of the topics discussed. Therefore, their names and other information that could reveal their identity are omitted in this article. During the review process, taped interviews and the transcriptions were made available to the editor of the journal *Teorija in praksa*.

Journalists' Reasons for Using Confidential Sources

The interviewed journalists used confidential news sources to gain access to information that is in the public interest but cannot be obtained otherwise. If journalists want to publish such information, they must accept the condition of anonymity set by the source: "It is just important that you get information. This is crucial for a journalist". Such information cannot be obtained on the record because the official sources or public relations services do not want to report it for different reasons. According to one of the interviewees, it is usually information "that those in power, some

[1] *The interviews were transcribed by journalism students Katarina Bulatović and Sanja Gornjec.*

[2] *Parts of the interviews that do not relate to the research aims of this article were used by Rok Čeferin and Melita Poler Kovačič, as well as Monika Kalin Golob and Nataša Logar, according to particular research problems of their articles published in this issue of* Teorija in praksa.

gatekeepers, simply do not want to let out to the public, but instead they want to hide it. Or it is information that is labelled as internal, secret, and as such it is not accessible to the public".

When explaining their reasons for granting anonymity, the interviewees also referred to their sources' reasons for wanting to be unnamed. As seen by the journalists interviewed, the justification of confidentiality for news sources is different and linked to a source's social position and personal circumstances. The journalists emphasised that their reflection on the consequences of revealing the source's identity is of crucial importance: "There is one main reason: that information is so sensitive that uncovering a source could harm him".

Confidential sources are usually well informed about the topic in question; they want confidentiality "because they are too connected to the people about whom they disclose information. Usually they are insiders that really have first-hand information and if we indicate that they have given us this information, it could really cause them some very unpleasant situations". The analysis of interviews showed that sources want to remain secret because they fear retaliation from their superiors, of being held responsible for the situation or even losing a job. They are afraid of the effects that the disclosure of their identity might have on their personal and professional lives, that it might do harm to their families or damage their future and careers. When revealing secret information, they also fear being held as criminally responsible.

Sometimes sources demand confidentiality because they are not authorised to communicate with journalists, which is in the domain of public relations: "They are not public relations people, so they are not supposed to talk to you or to journalists". In some cases, sources want to remain secret because they are not allowed to pass information to journalists because it is not yet official, such as information from a closed meeting or about an investigation: "For example, if somebody from the police who works on a certain investigation tells you what is going on, you cannot name him, of course".

Some sources do not offer reasons, but journalists still promise them confidentiality if they feel the source's information is credible, based on evidence. One of our interviewees described a particular case involving several secret sources: "I talked to them about why they didn't want to expose themselves, but I didn't make an issue of it if they gave me documentation".

One of the reasons for promising confidentiality is that it contributes to useful cooperation with the source in the future: "In short, I am establishing trust with this source, so I can cooperate with him for many years, which is important for my journalistic work".

When asked whether the competitive pressures from other media or within the newsroom affect their decision to publish a story based on an unnamed source, the majority of interviewees answered negatively: “I find it too irresponsible to go to the public with an unverified story just to get ahead of someone and to neglect the consequences that could be caused by this. In fact, we have not done this”. Only a few journalists confirmed that they published a story based on an unnamed source because they wanted to be the first. However, they have done this only when they were convinced that the information was correct and that the source could be trusted: “This happens in very rare cases, and only when we have a source we can rely on 120 percent”.

Journalists’ Decision-Making Process of Granting Source Confidentiality

Establishing the Initial Contact. When asked who establishes the initial contact, the interviewees responded differently as the role of initiator is taken by potential sources as well as journalists, depending on their previous relationships and the motives of those involved.

The interviewees noted that people contact them on the basis of their previous work and with an intent to expose information or an activity that appears to be a wrongdoing with respect to ethical or legal provisions in the private or public domain. One of the interviewees said that people usually feel the need to speak:

> *As a society, we have not yet fallen apart in a way to be a society of independent, egoistic interests where everybody has some particular background issues. Mostly people still strive for some justice, so that matters function as they should. /…/ And when these ideals are broken and they see it, it appears to me that they mostly try to solve problems within an institution and when this is not possible, they go to journalists.*

