Of all the known attempts of journalists going undercover to expose things gone wrong, none quite rivals the ingenuity and imaginative flair of the Mirage exposé. More than thirty years after the *Chicago Sun-Times* published “this tale of cold beer and hot graft, in which a team of investigative reporters ran a Chicago tavern to probe corruption—and pulled off the greatest sting in the city’s history,”¹ Mirage remains among the most ambitious, most celebrated, but then most sharply contested of undercover reporting efforts ever attempted. No discussion of journalism’s role as public watchdog, or the place of undercover work within that mandate, would be complete without first taking a seat on a corner stool of the bar that flourished at 731 North Wells Street in late summer and fall 1978, and then was gone.

By 1976, Pamela Zekman had been fantasizing for five years about buying a tavern to witness firsthand, gain a clear understanding, and then explain in print how graft in Chicago worked.² As a member of the *Chicago Tribune*’s investigative task force since 1971 and then as its leader, she had been involved in most of the twenty major investigations the team undertook during those
years, many of which involved the prominent, deliberate use of undercover techniques.

In her desk at the Tribune, Zekman kept a folder marked “Tavern,” filled with notes of anonymous shakedown complaints she had received from readers over the years and the memos that she and George W. Bliss had drafted in efforts to convince editors to back the idea. They never managed to get beyond the dream stage. Year after year, there was no green light. Editors stymied the project because of too tight a budget or concern over crackdowns on the press from the state’s attorney’s office or a more generalized journalistic unease. It was one thing, the reporters later wrote, for a newspaper to infiltrate an institution as “a useful method of last resort.” But to create its “own little institution” was something quite apart, laden as it would be with “possible legal burdens and entanglements.” At about the same time, James Hoge became editor of the rival Chicago Sun-Times, saw an opportunity to hire Zekman away, and did. The tavern folder came with her.

On a February afternoon in 1976, Zekman and her new boss returned to the office on foot from a downtown luncheon seminar about law enforcement, chatting amiably about possible investigative projects as they walked back across the Michigan Avenue Bridge to the Sun-Times building. Zekman told Hoge of the many complaints she had heard over the years about demands for payoffs and shakedowns from fire and building inspectors and from the police. If the Sun-Times owned and staffed a tavern, however briefly, reporters could witness this as it happened, she recalled telling Hoge. It would be a way to investigate and document the city’s time-honored system of “government by envelope,” not for the larger payoffs it took to snag a choice piece of property or a harbor mooring, but at street level, where traffic in ten-, twenty- and hundred-dollar denominations was known to be robust—a
“supermarket approach to graft: low prices, high volume.” Also, taverns were heavily regulated social bastions of easy talk about the shadow workings of city life, a perfect stage set to see an illicit system in action.

Hoge seemed more intrigued with the idea than Zekman could have dared to expect, given the responses she had received at the 
Trib. He quickly calculated the potential outlay as perhaps as high as $50,000 or $60,000—enough to buy a three-bedroom house at the time in one of the city’s middle-class suburbs. After a long pause, he added that such an undertaking would need to be budgeted a year ahead, and a number of challenges would first have to be overcome before she could proceed. “Entrapment for one,” she later recalled him saying in that first conversation. “Security. We’d have to go at it very carefully.”

Beyond ethics and logistics, there were other complications, too. First, there was no major personality to target. The city’s mayor, Richard J. Daley, “wasn’t about to get caught grabbing envelopes. He just ran the stationery store.” And second, most small business owners either had grown complacent about the system or were too fearful of repercussions to risk more than some anonymous grousing. For small businessmen to identify themselves as whistle-blowers could mean all manner of unwanted attention, from a plague of repeated inspections up and down the scale of quasi-official harassment.

Ten months later, the day before Christmas Eve, 1976, Hoge gave Zekman the go-ahead to proceed with the project, to be joined by the Chicago NBC affiliate, WMAQ, and the Better Government Association, which had been keen on the idea since Zekman’s Tribune days. Joining forces with the BGA again brought William Recktenwald to the team, who, since 1968, had been partnering with various Chicago news outlets for major investiga-
tions. It was he the *Tribune* sent to work as a prison guard at the Pontiac Correctional Center.9

