



**“The Story After the Story”:
The Los Angeles Times’s Coverage of Arnold Schwarzenegger**

On October 2, 2003, the *Los Angeles Times*, California’s largest and most prestigious newspaper, ran a lengthy piece full of lurid detail and graphic sexual language on its front page. The article told the stories of six women—all but two anonymous—who said they had been “groped” and “humiliated” in years past by Arnold Schwarzenegger, the internationally famous movie star and former bodybuilder. Tales of the actor’s unsavory past were hardly new, though more typically found in the entertainment and tabloid press, but the context of the *Times*’s story gave it a potentially explosive force: Schwarzenegger, a Republican, was running for governor of California. What’s more, the article appeared only five days before the historic election—in which California voters would decide whether to recall the sitting governor, Democrat Gray Davis, and replace him with one of over 100 candidates aspiring to the job. At the time the article went to press, Schwarzenegger was widely favored to win.

The *Times*’s story, followed in quick succession by two more featuring fresh allegations of Schwarzenegger’s past sexual misconduct, generated enormous interest, not only in the local media, but in newspapers across the US and abroad, and on television and radio talk shows. Initially, it appeared that the revelation of Schwarzenegger’s crude treatment of women might bring down his high-flying candidacy. One California newspaper—the *Oakland Tribune*—withdrew its endorsement of him, and some polls taken soon after publication indicated that Schwarzenegger’s standing with the public was slipping. But the first story was barely out before reaction began to focus less on Schwarzenegger’s “character” issues than on the *Los Angeles Times* itself, as critics sharply questioned its journalistic judgment and, worse, its integrity in printing potentially damaging stories about the actor so close to election day. The *Times*, Schwarzenegger and his supporters charged, had colluded with Governor Davis—a notoriously negative campaigner—in a “puke campaign” to undercut his frontrunner status late in the race. This charge was taken up by commentators in the press, many of them conservative, who excoriated the

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paper—which had strongly opposed the recall election on its editorial pages—for practicing “agenda journalism,” in the words of one, and harboring, along with the rest of the “elite media,” an “overwhelming bias” towards Democrats.¹ The paper, they argued, had been far less diligent in spotlighting the character flaws of Davis and other major candidates in the race, and had singled out Schwarzenegger for special scrutiny; some accused the *Times* of deliberately delaying publication of the piece to maximize its adverse impact on his candidacy.

The harsh denunciations did not, however, come exclusively from the political right. In an October 3 op-ed piece—which the *Times* printed—Susan Estrich, former presidential campaign manager for Democrat Michael Dukakis, blasted the story as the handiwork of “a newspaper that has been acting more like a cheerleader for Gray Davis than an objective source of information. . . .” Nor was criticism limited to professional commentators and pundits. Angry readers—some of them Democrats—“flooded the paper,” as the *Times* itself reported, with “calls, e-mails and letters” to protest what they saw as “true bias” in its coverage of Schwarzenegger’s candidacy.² Thousands cancelled their subscriptions.

The *Los Angeles Times* answered its critics with a spirited defense of the timing and substance of its article. In an unusual, first-person column, *Times* Editor John Carroll pointed out that the recall campaign took place within a highly compressed timeframe—barely two months—leaving reporters little time to track down the women and verify their stories. Once the facts of Schwarzenegger’s past behavior had been assembled, Carroll wrote, the paper was essentially obliged to disclose what it had learned, however close to election day. “We’re in the business of publishing, not concealing,” Carroll told *The Washington Post*. “We had information we felt was significant, and how could we possibly justify not providing it to voters?”³ Many newspaper editors and journalists defended the *Times*’s decision to publish the story, even at a late date, but that did little to quell debate over the article and the “liberal bias” that some critics believed it revealed. Even after the recall election was over and Schwarzenegger had emerged triumphant, the passions and questions stirred up by the *Times*’s action did not immediately subside; charges and counter-charges over the paper’s intent continued to fly. It had become, one observer wrote, “the story about the story.”⁴

¹ Hugh Hewitt, as quoted in “Arnie smear rebounds on LA Times,” by Lawrence Donegan, *The Observer* (UK), October 19, 2003, p. 6. Hewitt was known primarily as a conservative blogger, but also hosted a radio talk show and wrote a column for *The Weekly Standard*.

² Steve Hyman, Cara Mia DiMassa, and Mitchell Landsberg, “The Recall Campaign: readers angry at the Times for Schwarzenegger stories,” *Los Angeles Times*, October 5, 2003, p. A34.

³ Howard Kurtz, “For the right, bad news or media bias?; conservatives see more than coincidence in recent scoops,” *The Washington Post*, October 3, 2003, p. C1.

⁴ Donegan, *The Observer*, October 19, 2003.

Background: The Recall Election and Arnold Schwarzenegger

The controversy over the *Los Angeles Times's* coverage of Schwarzenegger took place against a backdrop of political upheaval in California. With a budget gap estimated at an eye-popping \$38 billion in FY2004, and the state's political leaders bickering over what measures to take to close it, discontent among voters with Governor Gray Davis had reached a fever pitch by the summer of 2003. The uncharismatic Davis, whom the *Times* once described as “proudly bland and somewhat aloof,” had won re-election to a second term as governor in November 2002 with an unenthusiastic 47 percent of the vote (to 42 percent for his rival, conservative Republican William Simon) in the lowest turnout in state history.⁵ Months later, with the state's credit rating the worst in the nation, his approval rating plunged to an abysmal 22 percent; more worrisome still for Davis, three groups had organized to recall him from office.

Recall drives, which were allowed under a 1911 state law, were nothing new in California: there had been 31 previous efforts to remove governors—including Ronald Reagan—but none had made it to a vote. This time, however, was different. Bankrolled to the tune of \$1.7 million by Darryl Issa, a Republican member of Congress, organizers succeeded, in July 2003, in collecting well over the roughly 900,000 signatures needed to put the recall on the ballot for a special election, to be held on October 7, 2003.⁶

At the polls, Californians would be asked to vote yes or no on whether to recall the governor; if they wished, they could also vote for a candidate to replace Davis. Candidates for the governor's office had until August 9 to place their names on the ballot. There would be no primary or other pre-selection process; aspirants could simply submit 65 signatures and pay a \$3,500 fee, or gather 10,000 names and waive the fee. As the deadline for filing neared, the slate of gubernatorial hopefuls grew crowded—ultimately, 135 names were placed on the ballot—but many were still waiting to see if one more would throw his hat into the ring: Arnold Schwarzenegger, the “millionaire superstar,” as the *Los Angeles Times* put it, of Hollywood action movies.⁷

Schwarzenegger Joins the Race. Although his movie career was widely regarded as waning by 2003, Arnold Schwarzenegger was still one of the most recognizable movie stars in the world. Born in Austria, he had emigrated to the US in 1968 at the age of 20. A successful bodybuilder—he won the title of Mr. Olympia seven times—he first came to wider public attention in 1977, with the release of “Pumping Iron,” a documentary on the world of bodybuilding which featured the brash young Schwarzenegger. After making his first film, the much-mocked but

⁵ Peter Nicholas and Jeffrey Rabin, “Target of Anger: Recall backers are critical of Gov. Davis' fund-raising, attack ads and response to the budget and power crises,” *Los Angeles Times*, August 31, 2003, p. A1.

⁶ Gregg Jones and Evan Halper, “Recall backers assert victory in signature drive,” *Los Angeles Times*, July 8, 2003, p. A1.

⁷ Michael Finnegan and Gregg Jones, “The Recall Campaign: Schwarzenegger in, Feinstein out,” *Los Angeles Times*, August 7, 2003, p. A1.

highly profitable “Conan the Barbarian,” Schwarzenegger went on to star in a series of hit action movies—most notably, the “Terminator” series—which made him one of Hollywood’s highest paid and most bankable movie actors. Over the years, he enhanced his fortune through a variety of business ventures and investments that brought his total worth to an estimated \$200 million.⁸ His 1986 marriage to NBC News correspondent Maria Shriver—a niece of President John F. Kennedy—added to his celebrity luster.

Schwarzenegger had long hinted at his interest in entering politics. The recall election was seen as an ideal race for him, since he would not have to square off against fellow Republicans in a primary—many doubted that Schwarzenegger, a self-described “fiscal conservative” with “moderate” views on social issues such as abortion and gay rights, would be well-received by the party’s conservative base.⁹ But as the clock ticked down to the August 9 deadline for filing, his aides downplayed the likelihood that he would run in the recall election. Then, on August 6, during an appearance on NBC’s “Tonight Show with Jay Leno,” Schwarzenegger surprised—and electrified—the audience by announcing he would run for governor. News of his candidacy made the front pages of newspapers across the US.

The venue Schwarzenegger chose to announce his candidacy—one of the most watched shows on television—was not only an example of the unparalleled media attention he could command, but a sign of the strategy his campaign would employ: making an “end run,” in the words of *The San Francisco Chronicle*, “around the establishment media—newspapers and the more serious television news shows—and us[ing] talk radio, entertainment shows and televised daily events to sell himself. ...”¹⁰ While he did give some interviews to print journalists—13 in nine weeks, according to a campaign aide—and to two network news anchors, Schwarzenegger was able to use his celebrity to gain entrée to shows with mass audience appeal. Instead of submitting to “somber questioning from editorial boards,” as the *Chronicle* put it, Schwarzenegger favored appearances with popular radio and TV talk show hosts, such as Howard Stern, Oprah Winfrey, and Larry King. “We ran away from the established media,” said Sean Walsh, co-director of communications for the Schwarzenegger campaign. “We went to the real mass media.” This left newspapers in particular in the unfamiliar role of second banana in a major political race. “The entertainment media played a disproportionate role in this campaign,” remarked Republican consultant Ed Rollins. “... Print just followed.”¹¹

⁸ Michael Cieply, Gary Cohn, Claudia Eller and Roger Vincent, “The Recall Campaign: Schwarzenegger built a vast business empire,” *Los Angeles Times*, August 10, 2003, p. A40.

⁹ Joe Mathews and Doug Smith, “The Recall Campaign: Role reversal: ‘Predator’ s’ prey stalks statehouse,” *Los Angeles Times*, August 8, 2003, p. A24.

¹⁰ James Sterngold, “Celebrity status gave Schwarzenegger options; Schwarzenegger met the press his way,” *The San Francisco Chronicle*, October 13, 2003, p. A1.

¹¹ Ibid. Perhaps as an indication of its low opinion of the mainstream press, the Schwarzenegger campaign, according to Mark Sandalow, Washington bureau chief for *The San Francisco Chronicle*, named the press buses after two of the actor’s movies: “True Lies” and “Predator.” Schwarzenegger’s own bus was also named after one of his films: “Running Man.” [Transcript, “Reliable Sources,” CNN, October 12, 2003.]

Even if relegated to the sidelines by the Schwarzenegger campaign, however, the mainstream press would still be a force in the recall election. Until now, the actor’s life had been fodder largely for the tabloid press; his entrance into the political arena would make him fair game for news editors and reporters eager for a story. In a news conference following his appearance on the “Tonight Show,” Schwarzenegger acknowledged that he was likely to face uncomfortable revelations from those who dug into his past. “I know they’re going to throw everything at me,” he said presciently, “and say I have no experience, that I’m a womanizer, that I’m a terrible guy. All these things are going to come my way.”¹² Over the course of the two months left in the recall campaign, many local and even some national newspapers and magazines would scrutinize Schwarzenegger’s history, but none more so than the newspaper that many considered California’s “paper of record”—the *Los Angeles Times*.

