

Our American Press Magazine

**A Comprehensive
History of Journalism
in the United States**

**Two Print Journalists
from Across the Country
Weigh In on their Future**

**Interview with NPR Ethics
Director Mark Memmott**

*A Review of the Past and Present of Journalism, Journalistic Ethics, and
the United States*

Spring 2019 Edition

dear reader,

We all consume the news. Whether we are aware of it or not, we glance sideways at the magazine features while in the grocery store line; we shudder at the words sailing constantly across the bottom of the television screen; we tenderly unfold the paper alongside our morning coffee.

However, today's media is under attack. Our beloved daily paper might be decried as "fake news" by some politician, or it might turn out that the online blog we have been relying on has been publishing false information all along. Today more than ever before, journalists are accused of publishing ill-intentioned or misrepresentative articles, and both politicians and journalists claim that they fear that we have entered a dark age of a failure to adhere to the truth. However, a brief look into our country's history reveals that this is surely not the case; from the onset of the United States political system, through the era of yellow journalism, and into Nixon's presidency, the world of journalism has been both revelatory and corrupt at times, and yet the United States has prevailed and strengthened. Today, in fact, more young people than ever seem to flock to careers in journalism, sincerely claiming that they want nothing more than to research and publish the truth.

So, dear reader, do not be alarmed. Although we sometimes teeter on the edge of trouble, there is reason to believe that today's media is not as much of a failure as some claim it to be. And more importantly, there is still hope, for the next generation of journalists vows to publish the truth, and nothing but the truth.

audrey brown
editor-in-chief

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FAKE NEWS: a history



They squint from the periphery, recording information with shiny-tipped dip pens onto messy scraps of paper. They return to their desks--surrounded by dusty bureaus and the scent of fresh ink--and begin to write their information, untinged by personal opinion or political bias, recording the facts of the truth. They exemplify the ideal desire of a journalist, one who deliberately reports the truth, and nothing but the truth.

This is the picture that people wish to have in their minds when they envision a journalist, a true journalist; alas, in history, there have been multitudinous discrepancies and digressions from this perception. The public has continually questioned the media, and although some criticize today's journalists for introducing the phenomenon of "fake news" into the political limelight, there is a long history of instances when journalists were criticized for publishing biased or false information. In today's media, there is backlash from the public when seemingly any highly politicized article is published, in that one group criticizes the other for spouting "fake news" that is not in accordance with one's own beliefs. However, this outcry is not a new phenomenon, and examples of certain eras in media when journalism was criticized for its output are many. According to Sheldon Burshtein, who studies intellectual property and who published a comprehensive list describing the history of false news, "fake news has existed for centuries, as evidenced by reference to 'false news or tales' in the Statute of Westminster enacted in the United Kingdom in 1275." There have been countless occasions

throughout American history alone when journalists have been questioned, from the Revolutionary era, through the period of "yellow journalism," and into the current times.

From the onset of the ability to write, humans have been able to communicate things that they would not otherwise have been able to say in person. "Writing changes the relationship between a communicator and the person with whom he or she is communicating."¹ And this sentiment is reflected in all writing, particularly in writing that is published and distributed to others to tell of the news. From the establishment of the United States, there have been examples of outright false news stories as well as efforts to combat them. Even founding father Benjamin Franklin, "who among other things was a newspaperman, once printed a fake Boston newspaper with a headline story about murderous Native Americans that were bringing scalps of soldiers and civilians to King George III."² Clearly, although glorified in many a statue and speech as a trustworthy and dedicated founder of the country, even Franklin may not have always conjured a desired image of an unbiased journalist, and he used the media as a means of manipulating the public and publishing his own political opinions.

The First Amendment to the United States Constitution, passed in 1791, further provided for the protection of the media in almost all regards, stating that "Congress shall make no law...abridging the freedom of speech, or of the press" and essentially allowing for the publication of further articles

regardless of the subject. In fact, according to Erwin Chemerinsky, a lawyer who studies the implications of federal law, after "Congress, with many of the Constitution's drafters and ratifiers participating, adopted the Alien and Sedition Acts of 1798," which prevented from publishing any "false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States" and which was used "aggressively" by President John Adams against his rivals in Congress, the acts' passage was criticized by many who believed it encroached upon the freedoms outlined in the Constitution, and it was soon repealed by Adams' successor.³ In other words, statements made in the Bill of Rights allowed for freedom of the press in the United States to an undefined end, and attempts to put limits on what could be published were harshly debated because of a desire to publish pieces with varying political leans that could extend to the point of criticizing the president.

After this period in U.S. history, journalists continued to publish their desired information without risking much attack until when "exactly a century later, the nation was focused on 'yellow journalism.'"⁴ During this period, centered in the late 19th century, the newspapers the *New York World* and the *New York Journal*, headed respectively by Joseph Pulitzer and William Randolph Hearst, competed aggressively with one another to the point of exaggerating their content for more attention and publicity. Though the extreme exaggeration

that characterized that period of history faded after those journals lost popularity, some characteristics of the time retained their popularity to modern times, such as “banner headlines, coloured comics, and copious illustration,” and it has been claimed that other media outlets like the Internet have made use of yellow journalism’s characteristically sensationalist techniques.⁵ It is important to note, however, that before yellow journalism lost popularity, it effectively contributed to and may even have been the cause of the Spanish-American War. Hearst famously quipped, “You furnish the pictures, and I’ll furnish the war,” and simultaneously, Pulitzer’s *New York World* published exaggerated stories that exacerbated American concern for Cuban troops and prompted the U.S. military to send American troops for involvement in the war against Spain.⁶ In fact, as Alexandra Samuel quotes the argument made by Louis A. Pérez, “the Spanish-American War would not have occurred had not the appearance of Hearst in New York journalism precipitated a bitter battle for newspaper circulation,” showing the importance that journalism has played in shaping American history.

While yellow journalism was criticized at its height for publishing such sensationalized statements that were proven in hindsight to be at times completely false, both Pulitzer and Hearst used their newspapers’ gains in publicity to their benefit, and both journals increased their readership in mass amounts during that time period. Each publisher began their highly sensationalized creations in order to receive more publicity for their own causes, and the process essentially spiraled

into the two enterprises becoming more and more exaggerated in the name of competition. Although they may not have always agreed with the content published by yellow journals, “both at the time and in retrospect, critics of yellow journalism saw its sensationalism and dishonesty as a business strategy.”⁷ It is therefore not only truthful to say that yellow journalism alone proves that fake news is not a new phenomenon, but it is important to understand that journalists were being criticized at that time for their false publishing, even as that publicity led to their popularity. Not only did the public denounce the journalists for their embellishment of the truth, but “alongside the public, the courts’ attitudes towards the media shifted, inspired less by the outright falsehoods published in turn-of-the-century papers than by their intrusions into the lives of public figures.”⁸

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Amy Gajda affirms that in 1890, in order to combat the “prying eyes of yellow journalists and gossip-mongers,” Samuel Warren and Louis Brandeis, two Boston lawyers who believed that the reaches of yellow journalism had extended too far, “published what would become a landmark article in the *Harvard Law Review* calling for explicit legal protection for personal privacy against unwanted private invasion...They decried what they viewed as a shocking erosion of

respect for private repose, fueled by a sensational press that increasingly ignored the ‘obvious bounds of propriety and of decency.’”⁹

Hearst and Pulitzer do not necessarily evoke images of the trustworthy journalist in the mind—it seems somewhat contradictory that the Pulitzer Prize, which honors excellence in writing, was named after a famously unethical journalist. However, each man used his reputation to his own benefit amidst criticism from the public that they were publishing what was essentially the 1890s equivalent of “fake news.”