People do not act only as “whistle-blowers” when they make their first contact, but also as professional or informal advocates of the interests of the powerful. The interviewees used different phrases when referring to these individuals, such as “information brokers”, “lobbyists”, “spin-doctors”, and “slightly different PR”, but were not precise when conceptualising the differences in their activities. In general, these sources provide journalists with information that is sometimes based on profound analyses and documents that works in favour of a certain party, but is simultaneously presented as publicly relevant. For example, “[H]ere when people call you, usually they already have everything set on the table, ‘Are you interested in this, would you like that’?, and this and that. I must say that I’m very careful. There are more,

more and more instances of somebody having only his own interests and trying out your professionalism". Some journalists talked about "seasonal" contacts or "golden retrievers" that appear occasionally, usually before elections. Some journalists have established long-term relationships with them, but not all count them as an integral part of their "network of sources".

Journalists appear as initiators of the first contact when they call their "permanent sources". In this group, some sources are high in the decision-making hierarchy in private and public institutions, while others have access to important information but do not wield much political, economic or bureaucratic power. However, they are used to gain background insights, to verify information or are used merely for routine check-ups:

> *For a high-quality, effective, pervasive journalist it is, of course, very important that /…/ in those institutions, companies and political parties that he covers he has so-called moles. So, this is a kind of information or communication channel that essentially reveals the guts of the decision-making processes inside an organisation.*

Some interviewees also mentioned that they made an initial contact with a potential source when the person was recommended by another source or by a journalist. These "second-hand sources" sometimes comprise particular chains as journalists make a series of connected initial contacts with people concerning a certain matter under investigation. "[I] actually went to a person who knew more about it, went to the next person who knew even more, and through this one to the next one and so on. Thus, the circle was spreading while I was heading to the centre of the story".

In some cases first information exchanges that lead to stories based on confidential sources and their information are not planned, neither by the journalists nor their sources. The interviewees said that on some occasions their friends emerged as initiators of certain stories. Some interviewees said that social events may be useful occasions in this regard: "There you get to know a lot of people who are maybe willing to tell something. /…/ You can talk to politicians and officials, also off the record".

Evaluating Information and Source. When receiving information that appears to be in the public interest, journalists said they start evaluating the accuracy of the information, as well as the reliability and motives of the source. One interviewee compared these evaluation procedures to assembling a mosaic, "[W]hen somebody brings you information, this is not yet a story. /…/ I don't know … if something has already been written, if there's some other person out there, then you go to him /…/ Every story is a mosaic". When journalists make initial contact with one of the sources from their network, evaluation appears less rigorous in their answers.

The interviewees stressed that information needs to be "double-checked" or even "triple-checked" with other confidential and official sources, confirmed by formal documents or compared with publicly accessible data. One interviewee said journalists should conduct a serious "selection test" of gathered information but this is often not done. "Often some unofficial information is thrown into circulation and then they don't go to check it until later. And many times this information turns out to be speculation, rumours or even some spin". However, all journalists acknowledged that they do not consider information as "pure gold", as one of them noted, and they do not continue with a story if the information given by the source cannot be thoroughly verified. "Well, for example, when I have information that I'm sure is true but I can simply not prove it, /.../ if nobody can confirm it officially or unofficially, then it's hard to go public with it".

Additionally, the interviewees said that it is important for them to know the motives of the sources when they reveal information that is publicly relevant but not publicly known. Journalists' narrations indicate that motives differ according to the sources' position in the power structure, personal goals or sense of duty. Many interviewees said they ask sources a straightforward question. "Usually I ask them right away – why are you here? What do you want, what is your interest? /.../ So that we don't lose time, tell me because I will check it anyway to see what your motive might be. And it often happens that he then tells the truth". While the majority of the interviewed journalists stressed it is important for them to know the sources' motives, it is not crucial to the story if information is relevant for the public. Some have expressed decision-making problems when private and public interests merge:

> *It's very difficult, because in this small country people often come to me with some information. And then you dig, dig, dig, and you find out that these same people are involved. Then it's often hard to consider which part is objectively useful and which part is not, and if it merely serves this person to strengthen his role of a victim, of being cheated, or something else.*