With so many players, Zekman’s first task was to keep the project totally secret, so as not to see months of work and expense go to total waste because of a published leak in any of the city’s other news outlets. These included the *Chicago Daily News*, which shared not only the same floor in the *Sun-Times* building, separated only by a glassed-in room for the rackete teletype machines, but Hoge as editor. With one head attached to two bodies, how could Hoge be expected to keep one’s secret from the other? Somehow he did. Zekman and Zay N. Smith would later describe the security operation as something akin to “keeping a salt lick secret from a community of deer.”10 With the *Tribune* only a few streets away, loose reporter talk over too many beers at the Billy Goat or Boul Mich could fell months of planning in a night. To hide her purpose inside the *Sun-Times* newsroom, she created a maze of false trails, cryptic expense account notations, and requests for clippings from the newspaper morgue that she submitted under assumed names. Then, yet another concern emerged with the death of Mayor Daley on December 20, 1976, just days before Hoge approved the plan. What impact would the city power transition have on the project, which would likely take the whole of the coming year to plan and execute?

At a meeting with the *Sun-Times* attorneys, Zekman and the editors considered all the pitfalls, ethical and legal, as the lawyers laid them out. From the start, concern over any appearance of entrapment headed the list. The team reviewed Illinois law:

> A person is not guilty of an offense if his conduct is incited or induced by a public officer or employee, or agent of either, for the purpose of obtaining evidence for the prosecution of such a
person. However, this Section is inapplicable if a public officer or employee, or agent of either merely affords to such person the opportunity or facility for committing an offense in furtherance of a criminal purpose which such person has originated.11

Zekman later explained that Illinois courts tended to interpret the law liberally, citing a case in which the conviction of a subject held firm even though a Chicago narcotics officer had approached the dealer twenty times before the man agreed to sell him dope. The *Sun-Times* would take a far more conservative approach. “The only act would be to open a tavern—and then let the visitors take it from there,” Zekman and Smith later explained. “This was a matter of news judgment as well as ethics. The aim of the project was to catch Chicago in the act of being itself.”12

More protocols had to be established. To avoid invasion of privacy, the *Sun-Times* would protect the identity of anyone who told a personal story. If a criminal act were committed, the newspaper would reveal names, dates, places, and amounts. Since Illinois law required a court order for the use of secret sound-recording devices, the *Sun-Times*, for documentation, would rely only on hidden photographers, multiple witnesses, and detailed memos. The newspaper also agreed to assume all general liability.13

Still another problem remained: how could the *Sun-Times* finance the project and fill out the tavern’s license application honestly and legally but still keep its involvement under wraps? The lawyers found the means through the device of a straw buyer who got financing through an investment company to whom the *Sun-Times* loaned the money. That way the newspaper’s role could be obscured.14

In the meantime, Zekman met with the incoming director of the Illinois Department of Law Enforcement, Tyrone C. Fahner, a former federal prosecutor who had jurisdiction in this area. Zek-
man later recalled telling him in carefully selected words: “All we want is the chance to fulfill our obligation, as citizens, to report crimes to an appropriate law enforcement agency. That has to be the extent of our involvement. We can’t be your agents, in any sense.” Fahner agreed and enlisted one of his top aides to accept crime reports from Zekman and her team. He also promised to keep their secrets.15

Recktenwald and Zekman made the real estate rounds as the ostensible Mr. and Mrs. Ray Patterson in search of an affordable tavern to lease. They met with bar owners, leasing agents, and crooked accountants who gave them a much clearer sense of what had eluded them again and again in their roles as crack investigative reporters: detailed how-to information about everything from the payoff system to shadow accounting. And they found an affordable bar, $18,000 for the trade and fixtures and $300 a month in rent16 for a seedy little North Side joint called The Firehouse, which, despite its rotting drain boards, broken bathroom faucets, vermin-infested basement, trash-strewn walkways, and backed-up sewer, had never been cited for a code violation. Perfect.

Then came more hurdles. WMAQ hit a legal barrier imposed by both the television station’s own attorneys and those at the NBC network and had to pull out of the project. Its lawyers warned that if a television station was involved in infiltrating Chicago’s payoff system, even in the role of victim, it could be accused of taking part in the commission of a crime, thus jeopardizing its federal license.17 (In time, CBS’s newsmagazine Sixty Minutes, led by Mike Wallace, would become involved, but as observers only, to do a television segment about the project that aired as the series launched.)18 The BGA agreed to provide $5,000, but that left a shortfall of at least $18,000; WMAQ had initially committed to cover half the estimated costs of $46,000. With the project woefully underfinanced,
Zekman and Recktenwald convinced the owner to sell them the bar on the installment plan and deferred the issue of how to make the next payments.