The *Los Angeles Times* and the Recall Campaign

The *Los Angeles Times* was, indisputably, the only paper in California that could be called statewide. The other major newspapers—*The San Francisco Chronicle*, *The Sacramento Bee*, *The San Diego Union-Tribune*, and the *San Jose Mercury News*, among others—were, according to Daniel Weintraub, a political columnist for the *Bee* and former *Times* reporter, “mid-sized metro papers ... pretty much confined to their city or metropolitan area boundary,” with the exception of the *Chronicle*, which served a larger regional area.¹³ “The *L.A. Times* stands alone above everybody else,” says Weintraub, “in terms of stature and circulation.” It had the largest staff and the largest circulation—just under one million in 2003—and the greatest resources of any newspaper in the state. It also had larger ambitions, viewing itself, in Weintraub’s words, as “a national and international reporting organization.”

The *Times* had acquired its reputation as a liberal newspaper only in the last decades of the 20th century. For most of its existence, the paper—which started publishing in 1881—was considered, in the words of one acid critique, “a parochial right-wing extension of the Chandler [family],” the owners of the *Times* and the “single most powerful family in Southern California. ...”¹⁴ It was generally held in low esteem in the publishing world: in 1957, for example, *Time* magazine named it “one of America’s 10 worst newspapers.”¹⁵ Three years later, however, Otis Chandler, great-grandson of the founder, was named publisher; he began pumping money into the paper in an effort to build the size and quality of its staff. By the mid-1960s, he had transformed “a near laughingstock,” as *The New York Times* put it, “into one of the country’s two or three best

¹² Finnegan and Jones, *Los Angeles Times*, August 7, 2003.

¹³ Author’s interview with Daniel Weintraub, January 27, 2005. All further quotes from Weintraub, unless otherwise attributed, are from this interview.

¹⁴ Robert Gottlieb and Irene Wolt, *Thinking Big: The Story of the Los Angeles Times, Its Publishers and Their Influence* (New York: G.P. Putnam’s Sons, 1977), p. 7.

¹⁵ William Prochnau, “Down and out in L.A.,” *American Journalism Review*, January 1, 2000, p. 58.

newspapers, eschewing its long-held conservatism for a more mainstream and cosmopolitan style.”¹⁶ Although the drift “leftward to the center,” in the *Los Angeles Times’s* words, did not sit well with the right-wing members of his family, the paper prospered under Otis Chandler, both journalistically and financially.¹⁷ Even after Chandler stepped down as publisher of the *Times* in 1980, he continued as head of the paper’s parent company, Times Mirror, until 1989 and maintained generous financial support for its news operation. Among journalists, the *Times* became known as the “velvet coffin,” for its “placid” and “stable” environment,¹⁸ where budgets were ample and the pace leisurely, but its reputation for high quality reporting continued to grow.

All that changed with the severe economic downturn in California in the early 1990s, and the appointment of Mark Willes, a General Mills executive, as CEO of the Times Mirror Company in 1995. Willes, who had no previous experience in newspaper publishing, slashed jobs—earning himself the moniker of “cereal killer”—and improved the paper’s finances, but under his stewardship the *Times* suffered a painful blow to its reputation. In late 1999, it was discovered that *Times* officials had entered into an agreement with the owners of the Staples Center in downtown Los Angeles to share the ad revenues on a special *Times* Sunday magazine devoted to the opening of the new sports arena; neither Willes nor the paper’s publisher, Kathryn Downing, had informed *Times* reporters, or the public, of the financial arrangement. The revelation led to a revolt in the newsroom, an abject apology from Downing (who, like Willes, did not have a background in newspaper publishing), and many editorials in newspapers across the US on the dangers of breaching the wall between the business and editorial operations of a paper.¹⁹

Several months later, in March 2000, the Tribune Company, a multi-media firm whose holdings included *The Chicago Tribune*, sent shockwaves through the newspaper industry with the surprise announcement that it was acquiring Times Mirror from the Chandler family for \$8 billion. Family members, long disaffected by the *Times’s* abandonment of its “conservative roots,” had been seeking “ways to maximize their investment,” in the words of David Laventhol, a former Times Mirror president. “Many had never cared for the paper” since Otis Chandler took charge, Laventhol wrote. “If there was any lingering doubt, the Staples Center furor last fall erased it.”²⁰

News of the sale stunned the people of Los Angeles, who mourned the loss of an important locally-owned institution and the transfer of the seat of corporate power to a distant city. But the paper’s outlook brightened after Willes and Downing departed, and John Carroll, editor of *The Baltimore Sun* (which was owned by Times Mirror), was appointed editor of the *Times*

¹⁶ Rick Lyman, “Multimedia Deal: The History; 2 commanding publishers, 2 powerful empires,” *The New York Times*, March 14, 2000, p. C16.

¹⁷ Jim Newton, “Tribune-Times Mirror Merger: News of L.A. Times sale stirs a city’s emotions,” *Los Angeles Times*, March 14, 2000, p. A1.

¹⁸ David Shaw, “Amid L.A.’s ethnic mix, the Times plays catch-up,” *Los Angeles Times*, December 14, 1990, p. A1.

¹⁹ Soon after arriving at Times Mirror, Willes had famously vowed to use “a bazooka” to blow up the wall separating the business and news operations.

²⁰ David Laventhol, “The Life and Death of Times Mirror,” *Columbia Journalism Review*, May/June 2000, p. 16.

in April 2000. “The selection of Carroll, a highly regarded editor closely identified with ambitious enterprise and investigative reporting,” wrote the *American Journalism Review*, “sends a positive message” about the Tribune Company’s intentions for the *Times*.²¹

Under Carroll’s leadership, the *Times* burnished its soiled image, winning six Pulitzer Prizes—three of them in 2003, the paper’s highest one-year tally until that time.²² But the rejuvenated paper had its detractors, principally among conservatives, who deplored what they viewed as its liberal news bias. By the 1990s, Carroll says, the *Times* had acquired “a liberal voice on its editorial page,”²³ and critics accused it—as they did a number of other major newspapers—of allowing its editorial politics to seep into its news pages. This was a matter of concern for Carroll, too. On May 22, 2003, he sent an e-mail message to his section editors about a story on abortion that had appeared in the paper that day. “I’m concerned about the perception—and the occasional reality—that the *Times* is a liberal, ‘politically correct’ newspaper,” Carroll wrote. “Generally speaking, this is an inaccurate view, but occasionally we prove our critics right.” He proceeded to point out where the “apparent bias” of the reporter and/or editors manifested itself in the language and structure of the story. “The reason I’m sending this note to all section editors,” Carroll continued, “is that I want everyone to understand how serious I am about purging all political bias from our coverage. We may happen to live in a political atmosphere that is suffused with liberal values (and is unreflective of the nation as a whole), but we are not going to push a liberal agenda in the news pages of the *Times*.”

Carroll’s e-mail was leaked to a weblog, or blog—L.A.Observed—and from there picked up by other blogs and the mainstream media. For a brief period, Carroll became the darling of conservative commentators, who applauded him for speaking out on an issue they had been complaining about for years. Fox News’s Bill O’Reilly, for example, declared that he had “gained new respect for *L.A. Times* editor John Carroll. ... That memo could be a new beginning at the *Times*. Let’s hope so.”²⁴ On that score, however, O’Reilly would be disappointed. When the recall race in California heated up a few months later, he would become one of the most vocal and persistent critics of the *Times*’s coverage of the campaign.

Covering the Recall. The *Los Angeles Times* did not disguise its coolness toward the recall effort, first, according to Dan Weintraub, “by ignoring it” when it was still in its grassroots phase and then, once Rep. Issa had infused it with new funds and new life, by editorializing against it repeatedly. On July 24, 2003, just after the recall had been certified, an editorial described it as “the

²¹ Lori Robertson, “Heading for L.A.,” *American Journalism Review*, May 1, 2000. At the same time, John Puerner, publisher of the Tribune Company’s *Orlando Sentinel*, was named publisher of the *Los Angeles Times*.

²² Michael McCarthy, Matthew Rose and Amy Merrick, “L.A. Times’s ‘groping’ pieces spark outcry,” *The Wall Street Journal*, October 7, 2003, p. B1. In 2004, the *Times* would top that with a new record of five Pulitzers.

²³ Author’s interview with John Carroll, February 2, 2005. All further quotes from Carroll, unless otherwise attributed, are from this interview.

²⁴ Transcript, “The O’Reilly Factor,” Fox News, May 28, 2003.

creature of the dollars and political ego of Rep. Darryl Issa [who initially planned to run for governor himself but later withdrew].” While acknowledging that “if Davis were popular or even respected, even Issa’s millions probably wouldn’t have bought this result,” the editorial nevertheless argued that a recall election that was “so easily achieved, without clear malfeasance,” would mean that “politics becomes even more a pure money game.”

The *Times’s* position, Weintraub points out, could not be attributed solely to a liberal bias, though liberals in the state were generally opposed to the recall. The “disdain for the recall crossed party lines,” he says, finding voice in such conservative pundits as William Safire and George Will.²⁵ *The San Diego Union-Tribune*, which usually staked out center-right positions on its editorial pages, also came out against the recall, at least initially. “While we disagree with the governor on numerous issues,” a July 21 editorial stated, “we oppose the effort to recall him. Removing someone from office should be done as a last resort because of malfeasance or other serious misdeeds.” The *Union-Tribune* would change its opinion on recall before the race was over, but the *Times*—along with several other major California newspapers—remained adamantly opposed.

Covering Schwarzenegger. Once Arnold Schwarzenegger entered the race, the California press trained its attention on a small number of key players in the recall campaign: Davis, who was striving to persuade Californians to vote no on the recall, and a handful of candidates considered to have a shot at replacing him should the recall vote carry—chiefly, Lieutenant Governor Cruz Bustamante, the only prominent Democratic contender; Tom McClintock, a respected state senator and conservative Republican; and Schwarzenegger himself, who vaulted to the top, or near it, as soon as he announced his candidacy.²⁶ While each of the major candidates took a turn under the magnifying glass of the press, Schwarzenegger was subjected to the most probing examination. He was “a complete unknown as a political figure,” Carroll points out, in contrast to the others, who had been vetted in previous elections and had established extensive public records. “So with a new candidate who looks like he’s very likely to become governor,” Carroll says, “you’re going to spend more time figuring out who he is.”

A number of California newspapers featured lengthy biographical pieces on Schwarzenegger, tracing his rise from relative obscurity outside the insular world of bodybuilding, to the heights of Hollywood fame. Many of these included mention of problematic moments in Schwarzenegger’s past: his father’s ties to the Nazi party, his use of “psychological warfare” against bodybuilding competitors, his off-color remarks and sometimes lewd behavior with women, his use of steroids and recreational drugs. In addition, some papers scrutinized particular

²⁵ Weintraub, who describes himself as politically “all over the map,” did not officially endorse the recall but, he notes, “anyone reading my columns would have known that I thought it was a fine idea.” [E-mail message, March 29, 2005.]

