

Rights and Responsibility

Learning Targets

- Determine the meaning of words and phrases as they are used in a text.
 - Summarize the opinion of a writer using textual details as support.

Rights and the American Dream

While the American Dream is central to our shared sense of identity, another of our defining beliefs is in the importance of free speech. As Supreme Court Justice Oliver Wendell Holmes famously observed in 1919, “the best test of truth is the power of the thought to get itself accepted in the competition of the market.” Viewed in this way, the expression of contrasting and even conflicting ideas and opinions provides information that is crucial to our ability to make informed decisions about everything from personal beliefs to public policy. Indeed, the ways in which these ideas and voices interact with each other help us to shape, test, and revise our own perspectives on the issues that dominate our lives. This unit, with its focus on the media, begins with an in-depth examination of the Amendment guaranteeing us our freedom of speech.

In Unit 1, you read the First Amendment to the United States Constitution as part of your study of the Bill of Rights. Refresh your memory of the First Amendment by rereading the text.

Primary Document

First Amendment to the United States Constitution

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 peaceably to assemble, and to petition the Government for a redress of grievances.

Before Reading

1. Each of the following terms is taken verbatim from the First Amendment. Read through the list first, and then underline each word or term as it appears in the text of the First Amendment. Next, define each term. Feel free to use a dictionary or other resource as allowed or provided by your teacher.

respecting:

establishment:

prohibiting:

free exercise:

thereof:

qbridge:

the press:

peaceably;

assemble

petition:

redress:

grievance

LEARNING STRATEGIES:
Quickwrite, Diffusing,
Metacognitive Markers,
Socratic Seminar

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2. Now transform the text by rewriting the First Amendment in the space below, replacing the vocabulary words with their definitions. In some cases, your definition may fit exactly; in others, you may need to rework the phrasing.

3. The First Amendment includes four basic rights or freedoms. What are they? Which of these will be the focus of this unit?

During Reading

4. As you read, annotate the text for connections to the ideals reflected in the First Amendment. Use your metacognitive markers to indicate anything that provokes a question (?), anything about which you wish to comment or make a connection (*), and anything you find surprising (!). Be prepared to discuss your responses.

Informational Text

The Role of the Media in a Democracy

by George A. Krimsky

Chunk 1

In a free-market democracy, the people ultimately make the decision as to how their press should act, says George Krimsky, the former head of news for the Associated Press' World Services and author of Hold the Press (The Inside Story on Newspapers).

1 Volumes have been written about the role of the mass media in a democracy. The danger in all this examination is to submerge the subject under a sludge of platitudes. The issue of whether a free press is the best communications solution in a democracy is much too important at the close of this century and needs to be examined dispassionately.

2 Before addressing the subject, it helps to define the terminology. In the broadest sense, the media embraces the television and film entertainment industries, a vast array of regularly published printed material, and even public relations and advertising. The “press” is supposed to be a serious member of that family, focusing on real life instead of fantasy and serving the widest possible audience. A good generic term for the press in the electronic age is “news media.” The emphasis in this definition is on content, not technology or delivery system, because the press—at least in developed countries—can be found these days on the Internet, the fax lines, or the airwaves.

3 A self-governing society, by definition, needs to make its own decisions. It cannot do that without hard information, leavened with an open exchange of views. Abraham

KEY IDEAS AND DETAILS

As you read Chunk 1, annotate how the author introduces the topic of his argument. How does the author establish the significance of his claim?

Lincoln articulated this concept most succinctly when he said: “Let the people know the facts, and the country will be safe.”

4 Some might regard Lincoln’s as a somewhat naive viewpoint, given the complexities and technologies of the 20th century; but the need for public news has been a cornerstone of America’s system almost from the start.

5 Thomas Jefferson felt so strongly about the principle of free expression he said something that non-democrats must regard as an absurdity: “If it were left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.” The implication of those words is that self-governance is more essential than governance itself. Not so absurd, perhaps, if you had just fought a war against an oppressive government.

Chunk 2

6 In the wake of America’s successful revolution, it was decided there should indeed be government, but only if it were accountable to the people. The people, in turn, could only hold the government accountable if they knew what it was doing and could intercede as necessary, using their ballot, for example. This role of public “watchdog” was thus assumed by a citizen press, and as a consequence, the government in the United States has been kept out of the news business. The only government-owned or -controlled media in the United States are those that broadcast overseas, such as the Voice of America. By law, this service is not allowed to broadcast within the country. There is partial government subsidy to public television and radio in the United States, but safeguards protect it against political interference.

7 Because the Constitution is the highest law in the land, any attempts by courts, legislators and law enforcement officers to weaken protected liberties, such as free expression, are generally preventable.