Not even an era of false publishing in the media lasts forever, and “looking at the history of fake news in the United States shows the rise of madeup [sic] stories and yellow journalism actually created an appetite for more objective news, and at the turn of the 20th century, modern journalism, with real reporters covering statehouses and beats, became a successful and powerful business model.”¹⁰ To ring in the new century, Joseph Pulitzer hired his friend Alfred Harmsworth to edit his *New York World*--which remained a popular newspaper even as its claim to fame faded from style--and on January 1st, 1901, the first predecessor to a tabloid journal was published. So called because of their effort to economize printing space, tabloid journals such as London’s *Daily Mirror* soon followed and gained popularity for their emphasis on publishing fictional stories, comics, sports reporting, and more. However, as noted by *Encyclopaedia Britannica*, “Despite the fact that their emphasis was clearly on entertainment and not on news coverage or political issues, the nationally distributed British

THE FUNCTION OF GOOD JOURNALISM IS TO TAKE INFORMATION AND ADD VALUE TO IT. —JOHN CHANCELLOR

tabloids remained an important force in public-opinion building,” and their popularity caused some backlash as to whether they could be seen as trustworthy journalism or another genre entirely.

In the modern age, journals such as *National Enquirer*, which take advantage of tabloid journalism to “new levels of satirical absurdity,” have been criticized for their alleged attempts to appear like trustworthy sources even as they do not necessarily desire to present the truth to the public.¹¹ Joseph Patrick McKerns once stated that both yellow journalism and the tabloid journalism that gained popularity in the 1930s “stigmatized the press as a profit motivated purveyor of cheap thrills and vicarious experiences” in that “it seemed as though the press was using the freedom from regulation it enjoyed under the First Amendment to make money instead of using it to fulfill its vital role as an independent source of information in a democracy.”¹² Therefore, even as tabloid journals first emerged as an attempt to produce something that the public could take enjoyment in—that strayed from the highly politicized debates that were characteristic of the yellow

journalism era--their initial intent gradually shifted to one that was at times both as politicized and as criticized as the yellow journalists’ writing.

Even though initial attempts to alleviate criticism of journalists may not have proven to have been completely effective, the twentieth century saw a drastic change in the way that journalism was produced, originating from 1910, when “W.E. Miller proposed the industry’s first code of ethics.”¹³ Aside from the criticism over the politicization and possible nefarious intentions of tabloid journals, the twentieth century as a whole was characterized by an attempt to pursue objectivity in journalism and to present the real facts, much exemplifying the traditional vision of journalism in a reader’s mind. Frank Esser and Andrea Umbricht acknowledge that “different approaches to news-making emerged in the history of Western journalism,” but “the first fully developed model was that of the ‘new American journalism.’”¹⁴

An important factor contributing to the desire to embody truthfulness in reporting was the emergence of television journalism, and “television journalists in the

late 1950s and early 1960s held themselves to a high professional standard, recognized the importance of objective reporting (to the extent that it is possible), and generally treated political leaders with respect.” This attempt at respect was reciprocated, leading to a general sense of “politicians having mutual respect for journalists and maintaining a generally positive relationship with the press” as well as the public trusting the words of television and media journalists to a much higher extent than they had in the past.¹⁵ Reporters like Walter Cronkite and Edward R. Murrow were highly regarded, and it was assumed that if one of them reported the news, it was likely trustworthy reporting, even when Cronkite risked his reputation on the famed day in 1968 when he declared the Vietnam War a “stalemate.” After witnessing several days of bloodshed in Vietnam, Cronkite acknowledged on his television report that he was about to go off his script into a “subjective” analysis of his experiences: “Who won and who lost in the great Tet Offensive against the cities? I’m not sure...[I]t seems now more certain than ever that the

bloody experience of Vietnam is to end in a stalemate.”¹⁶ In this case, although injecting a tinge of personal and political opinion into his reporting, Cronkite’s action was one of the few performances that remains “admired within journalism’s tradition and can be invoked appropriately by journalists today;” this opinion rests largely upon the fact that Cronkite had built such a strong foundation of trustworthiness for himself that his viewers, though shocked by that breach from normal conduct, ultimately were left with a sense of reverence.¹⁷

However, this sense of “hard news” and trustworthiness in television journalism did not last, and the era of journalism that we are left in today sees only mere remnants of the nearly bias-free reporting that characterized Walter Cronkite’s time period. In fact, “the hard-news paradigm came under attack in the 1960s and 1970s for favoring official elite sources and catering to established powers” when the political sphere moved into issues like covering up details about the Watergate scandal and the Vietnam War. Both of these events occurred during Richard Nixon’s presidency, when he condemned and attempted to criminalize reporting companies that covered his attempt to bug the walls of his political opponent’s room in the Watergate Hotel and his push for drafting U.S. soldiers to fight in Vietnam. “Fact-centered and detached reporting seemed too limited an approach” to report on issues like these, leading to desires to “‘blend’ the hard-news paradigm with analytic and interpretative elements.”¹⁸ In this case, then, a public desire to hear more about politics from varying slants changed

the terrain of television and print journalism massively.

The issue of false reporting is by no means a new phenomenon.