²⁶ Another well-known candidate, syndicated columnist and author Arianna Huffington, withdrew from the race in its final week. The recall election attracted a number of unusual candidates, including Larry Flynt, the publisher of *Hustler* magazine; Gary Coleman, a former child actor; and “Mary Carey” Cook, an “adult” film actress.

aspects of his life in more detail. *The San Francisco Chronicle*, for example, devoted one front-page article, on August 12, to Schwarzenegger’s lax voting record and another, on August 14, to his attitude towards women (entitled “Macho actor exhibits disdain and respect for the opposite sex”). The *San Jose Mercury News* ran a series of articles in September on Schwarzenegger’s apparent violation of the terms of his visa after he arrived in the US in 1968.²⁷

But no newspaper quite matched the *Los Angeles Times* in the depth and breadth of its coverage of Schwarzenegger. Other papers were “doing stories” on him, says Weintraub, “but not with [the] extra oomph that the *Times* seemed to have. They had more resources than anybody else, so they had more people assigned.” Beginning in August and continuing through September 2003, the *Times* ran a series of articles focusing on the actor’s distant and recent past: on August 10, a piece on his “vast business empire”; on August 14, on the recent discovery of his father’s membership not just in the Nazi party, but in the organization known as the “stormtroopers” or “brownshirts”; on August 19, on his record as the head of the foundation he established for inner-city children; on September 16, on his statements about “women and sexuality” over a 30-year period; on September 29, on his career as a bodybuilder, including his use of steroids and his sometimes cruel behavior towards his colleagues in the sport. These in-depth looks came in addition to daily coverage of Schwarzenegger’s activities and statements on the campaign trail. Many of the Schwarzenegger pieces received prominent placement in the *Times*. “We ran a lot of coverage on page one,” Carroll recalls. “I don’t remember how many page-one stories we did about Schwarzenegger, but it was a staggering number.”²⁸

The tone of the articles, in the *Times* and elsewhere, Weintraub observes, was far from star-struck. “There was essentially no swooning, especially in the *L.A. Times*,” he recalls. “[It was] just very hard-hitting, much of it I would say totally legitimate, hard-hitting political coverage.” But some, conservatives in particular, did not view the *Times*’s coverage as “totally legitimate,” and argued that the paper had singled out Schwarzenegger for an undue share of negative write-ups. On September 10, during an interview with Schwarzenegger, Bill O’Reilly remarked that the “*L.A. Times* has been very hard on you,” and asked his guest, “Are you surprised that the *L.A. Times* and some other media—*New York Times* to a lesser extent—have gone after you personally?” In response, Schwarzenegger struck a theme that he would repeat often in the weeks to come: he was “not really” surprised, he told O’Reilly, “because I always knew that Davis knows how to run a

²⁷ Schwarzenegger appeared to have broken immigration rules that barred anyone with a B-1 visa from drawing a salary from an American company. [Dion Nissenbaum, “Abuse of actor’s 1960s visa suggested; Schwarzenegger aides defend record,” *San Jose Mercury News*, September 13, 2003, p. 1.] Schwarzenegger became a US citizen in 1983.

²⁸ According to one count, Schwarzenegger’s name appeared in 62 front-page stories in the *Times* from August 7 through September 10; Davis appeared in 63, and Bustamante in 48. [Rachel Smolkin, “Star Power,” *American Journalism Review*, December 2003/January 2004, p. 42.]

negative campaign. All of the stories are fed by the campaign headquarters, I guarantee you that.”²⁹

Others, while not necessarily convinced that the *Times* was acting as a conduit for the Davis campaign, accused the paper of partisanship in its news coverage of the recall race. Mickey Kaus, a respected journalist with a popular blog hosted by the online magazine, *Slate*, repeatedly castigated the *Times* for what he termed its “embarrassingly biased” coverage of the recall.³⁰ Kaus, who dismissed Schwarzenegger’s complaint that the *Times* was being fed stories by the Davis campaign as a “convenient, self-pitying Clintonesque lie,”³¹ characterized the paper’s treatment of the recall race as rife with questionable journalistic judgments that tended to support what he considered its politically correct, pro-Democratic tilt.

Kaus was particularly scornful of the results of a poll, conducted by the *Times* and reported in its September 12 issue, indicating that the recall vote—with 50 percent in favor and 47 percent opposed—was a “statistical tossup.” This contrasted sharply with the results of other polls and, in particular, a poll conducted earlier that week by the Field Research Corporation, showing much more support for the recall—55 percent for and 40 percent against.³² Kaus returned to the subject of the “notorious” and “widely disbelieved” poll many times in his blog. When, on October 1, the *Times* released the results of a new poll showing the recall winning convincingly, 56-42 percent, Kaus took note of the headline on the article: “Majority now favors recall.” “A majority *always* favored the recall,” he maintained, “except in the weird world of the *L.A. Times*, which misreported the reality that *all* the other polls captured.” [Italics in original.] He also zeroed in on other articles in the *Times* that he believed revealed, at best, “an all-too-willing suspension of normal journalistic skepticism”³³—for example, a page-one story that appeared in the September 25 issue of the *Times* bearing the headline, “Aides feel Davis may pull it off,” which described the governor’s advisors as increasingly hopeful that they were “in striking distance” of defeating the recall effort. The article, Kaus charged, “consisted entirely of unchallenged Davis aide spin. . . .”³⁴

For the most part, however, criticism of the *Times*’s coverage of the recall in general and Schwarzenegger in particular was confined to some blogs and some conservative pundits. It was not until the final week of the campaign, when Schwarzenegger began pulling away from

²⁹ Transcript, “The O’Reilly Factor,” Fox News, September 10, 2003. Curiously, in the same show Schwarzenegger also complained of not receiving the same prominent coverage in the *Times* given to other candidates. “Well, have you ever seen how many times they’ve put Davis on the cover and Bustamante on the cover, and I’m on page 12 or 20 or something like that?” he asked. “It’s very clear what they’re doing. . . . Even the editor admitted it, that he’s doing that.” Schwarzenegger did not identify the editor by name.

³⁰ Mickey Kaus, *Kausfiles*, October 6, 2003. On line at <http://slate.msn.com>.

³¹ Kausfiles, September 10, 2003.

³² Kaus reported that Field officials did an analysis of the *Times* poll suggesting that its sample might have included a disproportionate number of African Americans, who were largely anti-recall.

³³ *Kausfiles*, September 29, 2003.

³⁴ *Kausfiles*, September 25, 2003.

Bustamante, his nearest rival in the race, that the paper found itself at the center of a storm of controversy over its reporting on Schwarzenegger. The precipitating event was an article that turned the spotlight on one of the ugliest allegations made against Schwarzenegger: his repeated sexual mistreatment of women.

The “Arnold Factor”

Schwarzenegger’s sexual misconduct could be said to be an open secret by October 2003. For years, rumors of marital infidelities and misbehavior on movie sets had swirled around the actor, though they made their way into print only in the supermarket tabloids. Then, in March 2001, *Premiere*, a magazine about the movie industry, ran an article by John Connolly, entitled “Arnold the Barbarian,” which provided graphic details of Schwarzenegger’s “boorish behavior” with women, some of it consensual, some not, much of it involving groping and fondling; except for one woman, British television host Anna Richardson, all of the sources for these stories remained anonymous. The *Premiere* article came out just as Schwarzenegger was reportedly considering a run for governor against Gray Davis in 2002; it was spotted by Garry South, then Davis’s campaign manager, who quickly faxed it to, by his own count, “50 to 80 reporters.”³⁵ Some believed that the Connolly exposé—along with a story in the tabloid newspaper, *The National Enquirer*, on his affair with a former child actress—prompted Schwarzenegger to decide against challenging Davis that year.³⁶

After Schwarzenegger declared his candidacy in August 2003, the *Premiere* article was mentioned in the press a number of times, but few details of its contents were offered. Still, as Schwarzenegger himself indicated during his August 6 press conference, there was some expectation that more stories of his past sexual exploits would surface, though the compressed timetable of the recall campaign posed challenges. “So many rocks to turn over,” one *Los Angeles Times* writer wryly lamented, “so little time.” The “hurry-up schedule” of the recall election, he continued, put pressure on “political operatives who specialize in digging up dirt.” But in the case of “the Arnold factor—the purportedly salacious past of actor-candidate Arnold Schwarzenegger,” his opponents, concerned about stirring up a backlash, were said to be “reluctant” to delve deeply into his past, though they would not object “if the tabloids sniff around.”³⁷

It gradually became clear, however, that the tabloids, after years of feasting on tales of his scandalous behavior, had fallen strangely silent on the subject of Arnold Schwarzenegger. Later, it emerged that American Media, Inc. (AMI), owner of many of the best-known supermarket tabloids, had acquired the “muscle-and-fitness publishing empire” of Joe Weider,

³⁵ As quoted in “Taming the Hydra-Headed Carnivorous Beast,” by Ann Louise Bardach, *Los Angeles Magazine Online*, September 2004.

³⁶ Ibid.

³⁷ Paul Pringle, “Rattled by the hurried hunt for skeletons,” *Los Angeles Times*, August 30, 2003, p. B1.

Schwarzenegger’s longtime mentor and business partner, in 2002.³⁸ According to Weider, he had been assured by AMI owner David Pecker that the tabloids would “lay off” Schwarzenegger or, in a later version of the conversation, at least not “print the old stuff. Only what’s new.”³⁹ AMI officials denied this story, but, as more than one press commentator observed, the tabloids had become “virtually Arnold-free,” except for a handful of flattering articles and a glossy magazine, called “Arnold the American Dream,” published in September by AMI.⁴⁰

The tabloids’ silence, *The New York Times* would later note, turned the “news media landscape ... topsy-turvy.” While the traditional sources of scandal-mongering looked elsewhere for their material, it was the “mainstream news organizations” that would break the most attention-getting, and occasionally lurid, stories on Schwarzenegger’s personal life.⁴¹ The first shot across the bow of the Schwarzenegger campaign, however, came via the Internet in late August, when, acting on a tip from Mickey Kaus, the “Smoking Gun” website posted a sexually explicit interview with Schwarzenegger that had appeared in the men’s magazine, *Oui*, in 1977.⁴² The interview, in which the young bodybuilder retailed stories of group sex and recreational drug use in language unprintable outside adult magazines, was soon picked up by the mainstream press, though, except in California, it did not make many front pages. For a brief period, Schwarzenegger was peppered with questions about the interview while on the campaign trail. The candidate brushed off his remarks to *Oui* as “crazy” statements made in his “outrageous” youth, many of them “not true”; they had been intended, he said, to “get headlines” and to promote bodybuilding and the documentary “Pumping Iron.”⁴³ Schwarzenegger also began to be dogged by protesters from CodePink, a women’s peace group, who carried “Groper for Governor” signs and banners reading, “Sexual Misconduct is not a Family Value.” Their numbers were small, but, *The Washington Post* wrote, “they could augur trouble ahead if their protests begin to catch on and reach the ears and minds of voters,” especially women, who viewed him less favorably than his chief rival, Cruz Bustamante.⁴⁴

But as September proceeded, the protest failed to build and, despite occasional bursts of potentially harmful publicity—such as the *Times*’s September 29 page-one piece detailing his

³⁸ Dion Nissenbaum, “Tabloids starry-eyed for Schwarzenegger,” *San Jose Mercury News*, September 26, 2003, p. 1.

³⁹ Bardach, *Los Angeles Magazine Online*, September 2004.

⁴⁰ Nissenbaum, *San Jose Mercury News*, September 26, 2003. Bardach noted that another tabloid, the *Weekly World News*, carried the arresting headline, “Alien backs Arnold for Governor.”

⁴¹ Jim Rutenberg, “Schwarzenegger prompts role reversal among media,” *The New York Times*, October 6, 2003, p. 2C. The tabloids broke their silence, Rutenberg reported, on October 5, almost the eve of the recall election, with a story on Schwarzenegger’s alleged “love child.”

⁴² Carla Hall, “The Recall Campaign: Web site’s search uncovered ’77 story,” *Los Angeles Times*, August 29, 2003, p. A30.

