Welcome to the world of journalism, where reporters have been gaging dirt, raking muck, king headlines and adlines for centuries. It's a history full of blood trash, of slimy sensationalists, of runkards, deadbeats and “smers” (as a Harvard university president once described reporters).

But it’s a history full of heroes, too: men and women risking their lives to tell stories of war and tragedy, risking imprisonment to defend free speech. And as you see here, reporters have come beloved characters in pop culture, too, turning up in movies, comics and TV shows as if guided by an occult hand.

Every culture seeks effective ways to spread new information and gossip. In ancient times, news was written on clay tablets. In Caesar’s age, Romans read newsletters compiled by correspondents and handwritten by slaves. Wandering minstrels spread news (and the plague) in the Middle Ages. Then came ink on paper. Voices on airwaves. Newsreels, Web sites, and 24-hour cable news networks.

Thus when scholars analyze the rich history of journalism, some view it in terms of technological progress—for example, the dramatic impact of bigger, faster printing presses. Others see journalism as a specialized form of literary expression, one that’s constantly evolving, reflecting and shaping its culture.

Others see it as an inspiring quest for free speech, an endless power struggle between Authority (trying to control information) and the People (trying to learn the truth). Which brings to mind the words of A.J. Liebling: “Freedom of the press is guaranteed only to those who own one.”

In the pages ahead, we’ll take a quick tour of 600 years of journalism history, from hieroglyphics to hypertext: the media, the message and the politics. Technical advances and brilliant ideas forged a new style of journalism. It was a century of change, and newspapers changed dramatically. The typical newspaper of 1800 was undisciplined mishmash of legislative proceedings, long-winded essays and secondhand gossip. By 1900, a new breed of journalist had emerged. Journalists had become big business. Reporting was becoming a disciplined craft. And newspapers were becoming more entertaining and essential than ever, with features like Snappy Headlines, Ads, Comic Strips, and an “inverted pyramid” style of writing that made stories tighter and newsier.

Radio and television brought an end to newspapers’ media monopoly. Why? Well, see for yourself: Which did you come before? Newspapers or television? Movies, comics and TV shows as if guided by an occult hand.

Law and ethics
Law & ethics

- Press rights
- Press wrongs
- Understanding libel
- Invasion of privacy
- Copyright law
- Taste and decency (and censorship)
- Journalistic ethics
Press rights

Rights fall into two main categories:

- Privileges and protections for journalistic activities.
- Access to government operations and records.

Congress shall make no religion, or prohibiting law respecting an establishment of the free exercise thereof; abridging the freedom of speech, or of the press...

The First Amendment to the U.S. Constitution
Press rights

Privilege and protection for sources and stories

- Fair report privilege
  - Allows journalists to report anything said in official government proceedings.
  - Must be accurate and fair.
- Opinion privilege
  - Protects written opinions from libel suits.
  - Distinction between facts and opinion.
Press rights

Privilege and protection...

- Fair comment and criticism
  - Allows journalists to criticize performers, politicians and other matters of public interest.

- Freedom from newsroom searches

- Shield laws
Press rights

A final question

- Are bloggers entitled to the same rights and protections as mainstream media reporters?
Press rights

Journalistic access

- Open courtrooms

The issues

- Does media coverage harm trial defendants?
- Do cameras turn courtrooms into circuses?
- Should press be banned from some trials?

The law

- U.S. Supreme Court ruled that criminal trials must remain open to the media except for “overriding interest.”
Press rights

Journalistic access

Open meetings

The issues

• Should public officials be allowed to make decisions behind closed doors?
• At what point does government secrecy become a threat?

The law

• Varies by state.
• Generally, if the government board or commission receives revenue from taxes, subject to open meeting laws.
Press rights

Journalistic access

- Open records

The issues

- Should all government records be accessible to the public?
- Who decides what is off-limits?

The law

- 1966 Freedom of Information Act requires federal agencies to make most of their records available.
- Every state has own version of FOIA.
Press rights

Online resources

- The Reporters Committee for Freedom of the Press (www.rcfp.org)
  - “How to Use the Federal FOI Act”
  - “Tapping Officials’ Secrets”
  - “Can We Tape?”