It is this era that we still live in today: a time of political slants ringing from hundreds of news channels, newspapers, and Internet sources. As stated by Norman Vasu, “the issue poses a more significant challenge now. The velocity of information has increased drastically with messages now spreading internationally within seconds online. With countless photographs, opinions, and hours of footage published online, every falsehood can proliferate rapidly.”¹⁹ However, although there are more challenges to overcome than ever before in the manner of finding trustworthy media, which has led to a mass public opinion turning against journalists because of claims of “fake news” being slung left and right, it is important to remember that the issue of false reporting is by no means a new phenomenon. Journalists have seen varying degrees of approval and criticism over time and even during the United States’ short history, but just because readers may not be able to visualize that faceless but refined figure recording “just the facts” on his typewriter in today’s world does not mean that readers have never struggled with this issue before. ■



The Society of Professional Journalists was introduced in 1909 by a group of students at DePauw University who were “interested in journalism careers and upholding high standards in the profession.”¹ Originally a fraternity, Sigma Delta Chi, and operating at several universities around the United States, the organization became a professional fraternity in 1916, then a professional society in 1960; the then-fraternity introduced its first Code of Ethics in 1926, for which the society is well-known today. The society and its members seek to promote the ethical distribution of journalism, and although they acknowledge that “their codes are not a set of rules, but they are used as a resource” and that it cannot be enforced by the First Amendment, they set their standards to “1) seek truth and report it, 2) minimize harm 3) act independently and 4) be accountable.”² Among the rules presented by the Society of Professional Journalists’ most recent code of ethics, last modified in 2014, is to verify the accuracy of facts before reporting them, to identify sources so that the audience can determine for themselves the potential biases of their sources, and to “be accountable and transparent” by explaining their means and intentions. As a whole, the Society of Professional Journalists outlines that it believes that “public enlightenment is the forerunner of justice and the foundation of democracy,” and that their ambition for ethical journalism “strives to ensure the free exchange of information that is accurate, fair and thorough.” This intention strengthens the idea that professional journalists, who are formally trained, strive to report

and publish the truth without infringing on anyone’s rights or privacy while still complying with the First Amendment right to freedom of the press.

The Code of Ethics is intended for use among all disciplines of journalists, including television journalists, press journalists, and others. However, there have been some breaches from the Code of Ethics and those who question the extent to which they reach through its history. Among those who struggle to adhere to ethical codes are television journalists. Television, a genre of media which evolved far after the creation of the Society of Professional Journalists, sometimes approaches the news in entirely different ways to other, more archaic forms of news production.

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democracy.”***

For instance, “television demands not only that we see an event but that we feel it, resulting in visually oriented performances that can become emotionally manipulative,” and it also “values stylized performances.”³ In this way, many of the practices introduced on television have been called into question as to whether they respect the rights to individuals’ privacy and objectively represent the news.

One major problem that faced the television news industry as recently as George Bush’s presidency was the use of video news releases. As Chandra Clarke and Shuhua Zhou state in their investigation on the ethical implementation of video news releases, “One major ethical

decision broadcast newsroom employees have been faced with since the late 1980’s is whether or not to use video news releases in their daily newscasts.”⁴ Video news releases, or VNRs, are short video clips that were used for advertisement purposes but made to look like segments of news reporting services; in the past, TV news distributors were attacked for broadcasting VNRs without citing their origins or alerting their viewers that they were advertisements, specifically in a certain case in 2004 when the Bush administration paid for a segment that appeared to show “journalists praising the benefits of the 2003 White House-backed Medicare law” and which was broadcast without disclosing its source on 40 local television stations around the United States.⁵

As the authors of the same article state, VNRs were tempting to use and free to access, but television stations were “bound by their journalistic ethics to disclose if they got the stories or footage from someone other than their own employees.”⁶ Although the Code of Ethics is not required for use, journalists across the United States strive to adhere to it to avoid criticism; in order to represent the quest to accurately represent the origins of one’s reporting and to be transparent with audiences, television news stations often tended to choose not to use VNRs that could not be properly credited or that were intentionally dramatized for advertising purposes. Today, television companies and other news sources face similar struggles because even more online sources exist from which it is unclear whether they are advertisements or

even truthful reporting. This is just one clear example of the Society of Professional Journalists' Code of Ethics being applied in one field of journalism.

Before the onset of television journalism, of course, print journalism existed, a discipline in which there is another distinct range of problems that should be accounted for by journalistic codes of ethics. Frank Esser and Andrea Umbricht co-authored a paper in which they evaluated the changes in print newspapers across the world over time, and in one of their observations, there was a shift in what they call "reporting conventions in pursuit of transparency and authenticity."⁷ As stated previously, accountability and transparency is one of the main tenets of the Society of Professional Journalists' Code of Ethics; in this case, the phrase refers to the publication of articles that fail to contain direct quotes or even citations to quotes that are used. The study finds that of all countries surveyed, newspapers in the United States have increasingly "resorted more often to the use of unnamed sources," thus failing to confirm the hypothesis that transparency in reporting is revered and applied in U.S. journalism and that its use has increased in Western journalism throughout history.⁸ For example, it has been found that nearly all producers of journalism in the Western world use vague referral terms in their attempts to cite the origins of information. Articles published often use indefinite descriptors such as "an official said" or "according to sources close to," even though Esser and Umbricht, in reliance with journalistic codes of ethics, assert that "the use of unnamed

sources should be limited to only those cases 'of compelling public importance,' or where it is required 'to protect an innocent or wrongful party,'" as urged by many codes of ethics for journalists.⁹ There are, of course, many instances when journalists have adamantly denied requests to disclose information about sources in order to protect them, even when faced with jail time, but the number of unethical failures to report on one's sources has nonetheless increased.¹⁰

Accountability and transparency is one of the main tenets of the Society of Professional Journalists' Code of Ethics.

Issues like these disregard the rules laid out by the Society of Professional Journalists, such as the insistence that journalists must be transparent with their audiences in order to ensure their trustworthiness and even that "private people have a greater right to control information about themselves than public figures and others who seek power." Clearly, as Esser and Umbricht hint, the failure to identify sources "may undermine the credibility of the news media and the ethos of the 'hard-news paradigm,'" confounding the guidelines introduced by the Code of Ethics and leading into a greater debate about the nature of journalism regardless of rules set out by professional organizations.

The Society of Professional Journalists' Code of Ethics has evolved over the years since the organization's founding, and although adherence to these guidelines is sometimes called

into question, they attempt to lay a groundwork to be followed by journalists who strive to report the truth. The resource is not a constitutionally-enforced set of rules, and there is evidence of some aspects of media struggling to follow the guidelines, but in general, they continue to represent the true ethical intentions of the society that emerged over one hundred years ago.■

First Amendment Freedoms

*a discovery of the rights and reasons of the
"freedom of the press" statement.*



“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.” Or so it is stated by the First Amendment to the United States Constitution. The Bill of Rights, or the first ten amendments to the Constitution, was ratified in 1791, just two years after the U.S. government started operating under the original document; those ten amendments were added because of outcry that the Constitution had provided too much power of the federal government and prohibited individuals from celebrating their personal liberties. However, the question one must ask now is as follows: what extent of publications and speech are and should be protected by the First Amendment? There are many forms of journalism that fall under the common stigma of “fake news,” some which are truly malignant and some which are unintentional,

and the amount of journalism that is protected by the Constitution is hard to define.