⁴³ Joe Mathews, “The Recall Campaign: 1977 quotes were made up, actor says,” *Los Angeles Times*, September 3, 2003, p. 18.

⁴⁴ Evelyn Nieves, “Women’s groups protest Schwarzenegger; allegations of sexual misconduct haunt candidate,” *The Washington Post*, September 14, 2003, p. A5.

sometimes ruthless and steroid-enhanced rise to the top of the bodybuilding world—Schwarzenegger began pulling ahead of his rivals. A CNN-USA Today poll, released at the end of September, showed the recall passing by a wide margin and Schwarzenegger leading the replacement pack with 40 percent of the vote. Even when the *San Jose Mercury News*, the *Los Angeles Times*, and *The Sacramento Bee* all came out against recall in September 28 editorials and endorsed none of the replacement candidates, the Schwarzenegger juggernaut seemed unstoppable.⁴⁵ On October 2, in an article headlined, “Acting as if it’s in the bag,” the *Times* reported that Schwarzenegger had “triumphantly announced” a plan for his first 100 days in office.

Still, for all his apparent confidence, Schwarzenegger and his aides seemed acutely conscious of his vulnerability to further unwelcome revelations from his past, which they expected to come from Davis headquarters. The governor was notorious for his “slashing” campaign style, which was unpopular with Democrats as well as Republicans. At the outset of the recall campaign, the Democratic state attorney general, Bill Lockyer, had cautioned Davis not to run the kind of “trashy campaign” he and his staff had engineered in the gubernatorial election. If he did, Lockyer declared, “I think there are going to be prominent Democrats that will defect and just say, ‘We’re tired of that puke politics.’”⁴⁶ Schwarzenegger himself warned voters of the likelihood of a Davis attack in the waning days of the campaign, in an effort, some felt, to anticipate and therefore defuse the impact of a late hit. “Desperate Davis is going to do all kinds of tricks,” he declared. “He’s going to start a dirty campaign now.”⁴⁷ When the damaging blow that Schwarzenegger foresaw finally came, however, it was not from the Davis camp—though not everyone was convinced of that—but from the pages of the *Los Angeles Times*.

The “October Surprise”

As John Carroll would repeatedly stress in the days following publication of the “groping” stories, the paper launched its investigation into allegations of Schwarzenegger’s sexual misconduct shortly after he declared his candidacy and needed all the available time to do it thoroughly. “For years,” Carroll wrote in his October 12 op-ed piece in the *Times*,

⁴⁵ In its editorial, the *Times* criticized Schwarzenegger for ducking tough issues during the campaign, and also alluded to his “casual acquaintance with the truth as practiced outside Hollywood.” The *Bee* called his campaign “not just a disappointment but an insult to voters,” chiefly because of its lack of specific proposals. *The San Diego Union-Tribune*, however, reversed its earlier position and endorsed both the recall and Schwarzenegger as governor.

⁴⁶ Gary Delsohn, “California Democrats warn governor against trash talk,” *The Sacramento Bee*, August 1, 2003. Lockyer was referring specifically to the treatment of Richard Riordan, the former mayor of Los Angeles. During the 2002 Republican gubernatorial primary, which pitted Riordan against conservative businessman William Simon—who was considered the weaker candidate and therefore less of a threat to unseat Davis—the Davis campaign launched a series of negative ads against Riordan, which many felt led to his defeat in the primary. At the time Lockyer spoke, Riordan was expected to run in the recall election.

⁴⁷ Mitchell Landsberg, Matea Gold and Daryl Kelley, “The Recall Campaign: Crunch time in recall race,” *Los Angeles Times*, September 29, 2003, p. A1.

“[Schwarzenegger] had a reputation in Hollywood as a man who treated women crassly. ... Because [he] had a chance of becoming our next governor, we decided on the day he entered the race to see whether this reputation was warranted.”

In his decision to take a close look at Schwarzenegger’s behavior with women, Carroll was, he explains, influenced by his recollection of the *Times*’s failure decades earlier to provide the public with crucial information on the character of one of California’s most controversial political figures: Richard Nixon. The young Nixon, Carroll maintains, “showed all the traits of character that came out in Watergate.” But the *Times* of those years, he continues, “was not a good paper; it was promoting Nixon, and was basically not interested in writing any of this stuff.”⁴⁸ The paper, Carroll argues, “failed to do its job. I think one of the most important things a paper does is to sort out candidates in its area who might go on to prominence elsewhere. ... If [the *Times*] had done its job, probably Nixon would never have been vice president or president; or if he had been elected, at least he would have been elected with the knowledge of the character flaws that led to Watergate.”

When, as editor of the *Los Angeles Times*, he himself was faced with a candidate who, Carroll believed, harbored ambitions for national office, he was determined not to make the same mistake. “I said to myself that we’re going to cover the character issues of this candidate, and any candidate, and we’re not going to sweep anything under the rug.” He was not concerned that a probe of Schwarzenegger’s past behavior with women might be perceived by critics as another example of the paper’s liberal agenda. “These are factual issues,” he maintains. “They’re not questions of politics. A person on the right or a person on the left who does bad things to women has got a big problem.”

The Investigation. The *Times* began its examination of Schwarzenegger’s history with women by casting a wide net. “We were looking for any and everything that we had that shed light on allegations that he harassed women,” Carroll told one reporter.⁴⁹ This meant “asking everybody,” Carroll notes, including the Davis campaign. “That would be standard practice in any investigation of a candidate,” Carroll says. “You’d ask the opponent’s campaign. ... When you’re going after a story like this, you ask the Mafia, you ask Mother Theresa, you ask everybody.”⁵⁰

Time was short, however—only 62 days between Schwarzenegger’s August 6 announcement and the election on October 7—and the paper would be racing the clock to complete its investigation and decide whether there was enough material to warrant publication. A core team of three reporters, overseen by Joel Sappell, the *Times*’s senior entertainment editor,

⁴⁸ Carroll himself was working as a reporter for *The Baltimore Sun* at that time.

⁴⁹ James Sterngold, “L.A. Times editor defends article; some criticized story being published 5 days before Oct. 7 election,” *The San Francisco Chronicle*, October 3, 2003, p. A14.

⁵⁰ According to the *Times*, however, none of the women whose stories were featured in the first groping article came to the paper by way of Davis’s campaign.

was assigned to the task, though many other reporters and editors were brought in to help at various points in the process. Carroll himself kept close tabs on the progress of the investigation. This was not unusual for him, he says: “I’m very active on stories all the time.” But, according to a detailed “behind the scenes, step-by-step” account of the investigation published in the *American Journalism Review*, he “worked more directly with reporters than usual” on the Schwarzenegger story because, Carroll told the *AJR*, “I knew this would be controversial, and the reputation of the paper would be challenged on it. I feel it would be irresponsible of me not to be deeply involved on a story like this.”⁵¹

In the *American Journalism Review*’s piece, *Times* reporters described in detail their painstaking, time-consuming efforts to find leads—culling names, for example, from cast and crew lists of Schwarzenegger’s films; to make “cold calls,” many of them rebuffed, to people likely to have observed the actor on movie sets; then to track down and meet, often more than once, with women who had unwelcome sexual encounters with the actor, but were often reluctant to talk about them, particularly on the record.⁵² No deadline was set for completion of the investigative footwork, Carroll says, “but I did urge people to work as fast as they possibly could because there wasn’t a lot of time.” Nor was there any predetermined standard of evidence that the team’s findings would have to meet in order to justify publication. “It’s something we talked about,” Carroll recalls, “as we worked on it and as we gathered facts—what’s the threshold here? ... You’re not going to want to hang [this] on one person, certainly not one anonymous person.” It was agreed, reporter Gary Cohn told the *AJR*, that “[w]e needed a number [of incidents] that would establish a pattern, particularly in a case where not everybody was on the record.”

Just what that number would be was not resolved until late in the process. “We [didn’t] have a formal meeting everyday saying, how many do we have,” Carroll recalls. “We would talk about each case. ‘Okay, we’ve got so and so. Do we have any corroboration; did she tell anybody contemporaneously with the event that this happened? Can we interview that person?’ ... Nitty-gritty questions like that.” Only in the last weekend in September did reporters begin writing up their “vignettes”; after reading them, the *American Journalism Review* reported, Sappell sent reporters back to get “further details” on some of the stories to provide “a better sense of these women, of their emotions and thoughts during the incidents they recounted.”

Sometime near the end of September, according to the *AJR* account, Carroll set a target date of Thursday, October 2, five days before the election on the following Tuesday, for publication of the story, if it was decided to go ahead with it. “I thought if we couldn’t get it in the Thursday paper,” Carroll told the *AJR*, “we’d have to think long and hard, but I’d probably put it in the Friday paper.” The timing of the story was a sensitive issue: the later it was published, the less time Schwarzenegger would have to respond, and the more negative its impact on his

⁵¹ Rachel Smolkin, “The Women,” *American Journalism Review*, December 2003/January 2004, p 32.

⁵² Ibid.

candidacy. Unlike some newspaper editors, *USA Today* reported, Carroll did not have a “hard standard” on when it was too late to print controversial material.⁵³ “People used to say two weeks [before an election],” Carroll notes, but that grace period, he maintains, “is shrinking.” In the case of the groping story, he had no cut-off date in mind, although, he muses, “I probably wouldn’t publish it on election day.”

The decision to run the story went down to the wire. “A number of these [women’s stories] came together very late,” Carroll says. “We didn’t really know we had a story until about a day or two before we put it in the paper.” While he did not have “firm criteria for publishing or not publishing a story like this,” he reflects, there were some conditions that had to be met before he would give the go-ahead to print. These included having more than one on-the-record source—unless the sole source was “toweringly credible”—and allegations that represented “extreme behavior.” The dates of the alleged incidents were important as well. “Had all the cases been from Arnold’s youth,” Carroll notes, “I would have hesitated to publish them, certainly in the last days of the campaign.”⁵⁴

Looking back, Carroll observes, “Your greatest concern in one of these situations is that you’ll have a hard decision to make, that you’ll come up with something that’s maybe not absolutely clear that you’ve got a great story. But it might be an okay story, and you know you’re right up against election day, and it’s very difficult to make a decision as to what to do.” As a rule, Carroll adds, when faced with “a close call as to whether you publish or not—the material might be unseemly, it might be marginal; some people might think it’s a worthy story, and some people might not—I say err on the side of publish.”

In this case, however, the decision did not turn out to be difficult. On October 1, Carroll says, “we [i.e., his editorial team] had a meeting, ... saying, ‘Do we have a story,’ and going around the table. It was unanimous: everybody said we should publish this.” The operative question, he reflects, was, “Are those [incidents] things you think a voter should know or not? I do. I think they’re reflections on character.” Moreover, Carroll says, he believed the stories warranted the paper’s most prominent spot. “If it’s not significant enough to be on page one,” he maintains, “you probably shouldn’t get into a story about sex.”

Although the ongoing investigation was held close to the vest even inside the *Times* itself, word that the paper was working on a major story on Schwarzenegger began to spread, particularly on the Internet. On September 10, Mickey Kaus referred to the *Times*’s “long-awaited, much-promised, highly anticipated and mysteriously delayed major multi-reporter investigative piece covering the *Premiere*-like ground of his personal behavior.” Later, on September 26, under the heading, “undropped shoe reminder,” Kaus again made note of the still-unpublished piece. Then, somewhat eerily, on October 1, Kaus wrote: “Shoe day? Tomorrow would be about the

⁵³ Jill Lawrence, “Timing of harassment story raises questions,” *USA Today*, October 3, 2003, p. 6A.