Retaining Contact. After evaluating the source and information, journalists retain contacts to develop the story further, but they pay attention to the means of communication. All the interviewees prefer face-to-face contact over electronic communication because they and their sources fear that third parties, whether state security services or para-state structures, might intercept the exchanges. "In fact, it [the use of electronic means of communication] drops with the sensitivity of information and the amount of personal contact increases". While one interviewee was hesitant to reveal ways of securing communication with confidential sources so he would not jeopardize his work, most of the interviewed journalists said they are not "paranoid", but they could do more in securing communication channels. One said that he has become more aware of possible dangers after attending a workshop on communication security:

> *[G]etting together in person, as professionals can tell us, does not bring more security in itself if a journalist doesn't do his homework beforehand. It sounds paranoid but probably it isn't. From taking out phone batteries or some other measures which journalists should somehow carry out, internalise, to protect their sources.*

Since an analysis of the interviews indicates that there are no established protocols regarding communication security, it is no surprise to see a great variety in the interviewees' explanations about how they secure contacts. For example, they communicate in the drafts folder of a common electronic mail address, encrypt e-mails, send faxes and talk in code over a mobile phone:

> *[E]avesdropping takes place according to the system of key words. Of course, it's not like it used to be when there were people with headphones. Now it happens via computers. /.../ We also use codes. Entirely childish ones, that is, as if you were listening to the babbling of some kid who watches cartoons, about ducks, roses. We have nicknames for all politicians and managers.*

The interviewed journalists are different not only in respect to ways used for securing communication, but also in acknowledging certain means as (un)secure. For instance, some view short message service (SMS) or online applications to make phone calls or send text messages, such as Skype and Viber, as safe, while others see them exactly the opposite.

There are also differences among interviewees in terms of who is responsible for providing communication security. A larger group of interviewees argued that the sources are primarily responsible for securing communication because they, as journalists, "have nothing to hide".

> *I mean, I don't really hide anything. If they get me with that source, they just get me with him. It's not my problem, it's his problem. /.../ I believe that here they take care of themselves, meaning that their system would not uncover them. I had certain cases...when one criminalist was my source and actually his superiors had been eavesdropping on him.*

On the other hand, less than a handful of the interviewed journalists recalled the principle of minimising harm and saw themselves responsible for reducing the possibility of exchanges being intercepted by the centres of power. “I’m sure that they can eavesdrop on me in this country. /.../ Of course I have nothing to hide, except some things which are intimate, personal and things that can absolutely put some other people in danger”. One interviewee mentioned he is certain his communication with confidential sources is monitored within the media house. “Even in my own media house, I must hide sources from my colleagues. /.../ [I] know journalists who sold themselves and are on a payroll and such a journalist can hardly wait to bring the news to his master about who is rummaging around his feud”.

Conferring with Editors. Discussions with editors concerning stories based on source confidentiality are an integral part of a larger decision-making process in the newsroom. However, the interview analysis indicates differences in practice. While a large majority of the journalists said they do not reveal the identity of their confidential sources to their editors when arguing about the credibility of their information, some stressed that revealing their sources’ identities to the editors is not uncommon.

A larger number of the interviewees more or less agreed that editors expect to know the reliability of the source but not the source’s identity. One interviewee stressed that it is crucial for the journalists to protect their sources:

> *I will not talk about the names of these sources, about where they come from ... /.../ He [a journalist] also has the responsibility to the editor to not abuse the editor’s trust, to bring enough relevant information to the editor about the unofficial source and the channels through which some stories emerge, so that at the end the editor can help him construct a good story, ask sub-questions. In the final stage the editor may decide that this simply is not a story.*

Some journalists pointed out that “mutual trust” between them and their editors has developed over the years and editors are less trusting when it comes to inexperienced journalists or newcomers.

Three interviewees, however, acknowledged they share the identity of a confidential source with editors in order to jointly evaluate the emerging story. Two individuals connect this practice to the size of the newsroom. “On principle we tell one another; these are small newsrooms. /.../ [W]e are friends. We have coffee together, we know each other’s children, you know”. The second said he not only reveals his confidential sources to editors, but also lets the editors speak with them. “And if the editor, who is my boss, who I trust and who is great, says to me that she would like to talk to the source, it does not mean that she does not trust me. But maybe it is cool that a part of the burden is put on her".

With respect to this matter, other journalists were surprised to hear about such journalist-editor relationships. "No, no, this is not OK. /.../ The editor must trust you if you are his journalist. The editor's task is to provide you with the best possible working conditions so you can write a story and reduce the pressures on you, but it's not his place to talk to your sources". Some said that they reveal the identity of their sources to close colleagues. "Inside the newsroom it is good to have somebody who you trust 100 %. /.../ It is good that sometimes you go out and have a beer, that the two of you talk about what you know".