After about six weeks of renovation, The Firehouse receded into memory and in its place, on August 17, 1977, appeared the Mirage. What followed for the Sun-Times reporters was two and a half months of bartending; waitressing; short-order cooking; chatting up the likes of jukebox salesman, inspectors, and cops; keeping the books; and surreptitiously taking notes for the eventual series. They sold a lot of beer, enough to cover the rent and all of their expenses other than salaries, since the Sun-Times was covering those. Photographers documented dubious transactions, aiming their camera lenses through a peephole—actually a vent—in a cramped covered loft above the bar. At some points, cameramen from Sixty Minutes joined them in the space above, collecting footage for that program’s eventual segment. The reporters closed down the bar on Halloween night.

The series itself rolled out in twenty-five parts, from January 8 to February 5, 1978, instantly capturing national attention, much as Dana Priest and Anne Hull would do thirty years later when the Walter Reed investigation broke in the Washington Post. One week into the series, the Washington Post described the Mirage exposé as “remarkable.” As the second week of stories unfolded, the New York Times, under a Chicago dateline, detailed the pervasiveness of the corruption the series was exposing and even raised the possibility of adverse political repercussions for Daley’s successor, Mayor Michael Bilandic. As Recktenwald would later say, taken incident by incident, the individual acts of corruption may indeed have been petty; but the cumulative burden the illicit system placed on Chicago’s small business owners was not. The Sun-Times estimated the annual toll in lost tax revenue at up to
$16 million at the time. Not only that, but the reporting heightened consciousness; Chicagoans followed it closely. Recktenwald recalled for Michael Miner how he reviewed page proofs for the series each night as the newspaper went to bed, “so I knew where the funny parts were,” and then had the delight the next morning of watching *Sun-Times* readers commuting on the el and laughing at all the right places.

On February 1, John D. Moorhead, writing from Chicago for the *Christian Science Monitor*, wondered in print whether real reform could come from such a “jazzy journalistic coup.” He quoted the response of local skeptics who said it would take much more than a hard-hitting, attention-demanding newspaper series to cure the systemic ills of a city as corrupt as Chicago, an attitude Hoge dismissed as “apathetic cynicism,” adding, “You cannot move toward reform until you know in detail what needs to be reformed. Institutions do not reform themselves from within but because of pressure from outside.”

Applying that kind of outside pressure, in fact, is what newspapers are supposed to do. In this case, it also seemed to work. A year after the series launched, in winter 1979, as the impact of the project was still unfolding, leaders of the Mirage investigative team cataloged their project’s results. These included the firing of more than a dozen city and state employees, including health and fire inspectors; the indictment of two state liquor inspectors for bribery and official misconduct; the conviction of eighteen of thirty-one indicted electrical inspectors accused of bribery, including one named in the series; and the creation of city, state, and federal task forces and several new internal investigating units.

Back a year earlier, as news of the series spread in winter 1978, the common reaction among journalists could be summed up in the
four syllables it takes to say Pulitzer Prize. And yet at the same
time, a parallel response started to brew among the cognoscenti,
presaged in an article by Deirdre Carmody, the second of two
pieces the New York Times published about the sting around the
time of its publication. Her piece appeared on February 23, more
than two weeks after the last installment of the Mirage series ran.
By then the Sun-Times had moved on to covering the indictments,
task force creations, and institutional reforms its reporting had
spawned. Rarely—and again, the Chicago Tribune’s von Solbrig
Hospital and the Washington Post’s Walter Reed exposé are two
other spectacular cases in point—have the impact and results of
such a journalistic investigation been so concrete, so sweeping, and
so swiftly obtained.

Carmody focused her inquiry on the undercover methodology
itself. As it turned out, her article would become an early entrant
among the many media self-examinations of the period of “Jour-
nalism Under Fire” angst of the 1980s and 1990s. She opened in a
general way with a description of a number of typical undercover
scenarios, such as journalists who go to work on assembly lines to
experience what conditions are like for the workers, or reporters
who take their cars in for servicing but really to check for fraud,
or reviewers who make reservations in assumed names and then
arrive at the restaurants in disguise to avoid preferential treatment.
Rhetorically, she asked, “Are these reporters being unethical? Or
are they using the only effective means they can to uncover condi-
tions that their readers should know about?”