- Legal Defense Hotline (1-800-336-4235)

- Student Press Law Center (www.splc.org)
  - “Open records Law Request Letter Generator”
  - SPLC Virtual Lawyer
Press wrongs

Reporter’s Guide to Trouble

- Stories that can get you jailed
  - Contempt of court
  - Trespassing
  - Sedition

- Stories that can get you sued
  - Libel
  - Invasion of privacy
  - Breach of contract
Press wrongs

Reporter’s Guide to Trouble

- Stories that can get you fired
  - Plagiarism
  - Fabrication
  - Lapses in ethics

- Stories that can get you angry phone calls
  - Bias
  - Bad taste
  - Blunders & bloopers
Understanding libel

Beginning reporter’s guide to libel

- Who can sue for libel?
  - Living people.
  - Small groups.

- Who is it that gets sued?
  - Usually, the publication.

What is libel?

- False statements and
- Defamatory and
- Published and
- Identifiable plaintiffs and
- Defendant must be at fault through negligence or malice.
Understanding libel

Beginning reporter’s guide to libel

How do I defend myself?
- Truth
- Consent
- Privilege

How can I avoid libel?
- Verify material.
- Allow people to defend themselves.
- Remember, public officials often make “unofficial” claims.
- If you make a mistake, correct it.
Understanding libel

The Cherry Sisters vs. “Fair Comment and Criticism”

- Iowa supreme court – “Any performance to which the public is invited may be freely criticized.”

- “Also, any editor may publish reasonable comments on that performance.”
Understanding libel

A lexicon of libel

- **Actual malice** – knowing you are lying or disregarding the truth
- **Opinion** – ideas that don’t claim to be factual
- **Slander** – defamation that is spoken

- **Public official** – someone who exercises power or influence in governmental affairs
- **Public figure** – person who has acquired fame or notoriety
Invasion of privacy

4 Most common ways to invade someone’s privacy

- Intrusion
  - Trespass
  - Secret surveillance
  - Misrepresentation

- Public disclosure of private facts
  - Private
  - Intimate
  - Offensive
Invasion of privacy

Most common ways to invade someone’s privacy

- False light
  - Anything that portrays someone in an inaccurate way

- Appropriation
  - Unauthorized use of someone’s name, photo or words to endorse or sell a product or service.
Copyright law

A journalist’s guide to copyright

- What is copyright?
- What happens if I plagiarize?
- Can I use excerpts from copyrighted material?

- What about using copyrighted photos and illustrations?
- I write for a small paper. Do big corporations really care if I use their material?
Taste and decency and censorship

5 Reasons your story might get spiked

- Vulgar language
- Offensive topics
- Conflict of interest
- Legal/ethical issues
- Reporting flaws
Taste and decency and censorship

Student press law: How much can a school administrator censor?

- Public colleges
  - Student editors are entitled to control the content.

- Public high schools
  - Some guidelines, but lots of gray area.
Taste and decency and censorship

Student press law: How much can a school administrator censor?

- Private colleges and high schools
  - Administrator can act like any other publisher in controlling what’s printed.
The seven deadly sins

Ethical pitfalls

- **Deception**
  - Lying or misrepresenting yourself to obtain information.

- **Conflict of interest**
  - Accepting gifts or favors from sources or promoting social and political causes.
The seven deadly sins

Ethical pitfalls

- **Bias**
  - Slanting a story by manipulating facts to sway opinions.

- **Fabrication**
  - Manufacturing quotes or imaginary sources or writing anything you know to be untrue.
The seven deadly sins

Ethical pitfalls

- **Theft**
  - Obtaining information unlawfully or without a source’s permission.

- **Burning a source**
  - Deceiving or betraying the confidence of a source.

- **Plagiarism**
  - Passing off someone else’s words or ideas as your own.
Journalistic ethics

Reporters, editors maintain high standard of professional behavior

- When you face an ethical dilemma:
  - What purpose does it serve to print this?
  - Who gains?
  - Who loses?
  - Is it worth it?
  - What best serves the readers?
Journalistic ethics

Code of ethics

- Seek truth and report it.
- Minimize harm.
- Act independently.
- Be accountable.

Do they love us?

- 62% of Americans say they don’t trust the press.
- 59% think newspapers care more about profits than public interests.
- 58% don’t think reporters care about inaccuracies.