In recent years, there have been increasing objections against the publication of “fake news.” People from every side of the political spectrum are quick to frame their opponents as having written based on false claims, especially if published articles malign the other’s politics. In cases where truly false claims are intentionally or unintentionally published, however, the distinction between how much should and should not be protected by the Constitution becomes blurred. As stated by Erwin Chemerinsky, “the premise of the First Amendment, and especially court decisions interpreting it, is that more speech is inherently better.” However, he calls into question the extent to which this amount of speech can protect publications that are clearly actually false: “if it is false speech, that assumption [that all speech should be protected] seems dubious...how should we think about it when the impact is harmful, such as with false

speech?”¹ Even in terms of the provision of “freedom of speech,” not everything is protected, with “fighting words,” words that incite or support violence, and threatening statements among the “free speech” that is not included under the umbrella of the First Amendment.

An issue that is commonly cited is that of “newsworthiness” and whether that constitutes the publication of articles that infringe upon one’s private property or information. In times past,

it was common for parties whose personal information was infringed upon to complain about the unwarranted publication of their information. Even so, “most of the early cases did not tie newsworthiness to an analysis of journalists’ First Amendment rights,” as cited in Amy Gajda’s article exploring the relationship between privacy and the press. Instead, the issue was seen as “navigat[ing] the boundary between press and privacy rights as a matter of public policy under the common law.”² In fact, the first Supreme Court case that

“NEWS IS WHAT SOMEONE WANTS
SUPPRESSED. EVERYTHING ELSE IS
ADVERTISING. THE POWER IS TO SET THE
AGENDA. WHAT WE PRINT AND WHAT WE
DON’T PRINT MATTER A LOT.”

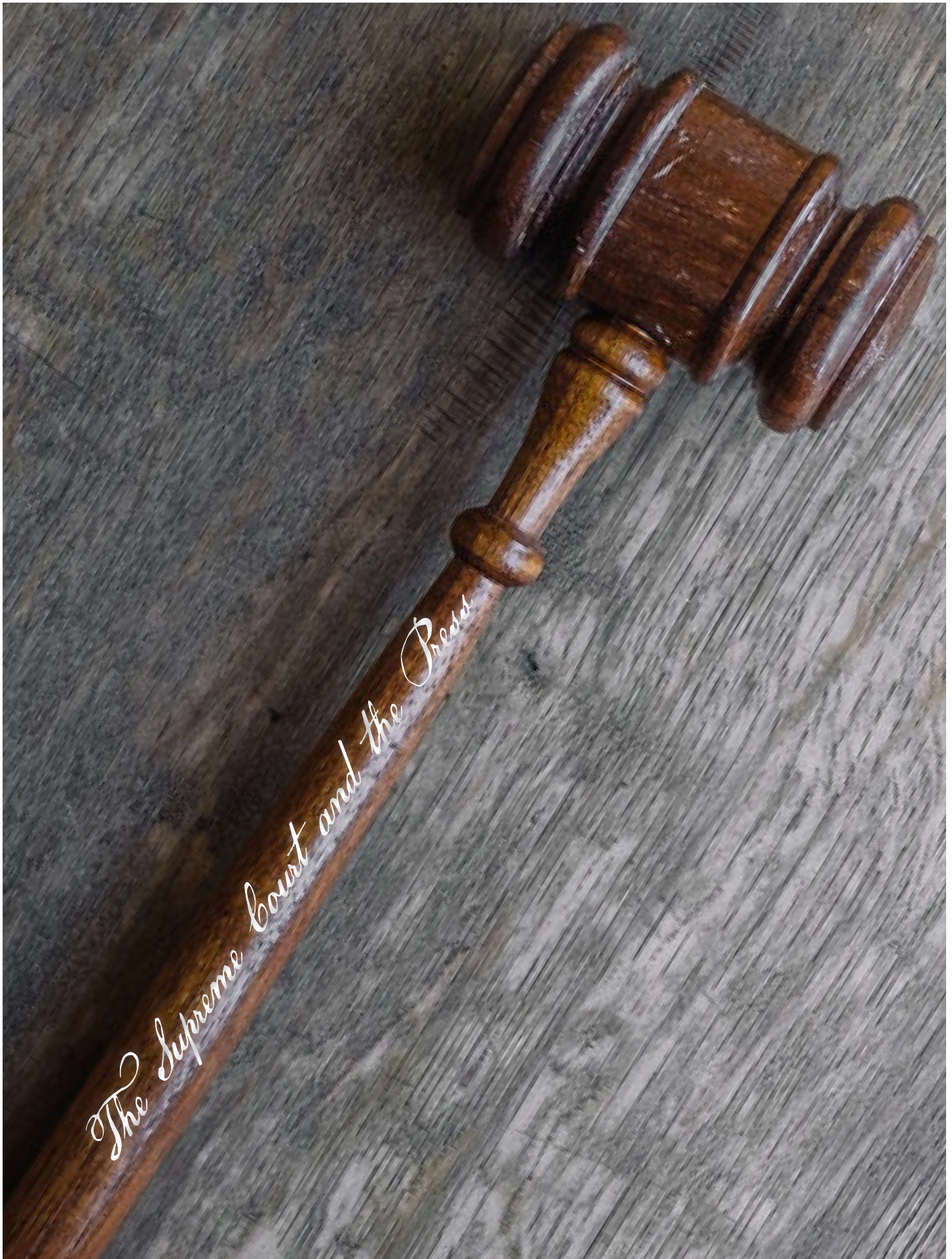
— KATHARINE GRAHAM

connected the breach of private rights was discussed in the case *New York Times Co. v. Sullivan*, in which case the New York Times was unanimously cleared from charges that it printed libelous information about Alabama official L.B. Sullivan. The Court determined that in cases of assumed libel or publishing information that seemed to unfavorably or exaggeratedly misrepresent an individual, the publisher must produce sufficient information proving that they intentionally published malicious claims in order to be breaching conduct. Although in this case, the Supreme Court ruled that publishing personal information is a matter of a First Amendment right and is only in the hands of criticism by the public, there have been cases since then that have played out differently. The Supreme Court continues to state that in cases of simple news stories that publish sensitive but truthful information, “deciding when the government should be permitted to block or punish the reporting of truthful information is a task of considerable ‘sensitivity and significance.’”³

Besides issues of private information rights, it can be generally agreed upon that unintentionally false claims are protected by the Constitution and, even though those who disagree with those articles’ overall intentions may determine them to be “fake news,” they do not fall under that classification. In fact, according to Samuel Burshtein, “Misleading or out-of-context information does not constitute fake news if it is not wholly fabricated or if it is included within a news report that reports factual events. A legitimate news

outlet that makes an error in reporting does not author fake news.” There are numerous cases in which journalists were criticized for publishing incorrect claims because of a lack of information at that time, but in the end, they are almost always forgiven on the terms of the protection of the freedom of the press.