Her question, of course, was a device to showcase the dazzling
response to the undercover story of the hour. “As a result of the
Sun-Times series, federal, state and county investigations are un-
derway,” Carmody wrote, “the Mayor has announced a new office
of inspections, the building code is being rewritten, about one
hundred jukebox and pinball machines have been confiscated and fourteen officials have been suspended.” But she also reflected on the views of those who, although equally entranced by the potency of the sting, had begun to have questions about it “that were difficult to answer.”

She brought up the matter of entrapment and elicited a response from Zekman, who explained, as she would again later, that the reporters did not initiate the bribes—those came only at the suggestion of inspectors or business brokers—and that the Mirage crew reported every payoff to the Illinois Department of Law Enforcement. “Technically,” Carmody wrote, “entrapment can be committed only by a law enforcement agent, not by a journalist. Entrapment involves luring someone into the commission of a crime as opposed to allowing him to conduct himself in a normal manner.” She quoted Fred W. Friendly, who said the key words in avoiding an accusation of entrapment were “not planting the idea,” which the Sun-Times reporters had taken extra care not to do.

The most salient of these early responses to the ethics questions raised by Mirage came from Robert P. Clark, then executive editor of the Louisville Courier-Journal and Times. At the time, he also chaired the ethics committee of the American Society of Newspaper Editors. “The public is the master, so to speak, and at least we have to level with them,” he told Carmody. “If they feel we shouldn’t have done it by masquerading, they will probably let us know.”

In fact, the public did let the Sun-Times know. A telephone survey the newspaper released on January 29, 1978, a few days before the series had finished its formal run, showed that 85 percent of more than 200 Chicagoans interviewed believed the events reported in the series were true. Nearly a third of them, 31 per-
cent, said that either they themselves had been approached for payoffs or they knew someone who had been. Readers, in short, were comfortable with the questionable machinations that resulted in the Mirage exposé and expressed satisfaction with its results. Two years later the newspaper’s readers reaffirmed their approval of the methodology in an even more extensive reader survey. It followed the newspaper’s 1980 undercover investigation of a racket that was inflating the insurance rates of Illinois drivers by as much as a third as it put some $3 billion a year in the pockets of the ambulance chasers, doctors, and operators of clinics involved in the scheme. The second survey included 603 Chicagoans—a group three times as large as those surveyed after Mirage—77 percent of whom expressed support for the use of undercover reporting devices and tactics, including hidden cameras, microphones, and the concealment of identity. A full 77 percent of respondents considered investigative reporting of this nature “very important” over against a mere 2 percent who did not see its value. Also, the great majority—again, 77 percent of those surveyed—said “exposure” was more important than “corrective action” as the most worthwhile reason for undertaking such an investigation. As to how often such enterprises lead to corrective action, 39 percent said “frequently” and 49 percent said “sometimes.” Sixty percent of the respondents approved of reporters actively assuming identities, as opposed to concealing their identities. Thirty-five percent disapproved of the practice.

The overwhelmingly favorable reaction of Chicago readers was not shared by most of the twelve men who gathered in April 1979 to choose the winners of that year’s Pulitzer Prizes. When Mirage came up for discussion, it precipitated “the most fascinating debate ever heard at Pulitzer,” in the words of one of the
judges, Eugene Patterson of the *St. Petersburg Times*. His remarks appeared in a near-forensic examination of the ensuing controversy by a *Washington Post* reporter, Myra McPherson, featured on the front page of the newspaper’s Style section. In the headline, “debate” became, more accurately, “donnybrook.”

MacPherson recalled the many squabbles of Pulitzer seasons past and how they had marred the annual announcement of the results, especially in the categories of arts and journalism. More than once, she reported, critics had chastised the board over a selection process that Robert Bendiner, a former editor of the *Nation*, characterized as “private lobbying, personal whim and a genial sort of logrolling.” Despite a concerted effort to quell criticism by amending the rules, the 1979 season turned out to be no exception. The board overturned the confidential choices of its jurors in six of twelve categories: four in journalism and two in the arts. Of course, as one board member explained, this was the board’s absolute right; jurors nominate, the board selects. Still, in light of the focus put on improving the process, to rebuff the choices of the judges in fully half of the cases did not seem to indicate meaningful reform.

Mirage was the obvious frontrunner among the four entries the jury put forward for consideration in the now-defunct category of “local investigative specialized reporting.” Three undercover investigations had won in that category between 1971 and 1976 alone. Yet the award went to a small Pennsylvania newspaper, the *Pottsville Republican*, for its series on the role of organized crime in the demise of a local coal company.

