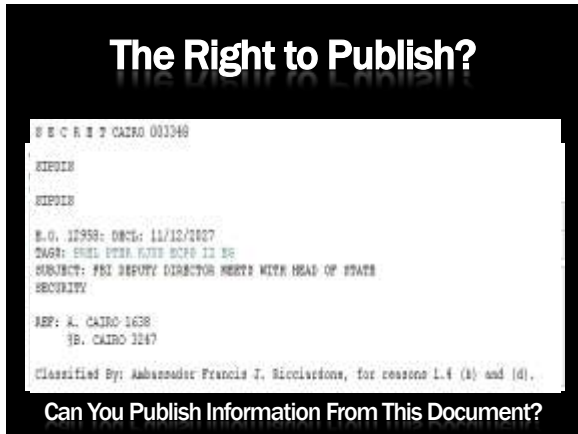
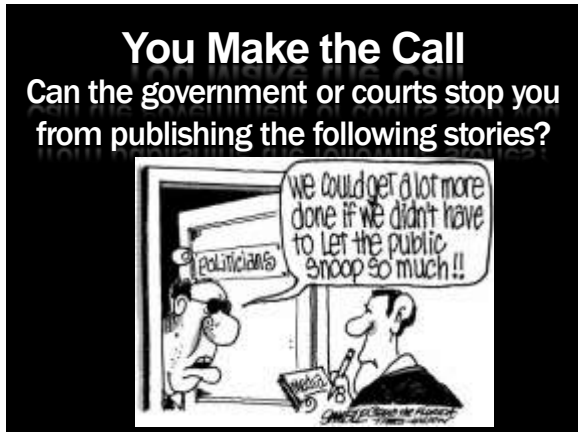
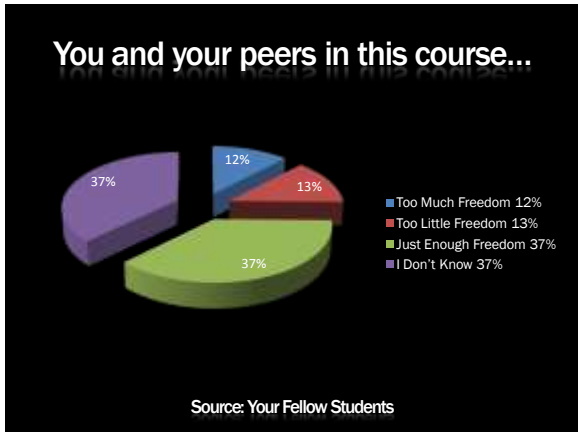
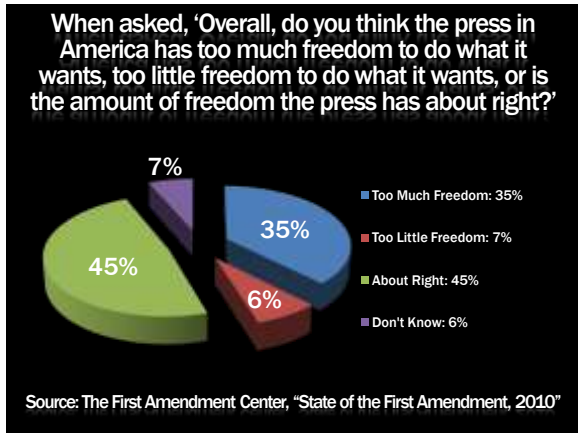


The U.S. News Media

Too Much Freedom? Or Not Enough?



You Make the Call



Can You Publish a Murder Confession?

You Make the Call



Can You Name the Victims?

You Make the Call



Can Grad Students Publish a Porn Magazine?

"My Life As..."

Ilana Ozernoy
Foreign correspondent
8:00 p.m. February 14th



"My Life As..."



David Carr

TBA

New York Times Journalist

News Matters



You Write a sentence here, connecting the news to a course concept.

YOUR REC. #

Submitted by: YOUR NAME GOES HERE
Professor: MY NAME GOES HERE

URL

News Matters...it's your turn

Directions are on Blackboard in the "Course Information" link, "Extra Credit" folder



"To: newslit.news.matters@gmail.com
Subject: Professor (Insert Name)"

What Is Freedom of the Press?

The Bill of Rights

Ratified in 1791

The First Amendment

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances."

(Mnemonic: "P'RAPS")

Ben Franklin's Apology for Printers



"Printers are educated in the belief, that when men differ in opinion, both sides ought equally to have the advantage of being heard by the public; and when truth and error have fair play, the former is always an overmatch for the latter."

James Madison



English Common Law allowed suppression of the press, but in America, "the people, not the government possess the absolute sovereignty."

"Some degree of abuse is inseparable from the proper use of everything, and in no instance is this more true than in that of the press."

The Alien and Sedition Acts



President John Adams Signs Them Into Law in 1798

The Supreme Court's 'First Great Press Case'



1931: Near v. Minnesota

Justice Pierce Butler



"Permitting a scandal sheet such as Near's to destroy the reputation, peace of mind, and even personal safety of other citizens, society is not only encouraging malice and revenge but could inflict distressing punishments upon the weak, timid, and innocent."