8 Fairly simple in theory, but how has all this worked out?

9 Generally speaking, pretty well, although the concept of a free press is challenged and defended every day in one community or another across the land. The American press has always been influential, often powerful and sometimes feared, but it has seldom been loved. As a matter of fact, journalists today rank in the lower echelons of public popularity. They are seen as too powerful on the one hand, and not trustworthy on the other.

10 In its early days, the American press was little more than a pamphleteering industry, owned by or affiliated with competing political interests and engaged in a constant war of propaganda. Trust was not an issue. What caused the press to become an instrument for democratic decision-making was the variety of voices. Somehow, the common truth managed to emerge from under that chaotic pile of information and misinformation. A quest for objectivity was the result.

Chunk 3

11 Many critics have questioned whether there is such a thing as “objectivity.” Indeed, no human being can be truly objective; we can only *seek* objectivity and impartiality in the pursuit of truth. Journalists can try to keep their personal views out of the news, and they employ a number of techniques to do so, such as obtaining and quoting multiple sources and opposing views.

12 The question is whether the truth always serves the public. At times, the truth can do harm. If the truthful report of a small communal conflict in, say, Africa, leads to more civil unrest, is the public really being served? The journalistic purists—often those sitting

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KEY IDEAS AND DETAILS
How important is a free press to a democratic society?

KEY IDEAS AND DETAILS
As you read Chunk 2, annotate how the author uses diction to maintain an objective tone.

KEY IDEAS AND DETAILS
In this report, the **rhetorical question** acknowledges and anticipates one of the reader’s first questions—*“If the truthful report of a small communal conflict in, say, Africa, leads to more civil unrest, is the public really being served?”*

How effective is the author’s use of rhetorical questions in this text?

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in comfortable chairs far from conflict—say it is not their job to “play God” in such matters, and that one should not “shoot the messenger for the message.”

13 If, however, one takes the rigid view that the truth always needs to be controlled—or Lenin’s dictum that truth is partisan—the door is wide open for enormous abuse, as history has demonstrated time and again. It is this realization (and fear) that prompted Jefferson to utter that absurdity about the supreme importance of an uncensored press.

14 What Jefferson and the constitutional framers could not have foreseen, however, was how modern market forces would expand and exploit the simple concept of free expression. While media with meager resources in most developing countries are still struggling to keep governments from suppressing news that Westerners take for granted, the mass media in America, Britain, Germany and elsewhere are preoccupied with their role as profitable businesses and the task of securing a spot on tomorrow’s electronic superhighway. In such an environment, truth in the service of the public seems almost a quaint anachronism.

15 Is the capitalist drive an inherent obstacle to good journalism? In one sense, the marketplace can be the ally, rather than the enemy of a strong, free media. For the public to believe what it reads, listens to and sees in the mass media, the “product” must be credible. Otherwise, the public will not buy the product, and the company will lose money. So, profitability and public service can go hand in hand. What a media company does with its money is the key. If it uses a significant portion of its profits to improve its newsgathering and marketing capabilities and eliminate dependence upon others for its survival (e.g. state subsidies, newsprint purchases, or access to printing facilities), the product improves, and the public is served. If it uses its profits primarily to make its owners rich, it might as well be selling toothpaste.

16 The assumption in this argument is that the public overwhelmingly wants to believe its news media, and that it will use this credible information to actively and reasonably conduct its public affairs. Unfortunately, that assumption is not as valid as it was in simpler times. In affluent societies today, media consumers are seeking more and more entertainment, and the news media’s veracity (even its plausibility) is less important than its capacity to attract an audience.

17 But, you say, look at the new technology that can penetrate any censorship system in the world. Look at the choices people have today. Look at how accessible information is today. Yes, the choices may be larger, but a case can be made they are not deeper—that big money is replacing quality products and services with those of only the most massive appeal. The banquet table may be larger, but if it only contains “junk food,” is there really more choice? Declining literacy, for example, is a real problem in the so-called developed world. That’s one reason why newspapers are so worried about their future.

Chunk 4

18 Where is the relevance of all this to the emerging democracies around the world? Certainly the American experience, for all its messiness, provides a useful precedent, if not always a model.

19 For example, when one talks about an independent media, it is necessary to include financial independence as a prerequisite, in addition to political independence. The American revenue-earning model of heavy reliance on advertising is highly suspect in many former communist countries, but one has to weigh the alternatives. Are government and party subsidies less imprisoning? If journalists are so fearful of contamination by advertiser pressure, they can build internal walls between news and business functions, similar to those American newspapers erected earlier in this century.

KEY IDEAS AND DETAILS

Why is it important that the government is not involved with the media?

20 If they are fearful of political contamination of the information-gathering process, they can build another wall separating the newsroom from the editorial department—another important concept in modern American journalism.

21 The problem in many new democracies is that journalists who once had to toe the single-party line equate independence with opposition. Because they speak out against the government, they say they are independent. But haven't they just traded one affiliation for another? There is little room for unvarnished truth in a partisan press.