Moreover, in some cases that involved the U.S. Supreme Court in relation to the rights to publish various pieces of information, “the Court has found constitutional protection for false expression.” This has been seen in cases like *New York Times Co v. Sullivan* as well as in subsequent cases involving freedom of the press evaluations. The Supreme Court as an institution is itself undecided about its position in this question. In other cases, “it has upheld the ability of the government to punish false speech,” leading one to believe that there is not one determinate answer to how much of falsely published information can be protected by the U.S. Constitution. To this end, Chemerinsky states that “analysis must be contextual and must be the result of balancing of competing interests, which will prevent a consistent approach to false speech” and thus “the Court never will be able to say that all false speech is outside of First Amendment protection or that all false speech is constitutionally safeguarded.”⁴ In the end, the question is still undecided: “there is no overall principle as to how false speech is treated under the First Amendment, and there never will be such a principle.”⁵ ■



Throughout history, the Supreme Court has been receptive to many cases in which “false speech” or malignant writing has been central. As many professional journalists have noted, journalism can only exist because of the provisions of the First Amendment, and it is the freedom of the press statement that has been interpreted over time to mold the limits of journalism. Perhaps some of the most important cases have been *New York Times Co. v. Sullivan* and *New York Times Co. v. United States*, but since the founding of the country, there have been many more cases that defined the statement of “the freedom of the press.”¹ As a result, journalism has been modified over time to model it into its position today, one that is subject to allegations of “fake news” but is also increasingly attentive to truthfulness and trustworthiness.

Journalism can only exist because of the provisions of the First Amendment.

As stated by Erwin Chemerinsky, *New York Times Co. v. Sullivan* was “one of the most important free speech decisions of all time,” a case in which “L.B. Sullivan, an elected commissioner of Montgomery, Alabama, sued the New York Times and four African-American clergymen for an advertisement that had been published in the newspaper on March 29, 1960.”² An advertisement supporting Martin Luther King, Jr. had been published, and public safety commissioner Sullivan believed the ad was an attack on him and his politics even though they had not been expressly mentioned in the ad. Under an Alabama libel law that

“required for a public figure to seek punitive damages,” Sullivan sued the New York Times. However, when the issue was brought forth to the Supreme Court, the court voted unanimously in favor of the Times, ruling that the libel law in Alabama worked in opposition to the First Amendment. In fact, the end result of the case determined that in order for a publication to be considered libelous, the plaintiff must prove that there was malicious intent in the first place; the decision made countered the plaintiff’s argument that the Times was intentionally acting with malice and cemented guidelines about intentionality in publishing for the future. Essentially, this decision allowed for the publication of false statements about public officials as long as it was ensured that they were not intended to defame their reputation.³ This case is widely regarded as one of the most important extensions of the freedom of speech “because of its application of the Constitution as a limit on tort liability, because of its strong protection of political speech, and because of its protection of even false speech.” Ultimately, the Court affirmed that “false ‘statement is inevitable in free debate and [it] must be protected if the freedoms of expression are to have the ‘breathing space’ that they ‘need . . . to survive.’”⁴ Another important case in the history of journalism is what has become known as the Pentagon Papers Case, or *New York Times Co. v. United States*, along with *United States v. Washington Post Co.* In this situation, the New York Times desired to publish information that had been leaked about the military’s intervention in Vietnam. Nixon attempted to block these

attempts, citing the issue of prior restraint and claiming that this was “classified information” that could not be published to the public. However, in a vote of 6-3 for the New York Times, the Supreme Court determined that Nixon’s attempts to prevent the publication of information was in violation of the First Amendment and that prior restraint could not apply because the information would not directly put American troops in danger.⁵ This case is a landmark event in U.S. history because not only did it extend the limits of what journals could publish, but it also overruled the president’s wishes in the name of the First Amendment. Therefore, this event gives further proof to the fact that without the First Amendment promising freedom of the press, journalism could not exist.

Although the past cases are perhaps the most well-noted and important in the history of journalism, there have been many more instances when courts have influenced the extent to which the First Amendment protects the work of journalists. In perhaps the first important freedom of the press case, decided in 1804, the New York Circuit Court in *People v. Croswell* voted that in cases considered libelous of public figures, the fact that the information was truthful can defend against accusations of libel.⁶ Recently, in 2014, the case *Susan B. Anthony List v. Driehaus* concerned the problem of issuing a billboard that was seen by then-congressman Steven Driehaus to falsely and malignantly frame his past political actions by criticizing the fact that his vote in favor of the Affordable Care Act had meant he supported taxpayer-funded abortion. Citing

an Ohio law that protected those campaigning for office from illegal statements made by the opposing party, Driehaus claimed that the billboard falsely placed him in a negative light. Driehaus dropped the issue after he lost reelection, but “although the Court did not reach the merits as to whether Ohio’s law violated the First Amendment, the Court recognized the harms of such a prohibition of speech.”⁷ In the end, the Court ruled in favor of the Susan B. Anthony List, citing that it was a complaint not maligning Driehaus’ politics but questioning the Affordable Care Act in general. Since the words were truthful and not libelous in intention, the Court’s decision for cases such as these protected the right to publish under the First Amendment.⁸

There have been many instances when courts have influenced the extent to which the First Amendment protects the work of journalists.

Although many cases extend the rights of journalists according to the First Amendment, others have limited their abilities in order to protect U.S. citizens. For example, *Hillman v. Star Publishing Co.* determined that publishing uncensored photographic evidence of subjects can be punished by the First Amendment.⁹ It is guaranteed by many journalistic codes of ethics that journalists must protect the rights of their subjects by preventing the publication of materials that would place them in danger or to cause them to suffer “great shame, humiliation, and sense of disgrace,” but it is

through the aforementioned case that the Supreme Court officially protected the rights of those who need the most protection.¹⁰ In the end, there have been continual developments in U.S. court history that have further defined the sentence that simply allows for “freedom of the press.” The Court has both protected for the rights of those contained in editorials and allowed for extended rights for many journalists, allowing them to exist solely because the First Amendment exists.

Contrary to allegations of “fake news” strewn throughout the media, many of the nation’s most prominent First Amendment Supreme Court cases have allowed for the expansion and strengthening of journalism. In some cases, the results have been such that they have stretched the limits of “the freedom of the press,” but even there, journalism has only become more defined through the provisions of court cases. In total, the world of journalism has continually changed over time, with the aid of Supreme Court cases, to become what it is today. ■

LIVE



OBJECTIVITY OR INTERPRETATION?

In today's media, it is not uncommon for a political figure or his or her supporters to call "fake news" on every article or news source that is seen as negatively framing that politician. In truth, much of what is viewed as "fake news" comes down to the issue of what is objective and interpretive in journalism. Large, popular news sources, even those which are sometimes decried as biased, generally strive for publishing the truth, but there are other sources of news where the issue of interpretation of the facts comes into play.