How could they not have chosen Mirage? In comments to MacPherson, Patterson explained that a mood of new moral stringency was aloft and that even though almost everyone on the board had either personally sanctioned or personally participated
in undercover episodes at various points in their careers, a shift in the zeitgeist had made the use of ethically ambiguous reporting methods a far less appealing prospect. Not only that, but Patterson thought the Mirage exposé “had an element of entrapment.”46 Ben Bradlee of the Washington Post, also a board member, offered this quote to his reporter: “We instruct our reporters not to misrepresent themselves, period.”47 To award a Pulitzer to the Sun-Times for Mirage, Bradlee said further, “could send journalism on a wrong course.”48

In comments to McPherson, Clayton Kirkpatrick, another board member, took an opposing view, acknowledging the number of Pulitzers the Tribune had won for investigations that involved reporters working undercover over the years. Repeating the standing litmus test even then for deciding to go deceptive, he said the results the Sun-Times achieved in this instance could not have been attained in any other way. Asked about the new moral stringency that both Patterson and Bradlee alluded to, Kirkpatrick scoffed. “A new morality as far as Pulitzer Prizes,”49 he said.

Jack Nelson of the Los Angeles Times, not a member of the Pulitzer board at the time, agreed with Kirkpatrick. Recalling his own days reporting on the civil rights movement in the South, he told McPherson, “When you covered the KKK you damn well didn’t let the KKK know you were a reporter. I passed myself off as a textile worker to see if Georgia state officials would buy my vote, and they did. I passed myself off as a client in a whorehouse to find out about bribes.” The actions of the Sun-Times, he said, seemed “perfectly legitimate.”50

Hoge, of course, concurred with Kirkpatrick and Nelson, although he expressed reluctance to say much, concerned not to be perceived as spewing sour grapes. To McPherson, he did offer this: “The board’s capriciousness and arbitrariness is mystifying
and profoundly disappointing. There was nothing in the board’s advisory to indicate they were judging from a different set of rules than in the past.  

This unannounced wave of new thinking reflected wider cultural currents, crystallized a year earlier in Sissela Bok’s book, *Lying: Moral Choices in Public and Private Life*, which quickly became, and has remained ever since, a favorite of journalism’s ethical arbiters. Bok framed a problem as old as society in ways that “hit the mind like a spanking offshore breeze” and even singled out journalism directly at specific points in her wider-ranging text.

As a guide for journalists, she posed three questions, those, in fact, often prescribed and followed in responsible journalistic quarters. Paraphrased, they are: Is there another way to get the information without the lie? If not, then what moral reasons might excuse the lie, and what counterarguments might be raised in opposition? And third, how might “a public of reasonable persons” react to the lies?

By the end of summer 1979, the controversy triggered by the Mirage judging had not abated. The *Columbia Journalism Review* found the decision of the Pulitzer board irritating enough to write about it twice. In its Chronicle section, its writer repeated much of the earlier reporting on the subject, adding that during the board’s deliberations, James Reston had helped to clarify the board’s thinking by drawing a distinction between “pretense” and “deception.” “Pretense,” he ventured, was a passive act in which the reporter allows someone to draw the wrong conclusion, but “deception” was active, a deliberate effort to mislead. This kind of hair-splitting became the commonly applied means of separating acceptable from unacceptable practices.

As to the entrapment bugaboo, *CJR* reported that other board
members had discounted this suggestion from Patterson and actually were comfortable with the safeguards the *Sun-Times* had put in place to avoid such an accusation. (And yet interestingly, media critiques in the years since then often point to the odor of entrapment as the reason why Mirage did not prevail at prize time.)\(^5\) The real difference of opinion, the writer indicated, had come down to whether the *Sun-Times* could have achieved the same result without the erection of such an elaborate stage set. Patterson and Bradlee prevailed in their belief that the subterfuge was unnecessary; a minority, including Kirkpatrick, disagreed. Still others, whom the writer, Steve Robinson, did not name, expressed the hope that the rebuff from the Pulitzer board would not deter editors and reporters from resorting to the journalism of last resort when stories important to the public interest legitimately warranted the use of more extreme measures.\(^5\)

In *CJR*’s next issue, the magazine went even further. Its founder and publisher at the time, Edward W. Barrett, questioned the board’s wisdom in the case of Mirage, expressing the belief that the project had been executed “well within the bounds of responsible, defensible conduct.” He amplified his thoughts with the common argument of the project’s defenders: “The central issue is: how else could such corruption be exposed? If the reporters had simply quizzed bar owners, none would have provided documented evidence on the record. If one had, he’d soon have been out of business.” On behalf of the magazine, Barrett then offered the *Sun-Times CJR*’s “own imaginary award” for service to its community.\(^5\)