⁵⁴ E-mail message, March 25, 2005.

logical last day for the *Los Angeles Times* to drop its bomb on Arnold Schwarzenegger. If editor John Carroll waits any longer it will look like a late hit designed to stampede the electorate.” It was in fact the next day that the *Times* printed the fruits of its seven-week investigation.

Dropping the Bomb. The piece that appeared on page one of the *Los Angeles Times* on October 2 began dryly: “Six women who came into contact with Arnold Schwarzenegger on movie sets, in studio offices and in other settings over the last three decades say he touched them in a sexual manner without their consent.”⁵⁵ What followed were detailed and graphic stories of groping and fondling and, occasionally, lewd language; most of the accounts described not only unwanted sexual advances, but also the shock and humiliation the women felt, especially if the incident had taken place in public.

Some of the incidents were decades old—one from the 1970s and two from the 1980s; others were more recent—two from the 1990s and one from 2000. Four were told anonymously, largely because the women said they feared jeopardizing their careers; one of the two who chose to go public—British TV host Anna Richardson—had already related her encounter with Schwarzenegger to *Premiere* magazine in 2001. Each of the stories was corroborated by someone the woman had told about the incident, usually soon after it had occurred, but at least before Schwarzenegger entered the gubernatorial race. Richardson’s was the only account to be specifically challenged in the article: a publicist who had worked with Schwarzenegger maintained that it was Richardson, not Schwarzenegger, who was the aggressor during their December 2000 encounter. None of the women, the article stated, had “approached the newspaper on her own,” nor did the *Times* learn of them from “Schwarzenegger’s rivals in the recall race.” It also noted that none of the women had “filed any legal action” against the actor.

In addition to the six “groping” stories, the article included an anecdote, recounted by a named eyewitness, about Schwarzenegger’s sexual aggressiveness toward a female crew member on a movie set, and an incident in which Schwarzenegger propositioned a waitress using crude language but no sexual touching; one stuntwoman, who identified herself, also described Schwarzenegger’s use of vulgar sexual terminology in her presence. The article did quote one stuntwoman who had a different account to offer of her experience in working with Schwarzenegger, whom she described as “fun, extremely intelligent and very professional ... and a decent guy,” but that was the sole exception to the parade of sordid tales the rest of the women had to tell.

Schwarzenegger Responds. The *Times*’s October 2 piece came at a bad moment for Schwarzenegger—just as he was embarking on a high-profile four-day bus tour of the state that was “supposed to be the crescendo of his campaign,” in the words of one ABC-TV commentator.⁵⁶

⁵⁵ Gary Cohn, Carla Hall and Robert Welkos, “The Recall Campaign: Women say Schwarzenegger groped, humiliated them,” *Los Angeles Times*, October 2, 2003, p. A1.

⁵⁶ Transcript, “World News Tonight with Peter Jennings,” ABC News, October 2, 2003.

Worse still, it was not the only potentially damaging news story on the candidate’s past to surface that day: ABC’s “World News Tonight” carried a brief story about a book proposal by George Butler—the producer of “Pumping Iron”—which quoted Schwarzenegger in the 1970s asserting that he “admired” Hitler. “I admire him,” he was alleged to have said, “for being such a good public speaker and for what he did with it.” The following day, *The New York Times* reported more fully on the story, including unsettling details from the book proposal—which had been written in 1997—such as Butler’s claim that he had witnessed the young bodybuilder playing “Nazi marching songs from long-playing records in his collection at home” and “click[ing] his heels and pretend[ing] to be an S.S. officer.”⁵⁷ The story quickly spread to other newspapers and television news shows across the country.

Schwarzenegger vehemently denied the comments and behavior attributed to him. “I despise anything that Hitler stands for,” he said to reporters, “anything he has done, hated the Nazism, hated what was done during the Second World War.”⁵⁸ Butler himself quickly stepped forward to correct some of the record, after locating, according to *The New York Times*, a “fuller transcript” of Schwarzenegger’s 1970s remarks, which was released to the press by the candidate’s campaign. In the new text, Schwarzenegger was quoted as saying that while he admired Hitler’s public speaking, he “didn’t admire him for what he did with it.” The Schwarzenegger campaign also distributed a statement by Butler which said that the earlier remarks attributed to the candidate “were not in context and not even strictly accurate as it turns out.”⁵⁹

Butler’s actions helped quiet the tempest over Schwarzenegger’s remarks on Hitler, but the sexual misconduct stories threatened to cast a more persistent cloud over the final days of the recall race. The Schwarzenegger campaign sought to depict the allegations as part of a Democratic attack strategy. Asked by the *Times* to comment for its October 2 article, a Schwarzenegger spokesman denied any improper behavior on the candidate’s part and declared, “We believe Democrats and others are using this to try to hurt Arnold Schwarzenegger’s campaign. We believe that this is coming so close before the election, something that discourages good, hard-working, decent people from running for office.”⁶⁰

Schwarzenegger made a similar charge during a campaign appearance, though without mentioning Democrats by name. “You know when you get into politics,” he told supporters at a rally in San Diego, “they try to tear down your character, and tear down everything you stand for. And as you know, this morning they have begun with the tearing down. ... But I know that the

⁵⁷ Adam Nagourney and David Kirpatrick, “The California Recall: A candidate’s words; Schwarzenegger admired Hitler, book proposal says,” *The New York Times*, October 3, 2003, p. 20A.

⁵⁸ Many news accounts also pointed out that Schwarzenegger had been a major donor to the Simon Wiesenthal Center and its Museum of Tolerance in Los Angeles.

⁵⁹ David Kirkpatrick, “The California Recall: The candidate’s words; Schwarzenegger releases data on Hitler comments,” *The New York Times*, October 4, 2003, p. 9A.

⁶⁰ Cohn et al., *Los Angeles Times*, October 2, 2003.

people of California can see through these trash politics.” But then Schwarzenegger appeared to shift gears. While maintaining that “a lot of ... what you see in those stories is not true,” he went on to say, “But at the same time, I have to tell you, I always say, wherever there is smoke there is fire. That is true. So I want to say to you, yes, I behaved badly sometimes. Yes, it is true that I was rowdy on movie sets, and I have done things that were not right, which I thought then was playful.” Acknowledging that he may have caused offense to some, he continued, “I want to say to them I am deeply sorry about that and I apologize, because this is not what I tried to do.” If elected governor, he promised the crowd, he would “prove to the women that I will be ... a champion of the women.”⁶¹

Schwarzenegger’s admission of bad behavior and his apology won him points from some quarters. In an October 3 editorial, *The Wall Street Journal* wrote, “So now we know: Arnold can be a boor. But Californians also learned something else yesterday about the man who wants to be their Governor. When confronted with accusations he’d groped or otherwise humiliated several women, Mr. Schwarzenegger didn’t deny, dissemble or wag his finger into a camera and drop a whopper. Instead he apologized publicly.” It was “possible,” the editorial continued, “that his candor will strike voters as a welcome contrast to the usual political stonewalling or denials.” The *Los Angeles Times*, however, was less impressed with Schwarzenegger’s response. In an October 3 editorial, entitled “Muscle and Meanness,” the paper wrote, “Blaming the media and charging opponents with running a dirty campaign are time-honored tactics for deflecting unwelcome scrutiny. And what better way to keep a would-be scandal from escalating than to issue a blanket apology—after his spokesman’s blanket denial.” Perhaps, the editorial speculated, voters wanted to “have the class bully on their side,” but the “[p]roblem is, a man who describes humiliating waitresses, secretaries and stuntwomen as ‘playful’ seems an unlikely champion of the little people, including those who would vote him into office.”

As it turned out, the October 2 accounts of groping incidents were only the first in a series, as more women began to come forward to tell their stories of unwanted sexual encounters with Schwarzenegger. “We broke the logjam” with the publication of the six women’s stories, says Carroll, and “to some extent toward the end people [were] more willing to talk.” On October 4, the *Times* ran another front-page article featuring the stories of three more women—two of whom gave their names—who said they had been accosted by Schwarzenegger in the past; the following day, the paper reported—again on page one—that four more women, three of whom were identified, had come forward with stories of being groped or touched by the actor.⁶² There were new allegations as well from women who chose other venues to make public their experiences. Joy Browne, a psychologist with a nationally syndicated radio show, made appearances on a morning radio show in New York and on her own “Dr. Joy” show on October 2 and, the following night, on

⁶¹ Peter Nicholas, Carla Hall and Michael Finnegan, “The Recall Campaign: Schwarzenegger tells backers he ‘behaved badly,’” *Los Angeles Times*, October 3, 2003, p. A1.

⁶² In addition, one of the women who appeared in the October 2 article—the waitress—decided to disclose her identity in the paper.

“The O’Reilly Factor” to tell of being fondled and pursued by Schwarzenegger in the late 1970s. Another woman, Gail Escobar, disrupted a campaign appearance by Schwarzenegger in Costa Mesa to accuse him of sexual harassment in an incident that also dated back to the 1970s. Both stories were reported in the *Los Angeles Times*, although the paper noted that Escobar’s account “could not be independently confirmed.” Escobar, the *Times* also noted, was accompanied by members of the Hotel Employees and Restaurant Employees union, which opposed Schwarzenegger’s candidacy.⁶³

In all, by the *Times*’s own count, a total of 15 women had come forward by October 5 with accusations of sexual misconduct by Schwarzenegger; by this time, ten of them had given their names. There were signs that the flurry of seamy stories was beginning to erode Schwarzenegger’s lead in the race. Polls taken by both candidates, *The Wall Street Journal* reported on October 6, showed that Schwarzenegger’s edge over Bustamante had “narrowed from double-digits last week to about six points during the weekend. ...”⁶⁴ Moreover, the *Journal* noted, “pro-recall sentiment has softened,” with the number of Californians who would “definitely” vote for recall falling from 52 percent on October 1 to 44 percent by October 4. Schwarzenegger received another blow when the *Oakland Tribune* withdrew its endorsement of the actor. “By no stretch of the imagination can his groping and grabbing on ‘rowdy movie sets’ be dismissed as an isolated incident,” the *Tribune*’s October 4 editorial declared. “Called a ‘sexual harasser’ by one female and a ‘predator’ by others, we can no longer in good conscience recommend him for governor.”⁶⁵ Meanwhile, Schwarzenegger’s rivals, Davis and Bustamante, were, according to *The Wall Street Journal*, “suggesting a criminal investigation [of Schwarzenegger] could be in order.”⁶⁶

Schwarzenegger battled back, forcefully denying many of the newer allegations, though still acknowledging and apologizing for unspecified “crazy” behavior in the past. He enlisted his wife, Maria Shriver, to join him on the bus tour, where she applauded him as “a remarkable husband, a terrific human being,” and dismissed the *Times*’s articles as “gutter journalism.”⁶⁷ At the same time Schwarzenegger began a vigorous attack on Davis, contending that the spate of sexual harassment stories were “part of the puke politics of the Davis campaign” and suggesting that, as *The San Francisco Chronicle* put it, the *Times* was acting “in concert with the Democrats.” He also implied that the timing of the articles smacked of political skullduggery. “Why has this not

⁶³ Nicholas et al., *Los Angeles Times*, October 3, 2003.

⁶⁴ Jackie Calmes, “California’s divisions deepen as vote nears—Schwarzenegger’s lead narrows as new allegations of sexual harassment emerge,” *The Wall Street Journal*, October 6, 2003, p. A4.

⁶⁵ As quoted in the *Los Angeles Times*, October 5, 2003, p. A1.

⁶⁶ Calmes, *The Wall Street Journal*, October 6, 2003.