With the emergence of new forms of media, including television, blogs, and other sources of information through new technology, the problem of publishing information that may be one's own opinion rather than the straight, researched facts has increased. Frank Esser and Andrea Umbricht cite this as a "re-emergence of partisan media in the United States" as a result of the increased availability of "cable news, talk radio, and the blogosphere."¹ No longer is there simply an ideal of a "detached, evidence-based reporter" who researches his information and carefully inspects his sources before publishing information; rather, the availability of Internet publication sites and other sources has made it possible for anyone to post their opinions, sometimes under the pretense of real, fact-based journalistic websites.²

However, just because problematic sources of media exist does not mean that the entire world of journalism is at fault. In fact, as Almar Latour, publisher at Dow Jones Media Group, so eloquently stated, "Fake news might trigger

a good thing...a reminder of the extraordinary value of truth and perhaps a realization that, after much agonizing over the viability of the news business, there is a *raison d'être* beyond the accumulation of digital eyeballs."³ Journalists across the United States collectively strive for the truth in their writing and adhere firmly to codes of journalistic ethics, so the very fact that some politicians criminalize the journalism industry just because their personal politics have been criticized is unfounded.

This is not to say that there is not a clear shift toward what is known as partisan media. This can be particularly evidenced among some popular television news stations, among them MSNBC and Fox News. As Fletcher Crossman notes, there may perhaps never be a return of simply "hard news" in television reporting, and "if there is ever to be political balance in American news coverage it will happen by the law of the jungle, not the law of the land." In fact, news programs that aim at viewers either from the political right or left are seen by some foreign observers to have "become a serious obstacle to the fair workings of democracy."⁴ Fox News was introduced specifically in order to cater to a specific political audience after the success of reporter Rush Limbaugh's conservative-leaning radio show, but its intent to appear like a non-partisan source with slogans like "Fair and Balanced" and "We Report, You Decide" has caused many other politically-leaning news sources have modeled their strategies on these successful tactics.⁵ In fact, Fox News' claims to be fair and balanced are, according to Crossman, "no more than a knowing wink to its

audience." Indeed, it is not just beneficial to conservative viewers that Fox reports with a right-wing bias, but "in a cable environment, it makes economic sense for the Fox News Channel to offer a more conservative political perspective" because, although the strategy "is unlikely to attract tens of millions of viewers," it is impossible for a single news channel to do so in the era of cable news.⁶ This is characteristic of a modern shift in reporting: because of the existence of so many new outlets from which one can choose one's news, all news outlets have become increasingly politicized in an attempt to retain at least some of their viewership or readership. Sheila Gribben Liaugminas asserts that, indeed, today's media has "become a confusing mix of news and entertainment" in a world where "politics itself has become trivialized."⁷

Although Fox News continues to claim that it is a source of unbiased news and only appears to lean toward conservative voters because the rest of the news programs have a so-called "liberal bias," it cannot be denied that Fox, as well as channels on the opposite side of the political spectrum, injects political bias into its reports.⁸ For example, features like those of Fox News, such as politically-charged comments in response to various current events, have been copied by many other major partisan news industries, including MSNBC. Many of those who are critical of today's news industry believe it has spiraled into a world either tinged with a liberal or a conservative bias that has led to an increased partisan divide. Indeed, conservative figure Pat Buchanan authored an argument

IF YOU BELIEVE IN JOURNALISM, YOU DON'T INSULT GOOD JOURNALISTS.

—SYDNEY SCHANBERG

that claimed that “all three major networks, PBS, NPR and virtually all major U.S. papers” are left of center, and “at the annual White House correspondents dinners, conservatives are a tiny minority.”⁹ On the other hand, *Washington Post* columnist E.J. Dionne claimed exactly the opposite: that media is simply aimed toward the “educated, professional class,” and that because of complaints of a liberal media bias, Fox News and others have instead led to a strong, increasing conservative media.¹⁰ It may be that, in fact, both claims are correct: it is clear that recently, news media has reached in both directions to attract viewership from members of distinct partisan divides. Many researchers worry that the existence of these partisan, largely interpretive news channels has led to a decrease in Americans’ openness to other news opinions and a rise in their appetite for only news stories that they believe are true and pertain to their political beliefs, leading to an increasingly polarized country.¹¹

There are several arguments put forth that claim that a “biased” media is justified: “the view that individual creators derive from their backgrounds and experiences the attitudes and ideas that shape what they create,” and the idea that “to the degree that groups share a characteristic, then that characteristic may show up in much of the content produced by that group.”¹² In other words, some scholars acknowledge the existence of a partisan media but embrace its

causes as characteristic of partisan divides. Of course, partisan media has existed for centuries, but in recent years, constant competition and complaints have increased the disparities between the two sides of the political spectrum, which may be directly linked to the increasing polarization that causes political figures to assume that their opposing party is publishing “fake news.”

Jonathan Bosworth, a student at the University of Oregon, prepared a thesis that researched the effects of watching partisan news sources on viewers’ attitudes about certain events: one example he gives is the fact that after former president Barack Obama announced changes to U.S. immigration policy, “MSNBC hailed it as a significant accomplishment and Fox News characterized it as an unconstitutional reach of power,” thus showing that each source had “[spun] issues to fit their partisan narrative.”¹³ Furthermore, some studies that he cites, particularly those conducted by the Pew Project for Excellence in Journalism and *Washington Post* journalist Erik Wemple, have found that partisan news sources in general have much less chance of airing stories that contain information on the opposition’s sentiments-- “52 percent of stories on CNN, MSNBC, and Fox offered only a single point of view on controversial issues, compared to 20 percent of stories on the national network evening news” --and that the time dedicated to politically

slanted segments far outweighs the time dedicated to unbiased news-- “nearly 40 straight up, unbiased news segments totaling around 132 minutes over six daytime hours.”¹⁴ It is therefore simply expected and nearly accepted that news sources like these would lead to increased voting bias among those who watch these channels: Crossman finds that “the political bias of [American] news stations is open, brash and strangely addictive.”

It is true that biased and interpretive journalism exists and has become more of a problem in recent years. The fact that partisan news sources have grown in popularity, and that the ability to publish online has been so accessible to so many people, has led to an increasingly polarized American public. However, it is still worthwhile to consider Almar Latour’s words: perhaps the fact that the media has recently been under scrutiny has allowed for the true, hardest working journalists to emerge as ideal and promote the pursuit for truth as even more sacred than in the past.■



PAINT AN EVER-TRUER PICTURE OF THE WORLD

— an interview with Mark Memmott —

After I explained the process of my thesis to Mark Memmott, the Standards of Practices editor for the National Public Radio, he questioned me in return:

Is journalism something you want to pursue when you go to college?

I answered him that because I am very interested in English and writing, I have definitely considered a career in journalism. What follows is the rest of our conversation together about journalistic ethics and the role it plays in his daily career.

Well, it's always encouraging to hear people who are thinking about going into the business. As you know, it's not...the best of times, but it's also one of the more exciting times to be a journalist because there's so much important news in front of us.

What is your background or level of expertise? Can you explain a little more about your job?