Eighteen years later, Jack Fuller summoned Bok, as others so often had done and would do when pondering similar issues.\(^6\) This was for a chapter of his 1996 book *News Values: Ideas for an Information*
Age, in which he explores the use of deception and other “confidence games,” his term for the sketchier tactics he once fully embraced, but by then was questioning deeply, citing their role in eroding media credibility as his reason. (Once again, that curious conflation of two separate events that happened in roughly the same time period: the controversy over Mirage and the publication of the first of a succession of national surveys that confirmed the public’s increasing distrust of and disappointment in the media’s performance.)

Fuller expressed particular concern for those on the periphery of an investigation who might be inadvertently hurt by an undercover effort. To Bok’s three-point guide, he added that the decision to go deceptive be subject to full deliberation by an organization’s top leadership and that measures be taken—such as inviting an informed outsider into the conversation—to avoid the moral blindness that group thinking can engender. And regardless of whether the deceptive act produces publishable work, he said, readers should be told what was done.

Yet he also said that journalists are not obliged to “give Miranda warnings” or to reveal their affiliations “when a building inspector solicits a bribe at the reporter’s own home, for example, or a city work crew goes to sleep on the job along his route to the office.” He did cite examples of the cases in which “the requirement of candor” must be met, including job applications (the post–Food Lion rule) or when reporters are questioned by authorities or even “perhaps” when another person asks. And yet in a much earlier iteration of some of these ideas in a slightly different context, Fuller was very clear on where a journalist’s fundamental obligations should lie: “Pare away the hyperbole, though,” he wrote, “and there remains the intriguing question of whether a journalist owes anyone besides his readers a duty of truth.” In short, although it
likely was not his intention, he made the ultimate case for going undercover when warranted.

Fuller is among the many who share the view that Mirage “pretty much put an end” to undercover reporting or that the technique had gone “out of fashion” by the mid-1990s. Indeed, successive surveys of “U.S. newspeople” across all media between 1991 and 2007 give the same impression. Rank-and-file journalists expressed increasingly heightened discomfort with the use of deceptive techniques, with support remaining strong among a minority of reporters the researchers described as younger, better educated, more liberal, more adversarial, more likely to get more feedback from news sources, and who worked for publicly traded companies. Television journalists mirrored their print counterparts opposing falsification and masquerade, although they continued to support the use of hidden cameras and microphones in increasing numbers; Food Lion did not prove to be the deterrent so widely predicted when the first verdict against ABC came down.

Reaction in the years since Mirage among the field’s most influential figures has been mixed. While some important pundits have consistently opposed or severely questioned the resort to undercover techniques, just as many have continued to defend the practice under highly controlled conditions, as noted elsewhere in this text.

And what of Bok’s “public of reasonable persons”? The most authoritative surveys of the period since Mirage, particularly one by the National Opinion Research Center (NORC) that Time cited in its 1983 cover story, “Journalism Under Fire,” focused on many other reasons for the public’s diminishing approval of the media. These included falsification and embellishment of the facts, lack of concern about accuracy, bias, the prevalence at the time of libel suits, the use of unidentified sources, and a perception that
journalistic power and presumption of importance had increased to a point of arrogance and insensitivity. None of these are undercover’s natural sins, and in fact, in *Time*’s assessment, the use of surreptitious techniques did not really figure. Halfway through an article of nearly eight thousand words appeared a reference to the Wolin and Mirage defeats during the Pulitzer judging, but the writer failed to mention that the rebuffs did not result from public rebuke, which was what the piece was about. Quite the contrary: the public was in obvious thrall of those two enterprising projects. Interestingly, the only known complaints against these stories came during the Pulitzer deliberations—not from the public, but from the profession’s top rung.  

Likewise, an article in Harvard’s *Nieman Reports* in summer 2005 cited a number of surveys—those conducted by NORC over the years, those by the Pew Research Center for the People and the Press, and an early one released in 1986 that Times Mirror commissioned from the Gallup Organization. All of these confirmed the continued and steady erosion of public confidence in the press that studies had been documenting since the early 1980s. Why? Respondents over the years variously cited undue influence from powerful individuals, from government, from corporations, from advertisers, or from labor unions. By the end of the 1990s, respondents had added—in steadily increasing numbers—immorality, questionable values, believability, and partisanship. Again, undercover reporting, hidden cameras, or the use of surreptitious techniques got no specific mention.