22 Is objectivity a luxury in societies that have only recently begun to enjoy the freedom to voice their opinions? Listen to a Lithuanian newspaper editor shortly after his country gained its independence: "I want my readers to know what their heads are for." His readers were used to being told not only what to think about, but what to think. Democracy requires the public to make choices and decisions. This editor wanted to prepare citizens for that responsibility with articles that inform but do not pass judgment. His circulation increased.

23 Though nearly 60 percent of the world's nations today are declared democracies—a monumental change from a mere decade ago—most of them have nevertheless instituted press laws that prohibit reporting on a whole array of subjects ranging from the internal activity and operations of government to the private lives of leaders. Some of these are well-intentioned efforts to “preserve public stability.” But all of them, ALL of them, undermine self-governance.

24 The watchdog role of the free press can often appear as mean-spirited. How do the government and public protect themselves from its excesses? In the United States, it is done in a variety of ways. One, for example, is the use of “ombudsmen.” In this case, news organizations employ an in-house critic to hear public complaints and either publish or broadcast their judgments. Another is the creation of citizens’ councils which sit to hear public complaints about the press and then issue verdicts, which, although not carrying the force of law, are aired widely.

25 Last, and most effective, is libel law. In the United States, a citizen can win a substantial monetary award from a news organization if libel is proven in a court of law. It is much harder for a public official or celebrity than an ordinary citizen to win a libel case against the press, because the courts have ruled that notoriety comes with being in the limelight. In most cases, the complaining notable must prove “malice aforethought.”

26 There is nothing in the American constitution that says the press must be responsible and accountable. Those requirements were reserved for government. In a free-market democracy, the people—that is the voters and the buying public—ultimately decide as to how their press should act. If at least a semblance of truth-in-the-public-service does not remain a motivating force for the mass media of the future, neither free journalism nor true democracy has much hope, in my opinion.

27 The nature and use of new technology is not the essential problem. If true journalists are worried about their future in an age when everyone with a computer can call themselves journalists, then the profession has to demonstrate that it is special, that it offers something of real value and can prove it to the public. There is still a need today—perhaps more than ever—for identifying sense amidst the nonsense, for sifting the important from the trivial, and, yes, for telling the truth. Those goals still constitute the best mandate for a free press in a democracy.

28 George Washington's admonition, uttered at the Constitutional Convention, still stands: "Let us raise a standard to which the wise and honest can repair."

My Notes

KEY IDEAS AND DETAILS

As you read Chunk 4, annotate how the author provides a conclusion to his argument. How does the author provide a final support of his claim?

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WORD CONNECTIONS

Patterns of Word Changes

The word *convention* (which can mean “something agreed upon,” “agreement,” or “assembly”) comes from the verb *convene* (“come together”). The suffix *-tion* is often used to transform a verb into a noun.

My Notes

After Reading

5. You will next participate in a Socratic Seminar. To prepare for the Socratic Seminar, review the texts in this activity and respond to the pre-seminar questions. Use details from each text to support your thinking.

Pre-seminar questions:

- How important is a free press to a democratic society? What is the balance between the freedoms guaranteed by the First Amendment and the responsibility of the individual in our society?
- Why is it important that the government is not involved with the media?
- Write one of your own open-ended questions based on the text.

Check Your Understanding

Writing Prompt: Think about the role of media in society today, including its limitations and its contribution to a democracy. Using details from the text, write a text that explains the importance of a free press in a democracy. Be sure to:

- Provide a coherent explanation of the role of free press in a democracy.
- Provide a concluding statement that follows from and supports the explanation presented.
- Use specific diction to maintain an objective tone throughout your writing.

Language and Writer’s Craft: Evolving Language

Language changes over time. We no longer write or speak as Shakespeare did. Nor do we even write or speak as James Madison, author of the First Amendment, did. As language changes, the rules about standard and nonstandard usage change, too.

Who gets to say what usage is correct, or standard? As new words and usages appear and fill new communication needs, they may gain popular currency. People who create dictionaries, usage guides, and other reference works decide which new usages to include and which to exclude. Between popular usage and the sanction of cultural gatekeepers such as dictionary editors, a working consensus arises about what the new words and usages mean and how to use them effectively.

This means that “correct,” or standard, usage is largely a matter of cultural consensus, or **convention**. And what is standard changes over time. Not everyone agrees about what is standard. Good usage dictionaries, such as Bryan Garner’s *Dictionary of Modern American Usage*, can help you resolve issues about contested or complex usages.

Look up the words *nauseated* and *nauseous* in a dictionary of usage. Are you surprised to learn that many people consider it an error to use *nauseous* to mean “having nauseaed”? Given how common this usage is, should we still consider it an error? Why or why not?