⁶⁷ Calmes, *The Wall Street Journal*, October 6, 2003; Peter Nicholas, Gregg Jones and Michael Finnegan, “The Recall Campaign; Davis seizes on reports about Schwarzenegger,” *Los Angeles Times*, October 4, 2003, p. A1.

come out before?” he asked of the women in the *Times*’s stories. “Why have they not called me? ... This is all about the politics—the dirty, dirty politics.”⁶⁸

Schwarzenegger was not the only one to see politics at work in the timing, and the intent, of the sexual harassment articles, or at least to question the wisdom of publishing incendiary material so close to election day. As the recall campaign wound down, the controversy shifted away from the allegations of sexual misconduct to charges of “journalistic malpractice.” The *Los Angeles Times* found itself—not Schwarzenegger—the subject of intense scrutiny and criticism in the wake of its “October surprise.”

Backlash

Criticism of the *Times* essentially boiled down to three issues: bias, timing, and the balance of the paper’s coverage of character issues in the recall race.

The Question of Bias. In view of the *Times*’s reputation as a liberal—and even, to those like Bill O’Reilly, “ultra-liberal”—newspaper, it was not surprising that some of the harshest criticism of the paper came from conservatives, who essentially accused it of being little more than a tool of the governor. “The *Times*,” asserted Hugh Hewitt in *The Weekly Standard*, “has been an ally of Gray Davis for five years and an undeclared combatant in the recall wars.”⁶⁹ O’Reilly contended that the *Times* and “other media partisans” were waging a “relentless campaign to destroy” Schwarzenegger. While noting that he had “no idea what [Schwarzenegger] did or didn’t do,” O’Reilly said, “I can say I cringe when I hear some woman claim a man verbally offended her 25 years ago. There isn’t a man on this earth who hasn’t done something inappropriate in his life. Not one.” It was “obvious from the get-go,” he continued, “that the *L.A. Times* wanted to keep Gray Davis in power. Do you think the *Times* has sent squads of reporters rooting around the past lives of the governor or Cruz Bustamante? Selective reporting is what this is.”⁷⁰ O’Reilly decried what he viewed as the dismantling of the firewall traditionally separating the editorial pages from news reporting. Noting that the *Los Angeles Times* had opposed the recall, he said, “We’re seeing more and more newspapers take their editorial position and then bleed it into their news columns.”⁷¹ Another conservative, *San Francisco Chronicle* columnist Debra Saunders, called the story “vile,”

⁶⁸ Carla Marinucci, “Actor slams ‘puke politics,’ blames Davis,” *The San Francisco Chronicle*, October 5, 2003, p. A1.

⁶⁹ Hugh Hewitt, “‘Yes’ on recall, ‘no’ on the L.A. Times,” *The Weekly Standard*, October 5, 2003.

⁷⁰ Transcript, “The O’Reilly Factor,” Fox News, October 3, 2003. O’Reilly did have Dr. Joy Browne on his show that evening to talk about her encounter with Schwarzenegger in the 1970s. After hearing her story, O’Reilly remarked that Schwarzenegger “was a frat [fraternity] boy, you know, until he was probably 45 years old. ... I believe you, and I believe it happened. And you know, we’ve got a lot of frat boys running around here.” Unlike the women in the *Times*’s stories, Browne faulted herself for not repelling Schwarzenegger’s advances more firmly.

⁷¹ Transcript, “The O’Reilly Factor,” Fox News, October 13, 2003.

The Washington Post reported. “... It makes our profession look horrible,” Saunders said. “To look at something that’s 20, 30 years old, that’s just not fair and not relevant. If you have to go back to the ‘70s, ‘80s and ‘90s to make your point, maybe it’s not a point.”⁷²

More surprising, perhaps, was a strongly worded opinion piece, entitled “A Deplorable October Surprise,” by Susan Estrich, former campaign manager for Michael Dukakis and self-described “expert on sexual harassment.” “What this story accomplishes,” she wrote on October 3, “is less an attack on Schwarzenegger than a smear on the press. ... Anonymous charges from years ago made in the closing days of a campaign undermine fair politics.” While not condoning the “unwanted touching of women,” she pointed out that the incidents described did not meet the legal test for a sexual crime or even sexual harassment. None of the women “ever came forward to complain,” Estrich added. “The newspaper went looking for them, and then waited until five days before the election to tell the fragments of their story.” Schwarzenegger, she concluded, had “apologized for ‘behaving badly.’ So should the *Los Angeles Times*.”⁷³

Along with the allegation of a general bias in the *Times*, there were some specific charges that the paper, in one way or another, was aiding and abetting the Democratic cause through the groping stories. Bill Bradley, a political columnist for the *LA Weekly*—an alternative newspaper that was generally liberal in its editorial pages—attacked the *Times*’s claim that, in his words, “none of the women came forward at the behest of Schwarzenegger’s opponents.” He pointed out that one of the women who told her story in the second round of allegations published in the *Times* had been asked to speak out by Jodie Evans, a co-founder of the women’s peace group, CodePink, which had been staging demonstrations at the candidate’s campaign appearances.⁷⁴ While the *Times* did report Evans’s affiliation with the group, Bradley wrote, it failed to note that she had been “a former close colleague of Gov. Gray Davis” and “a longtime Democratic operative. ...”⁷⁵ Bradley also charged that “[s]enior Democratic strategists knew the particulars” of the first sexual misconduct story “well in advance of publication. ...” Citing “well-informed sources,” Bradley wrote that although the piece was held with “utmost secrecy” within the *Times*, Democrats were given “advance knowledge” of the story, which “enabled Davis and the Democrats to design the closing burst of the anti-recall campaign. ...”⁷⁶

⁷² Kurtz, *The Washington Post*, October 3, 2003.

⁷³ Estrich appeared on “The O’Reilly Factor” on October 6. When O’Reilly asked if she “would still vote for a man who has admitted to boorish behavior,” she responded, “Last time I checked, Bill, I voted for Bill Clinton twice.” Estrich was later named to Schwarzenegger’s transition team.

⁷⁴ However, Joel Sappell, who oversaw the *Times*’s investigation, notes that it was only in the first of the groping articles that the paper stated that it had not learned of any of the women through Schwarzenegger’s rivals, not in the stories that subsequently appeared.

⁷⁵ Bill Bradley, “The Davis Touch: A Democratic operative is behind part of the Times’ latest story,” *LA Weekly*, October 3-9, 2003. Bradley himself was a former political consultant who had worked largely with Democrats.

⁷⁶ Bill Bradley, “The Times Leaks on Arnold: what did the Democrats know and when did they know it?” *LA Weekly*, October 3-9, 2003.

The Question of Timing. The issue of the timing of the groping articles was troubling even to some liberal-leaning commentators. “Five days before an election, from a paper that endorsed Gray Davis,” observed CNN’s Lou Dobbs. “That’s straining credulity, isn’t it?” In response, CNN senior political analyst William Schneider reminded Dobbs of an incident from 1992, when *The Washington Post* ran a story on allegations of sexual misconduct by Oregon Senator Bob Packwood a month after he was re-elected. “And people were very angry [with the *Post*],” Schneider said, “that it took them that long.”⁷⁷ But, in turn, others pointed to the story of George W. Bush’s arrest for drunken driving in 1976, which was widely reported in the media a few days before the 2000 election. Some Republicans believed that the late-breaking story cost Bush as many as half a million votes from evangelical Christians.⁷⁸

To some press observers, the late timing of the piece on Schwarzenegger marked the demise of the tacit rule that had long governed election news coverage. “I think there is a traditional kind of window of two weeks, usually,” Tom Rosenstiel, director of the Project for Excellence in Journalism, told *The New York Times*, “that news organizations have considered a place at which you don’t drop a bomb on a candidate because you want to have some time for a scandal to sort itself out. That traditional window, like a lot of press mores, appears to be changing.”⁷⁹

Perhaps the most disturbing charge in regard to the timing of the stories was leveled by Jill Stewart, a journalist whose syndicated column was carried in a number of California newspapers. On October 4, she wrote in her online column, “Capitol Punishment,” that it was “nothing short of journalistic malpractice when a paper mounts a last-minute attack that can make or break one of the most important elections in California history.” The paper, she maintained, was employing a classic tactic of negative campaigners: a “Dirty Tricks Thursday”—unloading “a bag of filth” against a candidate late in an election race, leaving little time to mount a defense. More seriously, in an appearance on “The O’Reilly Factor,” Stewart, who had formerly worked for the *Los Angeles Times*, charged that the paper “had the story done two weeks” before it was actually published. Asked for evidence of this, she replied that she had “interviewed a couple of reporters off the record.” She also noted that Steve Lopez, a columnist for the *Times*, had “let slip in his column [that] ... the story was held while it was triple-checked by lawyers. ... Everybody knows that it’s

⁷⁷ Transcript, “Lou Dobbs Tonight,” CNN, October 6, 2003. According to the *Post*’s editors, the “story was simply not ready for earlier publication.” [Kurtz, *The Washington Post*, October 3, 2003.]

⁷⁸ Lawrence, *USA Today*, October 3, 2003; Rutenberg, *The New York Times*, October 6, 2003. Bush’s drunk-driving arrest in Maine was discovered three months earlier by a reporter for the *Portland Press Herald* who was working on a story about Kennebunkport, but was not published because, according to a November 4, 2000 Associated Press report, his assignment editor concluded that an incident that occurred 24 years ago was “not relevant to the presidential race.” Later, on November 2, reporters from two Maine TV stations, acting on a tip, obtained copies of the courtroom docket from Tom Connolly, a lawyer and “Democratic activist.” Both stations reported the arrest on the news that evening; the following day, it was picked up by newspapers and TV news programs across the US.

⁷⁹ Rutenberg, *The New York Times*, October 6, 2003.

been held for a long time. It’s been on the street for a long time among all the reporters.”⁸⁰ Stewart slightly modified this allegation in a later appearance on “Lou Dobbs Tonight.” The paper “consciously made decisions that delayed the story a number of times,” she maintained. “They could have gotten it in much, much earlier. I’ve been really pummeled with phone calls from *LA Times* reporters and editors who disagree with how it was handled, who felt that it should have and could have run much, much earlier.”⁸¹

The Question of Balance. In her October 4 column, Stewart raised another objection to the *Times’s* articles on Schwarzenegger’s sexual misconduct: that “the paper gave in to its bias against Schwarzenegger” by devoting considerable print to his alleged character flaws while ignoring those of the governor. The *Times* had for years “been sitting on information that Gov. Gray Davis is an ‘office batterer’” who had been physically abusive to female members of his staff. Stewart herself had written a lengthy article in 1997 for the *New Times Los Angeles*, a now-defunct alternative newspaper, detailing the stories—told anonymously, one of them through an intermediary—of two women who had been shaken, yelled at, and otherwise mistreated by Davis. While she was researching the piece, Stewart wrote, she had “crossed paths” with *Times* reporters on the trail of the same story, but no article on the subject of Davis’s behavior appeared in the paper. The *Times’s* “protection of Davis,” Stewart maintained, “is proof, on its face, of the gross bias within the paper.” Stewart repeated this allegation on a number of TV talk shows, including CNN’s “Reliable Sources” and “Lou Dobbs Tonight,” MSNBC’s “The Abrams Report,” and Fox News’s “The O’Reilly Factor.”