[Laughs] Well, let me see. Forty years ago, I graduated from college and got a job at a very small newspaper in upstate New York, in Saratoga Springs, and for a couple of years there, I did a little bit of everything--which is what you do when you're at a small news shop, from writing obituaries to covering basketball games to going to city council meetings. So that was good training, and I moved from there to slightly bigger papers in Westchester County, New York. And in that period, the company that owned the newspapers, Gannett, launched *USA Today*, and both my wife and I--who is a reporter as well--ended up at

USA Today in the early eighties and stayed there for the next twenty-five years or so, covering or editing a variety of different things: economics; politics; I was a deputy manager in the news section for a while; some international after 9/11, going to Afghanistan, Iraq, places like that to report. I ended up here at NPR in 2009 to launch a news blog--the first successful one NPR had--to cover the day's news and also just to pull together the reporting from us as well as other media about what was going on in the news, etc.

I ended up as the Standards of Practices Editor five years ago. This position wasn't created until 2012, and the reason we created it was because we felt it's important to have both a public editor--or some places it's called an ombudsman, who is explaining to the public what we do but also is independent of the newsroom, and that's important--but we also decided to have somebody in the newsroom to bring the right editors and reporters together to talk through the ethical issues that we encounter as the day and week and month go on and how we're going to address them. It could be as specific as the language we should or should not use to describe an event or a person, to the broader issue of when we should publish or broadcast a story and what fair coverage looks like in the system. It's a fascinating job, and I also keep an eye on and send notes out to the staff about things as they come up about how we're going to address things, what kind of language we're going to use. But again, my opinion is based usually on a number of conversations with editors and reporters.

Do you have any suggestions on what you think the most pressing issue that should be addressed in regards to today's journalism should be?

Well, I think the pressing issue that we're constantly dealing with is that...on the one hand, it's wonderful. There's been an enormous increase in the number of outlets and ways to get news--from when I was young, and there were three networks on TV and that was about it, and you had many newspapers, to today, there are far fewer newspapers but thousands of other ways to get information. And figuring out what is and what isn't reliable is difficult for the news consumer. So the challenge and also the opportunity for a news outlet like ours is to try to stand out by being reliable, factual, intelligent, honest, and compelling, and not fall into the habit of being partisan or biased or agenda-driven. We very much try to be fact driven and we just think that's the best role we can play, the most ethical role we can play, the most important role we can play. If we truly believe that the media's role is to give people the information they need to be informed citizens, then if we just double down on looking for the facts that will lead to the truth, we're doing our job.

“The challenge and also the opportunity for a news outlet like ours is to try to stand out by being reliable, factual, intelligent, honest, and compelling, and not fall into the habit of being partisan or biased or agenda-driven.”

Have you heard the term “post-truth era?”

[Laughs] Yes. You know, to be honest, it makes me nervous because to me--what was it that Senator Moynihan said? “We’re all entitled to our opinions, but not to our facts?” Facts exist. There is truth out there. Now, we’re always in the pursuit of the truth, and the facts hopefully lead you there, and depending on how good you are at getting to the facts will determine whether you actually get to the truth, I suppose. But to me, in a vast majority of stories, there is a truth. There are facts that lead to a truth. And just because someone doesn’t believe it doesn’t mean that it also isn’t true.

Even though you think that there is truth in every story even if you don’t necessarily believe it, do you think that the question that people are asking about journalism today is influencing journalism, and how do you think it is influencing it?

Well, from our perspective, it’s just really increased our focus on doing what we always have tried, what we always should have done--which is stick to the facts, follow the facts where they lead. And the 2016 election, I think, was a good reminder because so many in the media probably paid too much attention to polls and not enough attention to people and really gauging what people were thinking, saying, feeling. It was a good reminder to everyone of the need to really dig and not just get at the surface of stories and issues; to try to get beneath: what is motivating people, what are they feeling, why are they feeling it. And not from an anthropological point of view

where you ask the question, “How could they possibly think this way?” but you ask, “Well, why? What’s driving the forces at work here?”

So, you think that the 2016 election was really influential in journalism. Do you know of any other important historical events that you think influenced the perception of journalism today?

Well, for people my age, obviously Watergate, which inspired many to get into journalism because the dogged pursuit of the truth based on fact-based journalism obviously was exciting, important, a major point in the country’s history. So that’s one thing. And then you flash forward some time to the runup to the war in Iraq and the failure by some in the media to ask enough questions about the reasoning behind it and the evidence behind the decision to go to war. There could have been more questions raised--not necessarily that it would have changed the decision or changed the outcome, but too many in the media didn’t question what was happening, why it was happening, what was the evidence. And then, of course, the media was just not quite on their game in 2016 in terms of really getting the pulse of the nation, a sense of what was going on, understanding how President Trump was able to tap into a mood, a feeling, that perhaps media missed.

And how do you feel that has influenced the general public’s perception of journalism?

Well, obviously, in recent years, the focus by some on challenging the media to do better, to explain, to be transparent, to substantiate their stories...on the one hand it’s

fine, it’s great, we can always be challenged. But there’s also been a fair amount of just inaccurate [media]. And the number of times now where you have to question, “Where’s this evidence--supposed evidence--coming from?” “Why is this politician--not just the president--where are they getting that fact?” It’s difficult when there are so many outlets where people can go that look like real news outlets but are opinion-based and in some cases propagandist where they will get what looks to be an alternative story, and it can be hard for people to differentiate between the real and the imaginary. And then on top of that, you have what happened with Russian trolls and Internet campaigns and Facebook not being able to filter out the propaganda from the real, and that’s a challenge for all media these days: to try to be, as we are, the standard bearers for fact-based, impartial journalism in the face of all that. It’s not easy, but, you know, our listenership numbers are up, our web traffic has been strong, *New York Times*’ circulation is up, *Washington Post* has been doing well, some other news outlets around the country that try to stick to the standard sort of principles and ways of doing things are doing well, so I think there’s an appetite out there.

So, in your profession, how do you try to adhere to rules of journalistic ethics? Do you adhere to the Journalistic Code of Ethics, and how do you do that?

First off, we have one! And we just talk about it a lot. And it’s something that every journalist here, from new to veteran, thinks a lot about. And we don’t always

get it right: sometimes our stories have holes in them, sometimes we could have explained something better, we make mistakes; but we're also transparent about that. We fix our mistakes, we own up to our mistakes, we try to do better the next day. It's just something that's just a constant conversation among the editors here and the reporters to try to live up to. We're doing the best we can on the standard principles: honesty, accuracy, fairness, impartiality, etc. We say in the handbook somewhere that journalism is a daily process of trying to paint an ever-truer picture of the world, and sometimes I think maybe people don't understand that: that we're trying every day, and we may not get it right every day, but we try to do better the next. And we build on stories as they go along. And that's a lot of what we talk about.

What are the consequences for failing to adhere to these? Are there any consequences besides simple ridicule for not necessarily following the codes of ethics?