Reaching an Agreement. According to the analysis of the interviews, there are no firm conventions concerning categories of source confidentiality agreements that would reflect the different extents to which the source is veiled and information is attributed. Namely, when the interviewees explained the dynamics of reaching an agreement to protect information sources, confusion could be seen in their narrations, not only with respect to when and how they come to a mutual agreement but also regarding the scope of this unwritten contract. One interviewee was particularly critical of the fact that there are no procedures in Slovenian journalism to define source confidentiality:

Misunderstandings can occur. That's why it would be good to have some conventions. So that we can teach about these conventions, in brackets, also the other side, and that we can better cooperate in this sense. When we finally arrange this, we will be able to access public relations uniformly. That it's no more like it's now, a pleiad of different expressions and outgrowths that can point to anything, you see.

Unlike the rather solid procedures typical of Anglo-American journalism, Slovenian journalists appear to be in conflict. Interviews show that agreements for protecting source confidentiality are often reached even before information is given to journalists, which can later lead to a more detailed agreement concerning information attribution and source protection. For instance, "[I] jump into this anonymity too quickly. /.../ It would probably be better to say, 'Look, you are talking to a journalist'. And then at the end you ask, 'Can I publish this'? And not earlier". His newsroom colleague had a rather different understanding, "By agreeing on confidentiality you open the door. Then, when he sees it, and you see what you want to do, you can make an arrangement about uncovering, that kind or partial or total". Only one interviewee said she explicitly tries to obtain information on the record and then later opts for protecting source confidentiality.

While some journalists distinguished only between "sources who want a guarantee to be protected and those who do not," others revealed more complex practices. Within this group of journalists, five categories can be identified that are not shared, but rather appear as sets of practices used by only some of the interviewees. The first is "on the record", where information is attributed to an identified source in the published story. The second category is "off the record" or "slightly less off the record", where information can be reported while the source is attributed and legitimized only in general terms. The third category is called "off-off the record" by some interviewees, where information is provided for the journalist's knowledge and is used to contextualize gathered information in the published story. The fourth is called "the most off the record" by some interviewees, where information is given to the journalist in order to get a bigger picture and to make it easier to gather more information from other sources. The fifth category is also known by some as "off-off the record", and it is regarded as being considerably different from the third category. Here information is given to the journalist to understand the background of relevant events, relations or processes or future decisions of the power holders, but it should not be used in any way as the source could easily be identified.

Having Contact after Publication. The interviewees acknowledged that they usually remain in touch with their information sources but for different reasons, depending on whether they or the sources have an incentive to prolong the connexion. When confidential sources contact journalists it is to compliment or criticize their work. In the first case, the contact is shorter and not necessary after publication. For instance, "Sometimes they say that it's great. Sometimes they bring more information, sometimes they don't react, and then they come back again in a year". In the second case, criticism is aimed at the journalists' representations of their stories. "It has happened to me that she said, 'Hey, we have not understood each other well about that thing... Maybe you understood the wrong point, the point is something else, or similar'".

When journalists contact confidential sources after publication, two salient reasons for doing so were identified in the interviews. First, journalists retain the contact to do a "follow-up" and to try to strengthen the relationship with the source for the future. For instance, one of the interviewees sends a simple SMS ("Comment"?) and awaits the response. "[S]ometimes I even expect that the source will be offended because I used such a small part of what we talked about. Sometimes the source thinks I used too much /.../ and I simply check to make sure the relationship is not broken". Second, journalists contact their confidential source to find out if the story had any effect:

> *Sources in individual organizations can, of course, bring the first informal feedback from this organisation to the journalist: whether the story resonated, brought some changes, raised some questions, maybe led to some processes in internal control, or whether the employees began to question.*

One also mentioned that he contacts his sources to ask whether their safety has been endangered in any way. "And always, I mean, as a rule, and particularly for major stories, I call them and ask if is everything OK, did they get you, or are there any problems"?

Another journalist stressed that the safety of his sources is a reason for not contacting them. "[W]hen you drop a nuclear bomb, you hide, of course. The communication disconnects for some time or you change your phone".