Later, in an October 14 column, Stewart provided a transcript of her conversation with a “longtime, respected *Times*ean involved in the Schwarzenegger coverage.” Her source—who remained anonymous—detailed many of the charges Stewart had already made public, about unnecessary delays in publishing the stories and the failure to devote comparable resources to an examination of Davis’s character issues. Stewart’s source claimed that, among other things, the paper had enough material “very early on, to have the story in the bag many weeks before they did,” although the source provided only one example—Anna Richardson, whose encounter with Schwarzenegger had already appeared in *Premiere*—of a woman whose story might have been ready to publish earlier. In general, Stewart’s source described an environment within the *Times* that was “poisonous” toward Schwarzenegger, and depicted Carroll’s attitude toward the candidate as “a Captain Ahab and Moby Dick thing. ...”

The Public Weighs In. Conservatives and media commentators were not the only ones to lambaste the paper for its coverage of Schwarzenegger. On October 5, the *Times* itself ran a piece on the public’s response to its groping stories. “The *Times*,” it said, “has come under attack on talk-radio stations and television, and has been the target of vociferous complaints by the

⁸⁰ “The O’Reilly Factor,” October 3, 2003.

⁸¹ Transcript, “Lou Dobbs Tonight,” CNN, October 3, 2003.

Schwarzenegger campaign. ... But the greatest volume of outrage has come from readers, who have flooded the paper with calls, e-mails and letters.” The article quoted readers of various political stripes who had decided to vote for Schwarzenegger in reaction to what they saw as consistently biased coverage—exemplified by the late-breaking groping stories—and/or to cancel their subscriptions; in all, the *Times* reported on October 5, about 1,000 had canceled their subscriptions—a number that would climb to 10,000 by the end of the year, according to the *American Journalism Review*. Jamie Gold, the “readers’ representative” at the *Times* since 2001, remarked that “she was aware of few events that have ever triggered such anger by the newspaper’s readers.”⁸² Supporters who turned out to greet Schwarzenegger on his bus tour also made clear their deep displeasure with the paper. Watching a clip of conservative talk show host Hugh Hewitt leading an anti-*Times* cheer at a rally (asking, “Would anyone in their right mind trust the *Los Angeles Times*,” and receiving a chorus of no’s in return), *Washington Post* and CNN media critic Howard Kurtz remarked, “The *L.A. Times* really became the issue in the final week of the campaign.”⁸³

The Times Answers its Critics

As criticism of the *Times* mounted, Carroll vigorously defended its decision to publish the groping stories. He spoke out in a number of interviews with other newspapers—including *The Washington Post*, *The New York Times*, *The San Francisco Chronicle*, and *USA Today*—but gave his most complete response to critics in an opinion piece published in the *Times* on October 12. Starting with the paper’s decision to examine Schwarzenegger’s reputation for sexual mistreatment of women—which was, Carroll wrote, “part of a broader look at all the leading candidates, covering their life histories, their stands on the issues, their personalities and their characters”—he described to readers the time-consuming effort of finding the women, coaxing them to talk, verifying their stories, and writing them up. “It was a daunting feat,” he wrote, “to get all this accomplished during the 62 days of Schwarzenegger’s campaign, a year less time than we’d had to cover a normal gubernatorial race.”

Once the Schwarzenegger story “came into focus,” Carroll continued, the *Times* had three choices: publish it late in the campaign, which would likely “touch off an outcry against the newspaper”; hold it until after the election, which would “prompt anger among citizens who expect the newspaper to treat them like adults and give them all the information it has before they cast their votes”; or not publish it at all, which “could be justified only if the story were untrue or insignificant.” In regard to the veracity of the reports, Carroll noted that while Schwarzenegger had responded with a general apology and partial denials, “the facts in the *Times* stories have not

⁸² Hymon et al., *Los Angeles Times*, October 5, 2003. In his October 12 op-ed piece in the *Times*, Carroll wrote that “there is a consensus that our angriest critics haven’t actually read the stories. Instead, they’ve heard about them secondhand.”

⁸³ “Reliable Sources,” October 12, 2003.

been seriously challenged.” As for their significance, he wrote, some found them illuminating, some not. “Our role is to serve citizens of varying views by examining the behavior and the policies of political leaders and publishing our findings. And when we publish, we do it in a timely fashion. Better, I say, to be surprised by your newspaper in October than to learn in November that your newspaper has betrayed you by withholding the truth.”

In his op-ed piece and elsewhere, Carroll responded to a number of specific charges—which he characterized as “several lulus cranked out by local journalists”—made by critics of the paper, in particular Bradley and Stewart. He brushed off, for example, Bradley’s assertion that Democrats had been given advance knowledge of the investigation, noting that because “the paper was interviewing many sources, the existence of its investigation was widely known, though the details were not.” The Davis campaign, he suggested, might have learned about the investigation from the Internet, “which mentioned rumors about it repeatedly.” Carroll likewise dismissed Stewart’s claim that the *Times* had protected Davis by not reporting on allegations of his abusive behavior. He had made inquiries about the charge, he says, since he had not been at the *Los Angeles Times* when Stewart and the paper were both researching the matter. He learned that *Times* reporters had twice looked into rumors of Davis’s mistreatment of female members of his staff. “Somebody told me there was like a 50-page or 50-inch memo in the files on all of this,” Carroll says, but those who checked out the story—including a “recent Pulitzer Prize finalist”—had concluded that, as Carroll wrote in his op-ed, the “discernible facts didn’t support a story.”⁸⁴

Carroll also maintained that the paper had provided balanced coverage of the recall race, printing critical articles on all the chief candidates, Davis in particular. The *Times* had run “a huge front-page story on our biggest circulation day, Sunday, on the case against [Davis],” he said in an article in the *Los Angeles Times*. “It was the most comprehensive account of all of his shortcomings that I’ve read in any publication.”⁸⁵ Later, however, Carroll expressed some “regret” that over the years “we weren’t harder on Gray Davis,” focusing more on “the things that built up the public’s frustration [with state government] ... and wanting to throw everybody out. It was a nest of special interests doing their own thing without much idea of service to the public.” His “excuse,” he says, was that “I hadn’t been editor that long, ... didn’t have a feeling for the situation. But if I had it to do over again with the benefit of hindsight, I’d have been a lot tougher on Gray Davis because I think the situation in Sacramento was a disgrace.”

Of all the accusations the paper faced, the one that stung most was Stewart’s claim on “The O’Reilly Factor” that the article had been ready two weeks before it appeared. “There is not a witness [to that],” Carroll says. “We had a dozen or so people involved in that story. Nobody ever asked them. That includes at least two Pulitzer Prize winners. Every one of them will say nothing

⁸⁴ According to Carroll, he himself did not read the file on research into Davis’s abusive behavior.

⁸⁵ Hymon et al., *Los Angeles Times*, October 5, 2003. On August 31, the *Times* ran a 5,300 word piece that focused on key criticisms of Davis: his leadership failure during the state’s power shortage; his handling of the budget crisis; his fund-raising practices; and his negative campaigning.

resembling what [Stewart] described ever occurred. ... Her stuff was made up of whole cloth.” As for the veteran “Timesean” Stewart quoted at length, Carroll, says, “I don’t know if that person exists, but that person was nowhere in the vicinity.” It was particularly galling to Carroll that Stewart was given the opportunity to air her charge before large audiences. “It started with O’Reilly; it was on CNN.⁸⁶ ... It was on every talk show in Southern California,” he says. “Literally millions of Americans were told we did this. I tell people I’ve been editor of the paper for five years, and the worst scandal we’ve had at this paper never occurred.”

Carroll described himself as braced for a hostile reaction to the groping stories. “I told my publisher and my editors,” he recalled, “this is likely to cause the biggest reaction to the newspaper we’d ever seen.”⁸⁷ But he was unprepared, he says, for the way charges he considered false were “picked up by the national media” after spending time on the Internet and the talk show circuit, and thereby given legitimacy. Carroll addressed the pernicious influence of talk shows, as he saw it, in scathing language both in his October 12 op-ed piece and in a speech he gave at the University of Oregon in May 2004. In the latter—the annual Ruhl Lecture on ethics—Carroll argued that, in the past, a “fabrication” such as Stewart’s would have been given little credence or play in the media. “But we live in changed times,” he continued. “Never has falsehood in America had such a large megaphone.” Instead of being dismissed, the “accusation was echoed throughout the talk-show world.” In this world, Carroll wrote in his op-ed, “a story with the potential to stir resentment among large numbers of people ... is seized like gold by the talk shows. ... The electronic revolution has brought us many blessings, but it has also blindsided us with a tidal wave of pornography. In similar fashion, we are now getting a faceful of rotten journalism—journalistic pornography, actually—in which ratings are everything and truth is nothing.”

In Defense of the Times

Carroll’s was not the lone voice raised in defense of the *Times*. Many in the print press—apart from the conservative wing—expressed support for the paper and its embattled editor, and offered rebuttals to the charges made against them.

The Question of Bias. A number of journalists and newspaper editors vigorously defended the *Times*’s decision to pursue the issue of Schwarzenegger’s past mistreatment of women, viewing it as part of the close scrutiny any new arrival on the political scene must expect. “There is a vetting process,” said Mark Sandalow, Washington bureau chief for *The San Francisco Chronicle*. “Arnold Schwarzenegger went from [being] a Hollywood superstar to one of the most

⁸⁶ While continuing to maintain that the story could have been published earlier, Stewart did not repeat, on “Lou Dobbs Tonight” or “Reliable Sources,” the specific accusation she made on “The O’Reilly Factor”: that the article had been held back for two weeks.

⁸⁷ McCarthy et al., *The Wall Street Journal*, October 7, 2003.

powerful politicians in the world in a matter of about ten weeks. It would be, to steal a phrase from Jill Stewart, journalistic malpractice for newspapers like the *Los Angeles Times* or *The San Francisco Chronicle* not to devote resources to try and learn everything we can, good or bad, about this guy. And I think that while it comes out to opponents as a yellow journalistic way of selling papers, there’s actually something noble about trying to figure out who these people are before they serve.”⁸⁸ The very persistence of rumors about Schwarzenegger’s past misbehavior, *Sacramento Bee* columnist Dan Weintraub points out, in a sense obligated the paper to investigate them. “I don’t think it was about getting Schwarzenegger,” he says. “I think they thought as the newspaper of record in Hollywood and in L.A., that this was something that was the buzz all around the community, and that they would be derelict in their duty if they did not pursue it.”

The *Times*’s defenders argued that it was the scent of a good story—not ideology—that lay behind the paper’s decision to investigate and publish the groping incidents. The Washington reporters who “flogged the Clinton/Lewinsky story,” Rem Reider, editor of the *American Journalism Review*, wrote, were hardly “soul mates” of conservatives. “And I’ll bet,” Reider continued, “the L.A. Times reporters would have aggressively pursued the groping story whether its subject was Arnold, a liberal Democrat, a Libertarian, a Green Party member, a Maoist, a Baathist, a vegetarian, an existentialist or a member of the Taliban.”⁸⁹ Similarly, Weintraub argues that most journalists “want a good story, and that’s what drives them more than ideology.”

Even Mickey Kaus, one of the *Times*’s fiercest critics, called the groping coverage “a feather in its cap, even if it was late,” though he went on to write that “it doesn’t make up for months of generally ponderous, embarrassingly biased and almost willfully misinformed recall coverage.”⁹⁰ Like many others in the press, Kaus, who found the women’s allegations believable and Schwarzenegger’s behavior “ugly,” was dubious of the charge that “the fingerprints of the Gray Davis camp” were detectable in the October 2 groping article. The paper, he maintained, “didn’t need Davis’ help to get hold of that sort of information in Hollywood. ...”⁹¹

The Question of Timing. Many in the press also defended the late publication of the groping stories, arguing that the readiness—not the timing—of a story was of paramount concern to an editor. “The business of a journalist,” said Jack Schafer, press critic for *Slate*, “is not to decide when a story is going to be most or least advantageous for a candidate. With an election story, you publish the story when it’s ready.”⁹² Rem Reider of the *American Journalism Review* made a similar argument on “Lou Dobbs Tonight.” “If you’re the top editor of the paper,” he observed, “you

⁸⁸ “Reliable Sources,” October 12, 2003.