So given this largely unfettered public support, how did undercover reporting become the designated culprit, the fall guy, for journalism’s much more pervasive troubles? How did the decision at some outlets to swear off the practice entirely become the palliative, the major corrective action taken, as a way to cure jour-
nalism’s unrelated ills? Why the response of eliminating a highly selective but popular course of action that addressed none of the red-button issues? Was it to strike a more generalized blow for honesty in the simplest, least painful, and most concrete and most promotable way possible? There is no clear answer.

Speaking of the public, not only is there evidence of its abiding support for undercover projects that bring significant information and meaningful results to public light, but the public also has more tacitly affirmed the use of subterfuge by journalists who pursue significant but difficult-to-obtain information by other unconventional means. Witness the public response to the Pentagon Papers of 1971 and Watergate in 1972. Fuller, for one, acknowledged this reliable public affirmation. Yet he offered his own three reasons for shying away from deceptive practices more generally, even when the public approves: First, because they represent a “shortcut” to information that can be obtained in other ways; second, because it is dangerous for journalism to function in an environment that tolerates lying; and third, because a publication’s “strongest bond with its audience is the simple truth.” (And yet, I would ask, how often is truth a simple thing to establish?) To depart from those principles, he said, even when audiences understand and accept the reasons for the departure, “can hardly help but erode the confidence that forms the very basis of the enterprise.” From the data, it appears that audiences indeed are focused on “the simple truth,” but by that they seem to mean the simple truth as it ultimately appears on the page or screen, and that at the point of publication they expect to be told the simple truth about how the information was obtained and the way decisions were made about its presentation.

Despite years of pontification suggesting the contrary, the Mirage supporters actually prevailed. However squeamish about under-
cover tactics the Pulitzer board suddenly became in spring 1979; however reticent to do undercover reporting the profession professes to have become in the years that followed; however often reporters, analysts, and critics have since stated as fact that the dead hand had dropped on a century’s worth of zeal for going undercover, the evidence tells a different tale. Based on a reasonably thorough review of the available record, there has been no letup in the cumulative rate or use of undercover techniques across all media, not before or since Mirage, and not before or since Food Lion. Taking the nation’s top journalistic award as an indicator, it is true that fewer undercover projects received the recognition of a Pulitzer Prize for a good while, and none at all won it in the years between the Mirage controversy of 1979 and Tony Horwitz’s chicken-processing win for the *Wall Street Journal* in 1995. It is also true that some newspapers that once enthusiastically embraced the practice of going undercover in time decided to forbid it, the *Chicago Tribune* and the *Nashville Tennessean* notably among them.

And yet there has been a good deal of honor bestowed on undercover efforts in the years from Mirage to the end of the first decade of the twenty-first century—honor beyond the Pulitzers that the *Wall Street Journal*, the *New York Times*, and the *Washington Post* received in 1995, 2001, and 2007, respectively. The Pulitzer board named the *Tennessean* a finalist in 1981 in the prestigious Public Service category for its reporting on the national resurgence of the Ku Klux Klan. (Jerry Thompson’s eighteen months as a card-carrying Klansman may or may not have been submitted as part of the prize consideration packet but was prominently published during the period under review.) That same year, the *Sun-Times*, clinging rather defiantly to the cherished method despite the snub of two years before, also was named a Pulitzer finalist in the “local specialized or investigative category” for its acci-
dent swindlers series, the insurance project mentioned above for which Gene Mustain, with purported injuries invented for him by the Associated Physicians’ Clinic, checked into Community Hospital of Evanston, where nearly all of the patients were “equally phony.” (The headline homage: OUR OWN PHONY PATIENT IS HOSPITALIZED AND DISCOVERS THE HOSPITAL IS A MIRAGE.) For the project, Zekman and Mustain teamed up with the local ABC affiliate, WLS-TV, which won a 1981 duPont–Columbia Silver Baton for the same project. Also in that period, in 1982 as noted, the Pulitzer board named as a finalist Merle Linda Wolin’s Latina sweatshop series for the Los Angeles Herald Examiner, and in 1984, George Getschow made the finals for his Wall Street Journal series, Dirty Work, which included his pose as a day laborer.