Justice Louis Brandeis



'Every man has a right to publish what he wishes, and if it be defamatory or libelous suffer the consequences later.'

Chief Justice Charles Evans Hughes Breaks the Tie



'The fact that the liberty of the press may be abused . . . by purveyors of scandal does not make any less necessary the immunity of the press from prior restraint in dealing with official misconduct.'

No Prior Restraint



Government cannot stop something from being published or broadcast or posted on the Internet, except in rare instances.

But, the author or organization can be punished later.

Libel vs. Slander



"Slander is spoken. In print, it's libel."

Defenses:

• Fair Criticism



No Prior Restraint



'Freedom of the Press is the Right of the Press to be Wrong'
- First Amendment Attorney Alan Dershowitz

The Fourth Estate



Who is the "Watchdog"? You are.

Student Reporters Aid Exoneration of 258 Convicts



The Watchdog As Its Own Censor



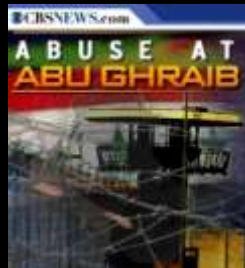
The Bay of Pigs Invasion

Who Defines "Responsible"



Details About a New Bird Flu

The Press As 'Watchdog'



CBS' Revealing Abu Ghraib Coverage

60Mins.wmv

There Are Two Exceptions to the No Prior Restraint Rule

National Security



The Pentagon Papers Case

Daniel Ell
Leaks S
Defense Doc



The Washington Post Exposes Secret CIA Prisons

CIA Holds Terror Suspects in Secret Prisons
Debate Is Growing Within Agency About Legality and Morality of Overseas System Set Up After 9/11
By Sara Pratt
Washington Post Staff Writer
Wednesday, November 2, 2011; Page A01



What Was the Impact of These Stories?

The Role of the Press in National Security



Secret Documents Made Public

The Role of the Press in National Security

Assange60.wmv

Secret Documents Made Public

The Role of the Press in War

Bank Data Is Sifted by U.S. in Secret to Block Terror



Bank Data Is Sifted by U.S. in Secret to Block Terror

The Role of the Press in War



Keller Explains His Decision



The Role of the Press in War



Lawmaker Wants Times Prosecuted

By David S. Garrow
Associated Press
Monday, June 23, 2008, Page A27

The chairman of the House Homeland Security Committee urged the Bush administration yesterday to seek criminal charges against newspapers that reported on a secret financial monitoring program used to track terrorists.

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**Long Island Congressman Peter King
Wants Reporters Jailed**

Other Conflicts


- The Right to Know
- The Right to Know vs. Privacy
- A Free Press vs. A Fair Trial

Limitations on Press Freedom

Press arrests



The Right to Know?

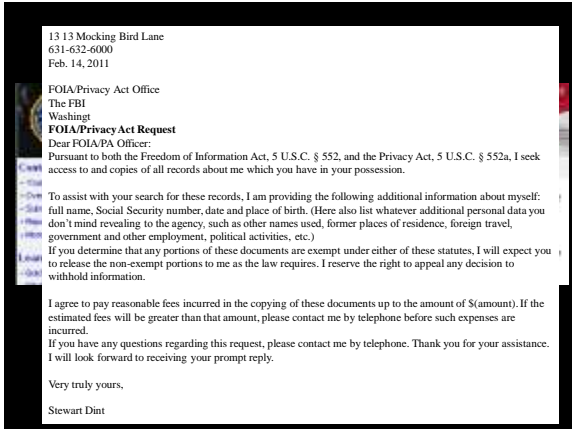



1995: 3.5 Million Documents Classified
2010: 77 Million Documents Classified

Is The Right to Gather News Limited?



Ye\$, It IS.



The Right to Know vs. Privacy



A controversial decision to publish a photo of war

A Free Press vs. A Fair Trial

“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed”

The Sixth Amendment

A Free Press vs. A Fair Trial



A Free Press vs. A Fair Trial



A Free Press vs. A Fair Trial

Judges have other remedies :

- Change of venue
- Gag orders
- Voir Dire
- Sequestering the Jury

You Make the Call

Can the government or courts stop you from publishing the following stories?

You Make the Call



Can You Publish a Story About Juan Reyes Mejia-Gonzalez 's safe house?

The Right to Publish?



Popular Student Charged With Murder Confesses

The Right to Publish?



Do You Name the Victims?

The Right to Publish?



Can You Publish Information From This Document?

The Right to Publish?



Grad Students Publish a Porn Magazine

The New York Times on Trial for Treason



Innocent or Guilty?

In-class debate: Wikileaks, The Times & Manning



Protected by the First Amendment?

Assignments:

1. Read S.W.I.F.T. articles and chapter three of *"The Elements of Journalism."* Write talking points for a debate in recitation, citing chapter and articles.
2. OR...Read Wikileaks articles and chapter three of *"The Elements of Journalism."* Write talking points for a debate in recitation, citing chapter and articles.
2. "War, Terrorism & National Emergencies"
(In digital textbook)
(Read, think, write. Due next Lecture)



hus endeth the Lesson...