⁸⁹ Rem Reider, “Caught in the Crossfire,” *American Journalism Review*, December 2003/January 2004, p. 6.

⁹⁰ *Kausfiles*, October 6, 2003.

⁹¹ *Kausfiles*, October 2, 2003. Kaus was less certain about the “attempt to prolong the story by bringing forward a succession of complaining women,” some of whom had links to the governor’s union backers or to the Democratic Party.

⁹² Lawrence, *USA Today*, October 3, 2003.

ought to be very careful with it and look at it very closely [before publishing it]. ... The reality is the paper came out with ... something that reads to me like a very solid piece of journalism. Yes, it would have been nicer if it could have come in earlier, but you publish it when it's ready.”⁹³

Others, like Weintraub, gave little credence to the charge that the *Times* had deliberately held back publication of the groping story for maximum negative effect. While he considered Jill Stewart a “credible” journalist, he labeled her accusation as “unreasonable and unrealistic.” “Knowing what I know about the people involved,” he says, “I don't think they would sit around the table and say, ‘Let's time this for the Thursday before the election so that we can take him down.’” In fact, he maintains, “if they had wanted to take him down, I think they would have rushed it into print.” It was not until late September that the state's Republican Party endorsed Schwarzenegger, giving him the nod over rival Tom McClintock, a highly regarded stalwart of the party's conservative wing. Had the *Times* published its stories of Schwarzenegger's sexual improprieties just ten days earlier, Weintraub speculates, “it's very possible that the party leadership might not have embraced Schwarzenegger.”

As for Rosenstiel's lament that the press was no longer observing the traditional two-week window in which no “bomb” would be dropped on a candidate, some viewed it as, in the words of an editorial in the *Columbia Journalism Review*, “a vestige of a vanished past, when news cycles were measured in days rather than minutes.” In the current fast-paced, technologically driven era of news reporting, the *CJR* continued, candidates “have well-prepped digital war rooms poised to hit back instantly with a crush of e-spin. Within minutes after the *Times* posted the groping story on its Web site at 11:00 p.m. on October 1, bookers from the morning talk shows were trying to nail down interviews with the reporters, and nasty e-mails were landing in the paper's inbox.”⁹⁴

The Question of Balance. There was less unanimity of opinion, among the *Times*'s defenders, on the question of whether the paper was evenhanded in its scrutiny of the candidates, especially Gray Davis. A number of observers pointed out that the paper had been a frequent critic of Davis in recent years. It had, Weintraub notes, “led the state in coverage of [Davis's] ... fundraising and [his] relationship with special interests.” In fact, said Dr. Larry Sabato of the University of Virginia's Center for Politics, “[m]uch of the anti-Gray Davis recall desire came from pieces that were published in the *L.A. Times*.” Nevertheless, Sabato went on to say, there was “an unbalanced focus on Schwarzenegger because he was the frontrunner.”⁹⁵ Weintraub speculates that there may have been “an assumption that people [already] knew more, certainly about the governor and maybe the other candidates,” and that when “somebody [new] jumps into the scene and nobody's ever written about them before in this way, ... you have to do more digging on

⁹³ “Lou Dobbs Tonight,” October 13, 2003.

⁹⁴ “A journalistic late hit? How quaint,” *Columbia Journalism Review*, November-December 2003, p. 9.

⁹⁵ “The O'Reilly Factor,” October 13, 2003.

them.” This led, he continues, to “a neglect of critical coverage of Davis’s record and even some aspects of his personal life or personality. ...”

Jill Stewart’s charge that the *Times* had studiously ignored allegations of abusive behavior by Davis struck a chord in some. “I would think,” Kaus wrote on October 2, “the *Times* now has a heavy obligation to check out Stewart’s reports using the same sourcing standards it applied to Schwarzenegger. Plenty of time left!” Rumors of Davis’s physical mistreatment of women on his staff had circulated for years in the press. “Anybody who covered Davis for any period of time had heard stories about him having fits of rage at his staff,” says Weintraub, “... [and] that he was known to grab people and maybe even shake [them].” Unlike Stewart, however, Weintraub was not inclined to see a deliberate decision on the *Times*’s part to avoid these allegations. “I think it was more a matter of benign neglect,” he muses. “They didn’t step back and say, ‘Okay, we’ve heard these things about Schwarzenegger. What do we know about Davis?’”

The Race is Run

The debate over the groping stories was still raging in the media when election day, Tuesday, October 7, arrived. By this time, few were surprised at the overall outcome, though some numbers were unexpected. While early weekend polls had shown some decline in support for Schwarzenegger, by Sunday at least one poll indicated that his lead over Bustamante had begun to widen again, and that support for recalling the governor was holding steady.⁹⁶ When the votes were counted, the results showed that, in fact, Schwarzenegger had significantly outperformed the pre-election polls, capturing 48.7 percent of the vote—more than Davis had received in the November 2002 governor’s race; Bustamante received 31.7 percent, and McClintock trailed far behind, with 13.4 percent. The recall itself passed with 55.4 percent of the vote, making Davis the first governor of any state to be removed from office since North Dakota voters recalled theirs back in 1921. Turnout was high—roughly 60 percent. While Schwarzenegger did best with men, his showing with women—around 43 percent—was stronger than expected.

The impact on voters of the stories of sexual misconduct was difficult to assess, but some figures seemed to indicate that it was minimal. One analysis of exit poll data, for example, showed that, as *The New York Times* reported, “more than two-thirds of the voters had made up their minds more than a month before the election.”⁹⁷ But there was some evidence that voters may have gone to the polls fully aware of Schwarzenegger’s unsavory past. According to his campaign manager, a whopping 94 percent of voters said they knew of the charges of sexual misconduct.⁹⁸

⁹⁶ *Kausfiles*, October 5, 2003.

⁹⁷ Katharine Seeley and Marjorie Connelly, “Signaling voter unrest, Schwarzenegger cut deep into the Democrats’ base,” *The New York Times*, October 9, 2003, p. 34A.

⁹⁸ David Leshner, “Boys on the Bus,” *California Journal*, November 1, 2003, p. 6.

All this left bemused observers pondering the significance and lasting impact of the groping stories. To some, particularly on the right, it was the *Times*, not Schwarzenegger, that had paid a price for the publication of the articles late in the election: Schwarzenegger’s victory was seen as a repudiation of the paper. “Well, you lost—big time,” wrote Hugh Hewitt the day after the election in a mock “memo” to John Carroll. “We both knew this before the polls closed because of the widespread disdain for the stories you dropped on Arnold in the past week.”⁹⁹ Joseph Perkins made a similar point in an October 10 op-ed piece in *The San Diego Union-Tribune*. “Some speculate that the [*Times*] may have thought its 11th hour bombshell would deny Schwarzenegger the governorship,” he wrote. “Instead, its liberally biased news reporting may have helped the new governor and did lasting damage to the broadsheet’s journalistic reputation.” The notion that voters were sending a message to the press was not strictly limited to conservative commentators, however. “I think [anger over publication of the stories] has been absorbed into the general loathing of the media,” said Martin Kaplan, director of the Norman Lear Center at the University of California’s Annenberg School of Communications. “It just reinforces this canard of the liberal media.”¹⁰⁰

Others, however, saw a different lesson in the recall vote. The election outcome, they believed, at least in part reflected the strategic brilliance of the Schwarzenegger campaign. Voters had been “primed for mudslinging,” wrote one commentator, when Attorney General Lockyer had warned Davis not to resort to “puke politics.”¹⁰¹ Schwarzenegger seized on the terms “puke politics” and “puke campaign” and used them repeatedly in reference to the groping stories, thereby linking them to the governor’s famously negative campaign tactics. The campaign also “did a masterful job,” says Weintraub, “of making the *Los Angeles Times* the story.” During Schwarzenegger’s final swing across the state, Weintraub recalls, “they just completely launched an attack on the *Times*, portraying this as an unfair story, a last-minute smear. ...” Perhaps most effectively, the campaign used the candidate’s star power to marginalize the *Times* and the rest of the print press. Reporters, according to Mark Sandalow of *The San Francisco Chronicle*, were irked that Schwarzenegger gave one-on-one interviews to news anchors Tom Brokaw and Peter Jennings, and to entertainment figures like Oprah Winfrey, while avoiding meeting with them. “They wrote news stories with a tone that was slightly different as a result,” Sandalow said. “And let me tell you, it made no difference. ... It’s a little bit annoying to realize that they can go right around you and get what they want. And I think that there are probably some strategists who will look at this and say, ‘You know what? Mainstream media is not necessary.’”¹⁰²

⁹⁹ Hugh Hewitt, “Memo to the editor of the Los Angeles Times,” WorldNetDaily.com, October 8, 2003.

¹⁰⁰ James Sterngold, “Times faces lingering feelings of bias; Schwarzenegger backers still angry over groping articles,” *The San Francisco Chronicle*, October 9, 2003, p. A15.

¹⁰¹ John Ritter, “For Arnold, any publicity was good publicity,” *USA Today*, October 9, 2003, p. 8A.

¹⁰² “Reliable Sources,” October 12, 2003.

Carroll, however, believed the paper had produced something of value both for itself and for its readers. “I’m proud,” he asserts, “that the *L.A. Times* was the only news organization, among hundreds that covered the recall election, that examined Schwarzenegger’s treatment of women. Where were the others? This is now part of the public record, as it should be.”¹⁰³ Others agreed that the *Times* had performed a service to voters by publishing the stories before the election. Schwarzenegger won the recall race, wrote one commentator, “proving that either voters didn’t believe the stories or feel [they] were serious enough ... to keep him out of office. But it is likely that most of those who cast ballots were glad to know about the allegations, believing voters make their best decisions when they have all of the facts.”¹⁰⁴

Moreover, by putting the facts before the public, it could even be argued that the *Times* had conferred a certain legitimacy on California’s new governor. “In a way,” Weintraub muses, “I think the *Times* actually did him a huge favor because, if they had not published the story before the election, they almost certainly would have published something after the election, and then there would have been all these recriminations and second-guessing about what voters would have done if they had known this before the election.” Instead, Schwarzenegger “could say, somewhat legitimately, ... that voters knew about this and took some measure of it and ... at least 49 percent of them decided it wasn’t a reason not to elect him. So I think in that sense, he’s very, very fortunate that it came out when it did.”

Perhaps this was on Schwarzenegger’s mind as he met with reporters a couple of days after the election to introduce his transition team. Just a week earlier, with the stories of sexual misconduct still making the front pages, Schwarzenegger had pledged to provide a more detailed response to the individual allegations after the election. “As soon as the campaign is over,” he told NBC news anchor Tom Brokaw, “I can get into all of those kind of specifics and find out what is really going on, but right now I’m just really occupied with the campaign.”¹⁰⁵ But when a reporter reminded him of his promise at the conclusion of the October 9 press conference, Schwarzenegger answered back, as he left the room, “Old news.”

¹⁰³ E-mail message, February 2, 2005.

¹⁰⁴ Joe Strupp, “Arnold Agonistes: Late hit draws flag,” *Editor & Publisher*, October 20, 2003.

¹⁰⁵ Transcript, “Dateline,” NBC News, October 5, 2003.