Other newspapers have continued openly to support the practice of undercover reporting, although sparingly, and not always for projects that have drawn significant national attention. They have done so when the methods were most effective for obtaining the information or for telling the story. Just a sampling: in the fifteen years between 1979 and 1995, at least twenty-three mainstream newspapers sponsored notable undercover projects, some newspapers more than once. Some projects were misfires, too. Television has produced as much undercover and hidden-camera activity as ever, including the NBC Dateline series To Catch a Predator in 2006 and its various clones. Magazine and book projects also have been plentiful.

In the fourteen years between 1996 and 2010, a difficult period for newspapers economically, at least nine newspapers mounted major investigations with an undercover dimension. Still others from 1979 on have been more careful in crafting and framing the way they explain the execution of their projects, sometimes massaging the definition of what constitutes deception.
wald’s view, despite the Chicago Tribune’s ban, at least a couple of its major latter-day investigations have undercover markings.89

By the same token, at the twentieth century’s end, there was no record of the Pulitzer judges or Pulitzer board raising a ruckus over the way Horwitz conducted himself in 1994, or LeDuff in 2001 (2001 was the same year Ted Conover’s Newjack was a Pulitzer finalist in the general nonfiction category), or with how the Washington Post reporters comported themselves at Walter Reed in 2007. What this suggests is that elaborate, highly stretched identity finesses—and no disclosure of the reporters’ affiliation or actual intent until confronted or until they deliberately reveal their purpose at the point of publication—meet the profession’s parameters of permissibility. Outright lies, spoken or written, do not.

More to the point, in the years since Mirage, the use of such techniques by respectable outlets of all description remained—and remains—a highly selective but still acceptable editorial course of action. That is the way it always has been and should continue to be. Attitudinally, some influential journalists may believe the practice went out of favor with Mirage because it seems like it did, or because they think it should have, or because they have picked up that sense from earlier punditry, or because the practice has gone out of favor with them personally or with people whose opinions they respect.

While in fact, the post-Mirage years have produced some of the most stunning undercover exposés in memory and at the same steady, discriminating clip as ever before. The only bow to the attitudinal change has been greater sensitivity to the ethical concerns and, perhaps, a more deliberate explanation in published stories, or in sidebars to the stories, or in prefaces, or in letters of nomination to prize boards, of how and why the resort to undercover techniques was necessary and how the reporter and publication en-
deavored to minimize harm. And reporters, for the most part, have taken far more care not to write down or verbalize outright lies during the reporting process. Others have simply been more calculating in their explanations of how they got that story, distancing the investigation from the distasteful tactics that helped to make it possible and from the taint of the undercover label. And yet despite protestations from many quarters, despite the opposition and expressed disdain in some camps, effective and responsible reporting that involves undercover techniques has continued to have significant impact on the journalism that matters; and the public has continued to support it, even in cases that involved the telling of outright lies.

No wonder nearly a quarter of a century after the Mirage disappointment, the insult of 1979 to those involved in the project still stung. As Hoge told Michael Miner of the Chicago Reader in 2002, he still believed the Mirage exemplified “dramatic investigative journalism that made a difference,” one that was undertaken only as a last resort. He again explained how much effort had gone into avoiding accusations of entrapment and that he had reviewed these steps thoroughly in the submission cover letter to the Pulitzer board, but “apparently to no avail. I think the Sun-Times, its editors and reporters who were involved ought to be forever proud of the Mirage project.”

Proud they remain. In late August 2006, gathered at the Brehon Pub at 731 North Wells were Zekman, Smith, Recktenwald, and Jim Frost, one of the two photographers who had holed up in the loft above the bar, when the Mirage appeared within those same walls. The local chapter of the Society of Professional Journalists sponsored the event to commemorate the thirtieth anniversary of the legendary exposé. In fact in November 2010, Chicago
Magazine placed Mirage at nineteenth on its fortieth anniversary list of the forty most “OMG!” moments in the city’s recent history. “OMG!” as in “mouth wide open, stop, blink, and say, ‘Oh My God!’”

Recktenwald reminded the crowd at the Brehon that every word in the series was right, every fact the team presented was documented; every source identified. “There’s no Jimmy-the-eight-year-old in there,” he said, referring to the Pulitzer the Washington Post had been obliged to relinquish in 1981 because the story’s central figure, an eight-year-old heroin addict, turned out to have been imagined, a mirage. Smith pointed up the singular value of an undercover investigation as a work with special narrative power. Mirage was far more than an investigative series, he told the crowd, harkening to its appeal as a story. “A tavern,” he said, “is a city writ small.”