Conclusion

By investigating the journalist-source relationship when negotiating source confidentiality from the journalists' point of view, the study indicates not only the complexity of and variety in the everyday journalism practice, but also shows conflicting approaches and discrepancies in understanding source confidentiality among journalists of the Slovenian news media. Despite the existence of a codified provision in socialism, inconsistencies in journalists' interpretations might be explained by many problematic examples of the convergence of political-economic power and journalism after the adoption of a western type of democracy and capitalism (e.g., Splichal, 2001b). Therefore, the results of the study could indicate troublesome implications for the dynamics among journalism, the public and various forms of power in a normative and empirical sense.

With respect to the first research question, the study reveals that reasons for using confidential sources are expressed within what could be labelled as the *interplay of interests*: the reciprocal effect between the pursuits of the public interest and private interests of confidential sources, as well as the particular interests of the journalists covering stories. Although at first glance the interviewed journalists appeared to have the tools to solve the dilemmas of competing interests, more in-depth conversations revealed conflicting reasoning in some cases when more complex dynamics between autonomy and accountability were put forward. As journalists face pressures from (un)institutionalised holders of political, economic and bureaucratic power, as well as coercive corporate and commercial forces within the news media industry, the idea of watchdog journalism aimed at documenting, questioning and revealing (ab)uses of power on behalf of the public (cf. Sparks, 1995) might get sour in the interplay of interests. On the one hand, watchdog journalism could be distorted into the "lapdog of the establishment" (Bennett and Serrin, 2005: 171), as it is not only unable to empirically dissect power interests often embodied in confidential sources from the public interest, but also because of the normative constraints of its critique of the existing social order, based on the institutional separation of powers. On the other hand, because of commercial motives watchdog journalism can be distorted into what could be called the *show dog of the news media industry,* focused more on the competition than the public good, aimed more at scoops than profound investigations, and characterized more by attractiveness of presentation than the complexity of treatment. Despite these dangers, the study shows that the journalists' source confidentiality reasoning more or less considers the traps of the interplay of interests and reflects difficulties, as acknowledged by Bennett and Serrin (ibid.: 172), "to keep the public responsibilities of the press in step with the civic life that is also changing" in terms of how citizens define their public roles, their relationship to the government and their engagement of the news media.

Regarding the second research question, the investigation identified six decision-making steps for granting source confidentiality among the interviewed Slovenian journalists (establishing the initial contact, evaluating information and source, retaining the contact, conferring with editors, reaching an agreement and having contact after publication), but at the same time showed great diversity not only in practice, but also in contradictory arguments when similar practices were singled out. This indicates that either journalistic organizations or news media have not developed common institutionalised principles and practices with respect to source confidentiality. In the context of what Blumler (2010: 349) calls a "two-legged crisis", where one is a "crisis of viability", threatening the existence of institutionalised journalism, and the other is a "crisis of civic adequacy", impoverishing the contributions of journalists to citizenship and democracy, this lack of conventionalized knowledge and knowhow concerning source confidentiality indicates that journalism appears without proper answers posed by the contemporary complexities in the relationship among journalists, power and the public. Further, the loose normative cornerstones and the individualised source confidentiality in decision-making identified in the interviews might explain why watchdog journalism often appears discordant or, as Bennett and Serrin (2005: 187) put it more colourfully, "why the watchdog sometimes barks when it should, sometimes sleeps when it should bark, and too often barks at nothing". Thus, in the "multi-epistemic" social order, where all perspectives of society are contingent upon each other (Dahlgren, 2009: 158), developing the conventions of publicly accountable and transparent source confidentiality should be of prime importance for journalism if it aims to (re)construct itself as a relevant social institution, business and cultural practice.

Despite the study's rather narrow scope, the interview analysis indicates that investigations of the journalists' negotiation of confidentiality with their sources should consider the normative function of journalism as a social institution with respect to power and the public in order to scrutinise the reasoning and practices behind using anonymous sources. Since these dynamics are contextually diverse, journalism studies as a field should historicise and restrict its theoretical and empirical vistas. Such synchronic and diachronic approaches would help comprehend the paradoxes of source confidentiality as the right of journalists who are torn between their aim to act on behalf of the public and their mandate to follow the imperatives of news media owners and their managers while monitoring, documenting and questioning the (ab)uses of power.

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