Well, for an organization, for a news outlet, obviously, you don't want to lose your audience. You don't want your audience to leave because they don't trust your journalism. There's the consequence for society that you don't want: democracy is built in part on solid information and access to that information and we and other credible news organizations don't want to endanger that. For the individual journalists there's obviously a professional jeopardy: that if you make a serious mistake or fabricate or plagiarize, you could lose your job. Or if it's of less consequence,

you might be taken off a beat or be reassigned to do something else. So there are many consequences, the most serious ones obviously being, well, what is the effect on this grand democratic experiment?

How have you seen the world of journalism change since you entered it?

In some ways, it's totally different. When I entered the small newspaper, it was an evening newspaper, so it printed in the middle of the day, and there may have been two editions, and that was it. You had one chance to update a story that day, and that was it. Now, we're asking reporters and editors to file for the web, to tweet out the news, to be ready to go on the air, to follow up with an analysis or a smart contextual story, to think about what the art will be that goes with a story on social media or the web, to be ready to contribute ideas for graphics and other things. In the beginning, they were very separate operations, and you didn't have to respond that quickly because there just weren't that many outlets. Then there's just, as I was saying before, the explosion in the availability of outlets. You are no longer just competing with the other newspaper from two cities down the road and maybe a TV station; you're competing with hundreds, if not more. Or you're competing for people's time in a different way too. To get the audience's attention is much more difficult these days because there's so many other things they could be doing--from just goofing off on social media, to watching one of a thousand channels they get on the TV at home, to surfing the web, to listening to podcasts. To stand out

in all that... it's a much different sort of world, from what seemed so simple forty years ago.

Do you see these as changes for the good?

[Laughs] Good and bad. If you think about it, it's great to be able to sit here and see what the BBC is reporting, to see what outlets in Japan are saying, to look south to Latin America and see what's going on there, from media or people who live there. That's incredible. On the other hand, filtering through and figuring out which are credible and solid sources of information does take some thinking, does take some time. It can be confusing. And there are malicious people out there trying to trick you into thinking that their site is credible.

"It's great to be able to sit here and see what the BBC is reporting, to see what outlets in Japan are saying, to look south to Latin America and see what's going on there, from media or people who live there. That's incredible."

Do you have anything to say about the connection between journalistic ethics and the freedom of speech?

Well, we're right there in the First Amendment. We have the advantage of being a fairly large organization that has several very experienced lawyers who know a lot about First Amendment issues, and they will point very specifically to the comma in the First Amendment that comes right before the words "or of the

press.” And what they say is, that has been interpreted, and they strongly believe what the Founders were doing there was making clear that the press has its own special place in that amendment. It isn’t just that we’re sort of mentioned in passing. No, that comma sets us off because they realized how important the press, or you would say the media now, are in a democracy like this--to hold people accountable, to expose corruption, to give citizens the information they need to be informed citizens and make informed choices. So the connection between that amendment and us, we strongly believe, is just crystal clear and gives us this important place and responsibility that we need to hold dear and always protect and take enormously seriously.

So you feel that the First Amendment sort of defines journalism?

Well, it certainly defines the important role of journalism, right, and everything then that follows: the reasons why we need to be honest, be complete, be transparent, be accurate. If we’re going to live up to the responsibility of the role that the amendment has given us, we need to be very cognizant and careful about living up to those principles.

Do you think that it is valid for people to say that this is a new age of fake news, similar to the time of yellow journalism? Do you see that there are similarities in the distrust of the media?

There certainly are similarities to be pointed to in that I think of the era of yellow journalism as being a very partisan one, and that goes

back even further to the types of papers that were being printed in the 1780s. It’s very partisan, opinionated, coming from a point of view, and not necessarily looking to marshall all the facts or all the arguments that would help people decide whether they agree or don’t agree, or really get them up to speed on an issue. So that was the way things worked for hundreds of years. Then we went into--for most of the twentieth century, I would argue--a push to be objective, to be impartial, to dial back the partisanship and leave that to the editorial page, not to the news pages. With the rise of the Web and the ability to create a site and say anything that you want and make it look as if it’s real news, I think there’s a strong case to be made that there’s at least the flavor of that partisan, yellow style of journalism again. You can see it on cable news networks, where they’re going to come at you from one particular point of view and that’s the audience that they’re going to appeal to. But the good news, I think, still, as I said, is that those news outlets who are trying to stick to the fact-based style and live up to the proven principles are prospering. It’s not just us [at NPR].

“What the Founders were doing there was making clear that the press has its own special place in that amendment. They realized how important the press are in a democracy like this--to give citizens the information they need to be informed citizens and make informed choices.”

Do you have anything else to say about the connection between ethics and journalism, and about your role in this?

My role is just to help people here at NPR to think through these issues, and often I learn more from them than they learn from me as we sort of work through them [laughs]. I hope that as we work through this period that more people...I think many people do understand, but that even more will understand that credible news outlets do think about this, do strive and work very hard to be ethical in the way that they do their work. Most of the journalists I know or have known over the years went into this work because they strongly believe in free speech and free information and that facts matter; that facts are real. And that is critically important in a democracy, that people have those facts.■

David
HENLEY

Jill
PALERMO

and
MORE

in



"News in the Future"

A DRAMA FOR THE MODERN AGE

David Henley asks me to repeat my questions every few moments; he has trouble hearing what's on the other side of the telephone because he thinks that cell phones produce too much background noise. Otherwise, he is congenial and extremely supportive of my potential future in journalism. And above all, he believes that journalism is a vital institution in our democracy that needs the utmost protection regardless of emerging complaints.

Henley lives in Orange County, California. At the beginning of his career, in the 1960s and 70s, he covered various topics, including foreign affairs, politics, and the presidency, and has since created his own, local daily newspapers in Orange County owned by the *Los Angeles Times*. As a newspaper owner, he assures me that he strives to hire the very best people for each job; if not for this attention to detail, put in place by all reputable media distributors, newspapers would be at risk of ridicule and low readership for failing to adhere to unwritten ethical guidelines. Of course, "there are grey areas, where some journalists' ethics differ"--here he gives an example of certain journalists determining that including a gruesome photograph of a catastrophic event would further enhance the written story, whereas others might think that the photograph infringes on personal privacy-- "but most journalists try to adhere to impartiality, fairness, and decency."

Regardless of the personal morals that Henley believes inherently originate in each journalist's mind, there is another, more all-encompassing protection in place: the Society of Professional Journalists' Code of Ethics.

Henley is a proud member of the association, and calls the guidelines a "very good code of ethics." However, he acknowledges that although these guidelines are in place to help all journalists, there may be a difference of opinion between journalists' own morals and various codes of ethics, and, to Henley, this is completely fine. After all, they are sets of guidelines that cannot be strictly enforced by the U.S. Constitution, and above all else, journalists who strive to report the truth should be trusted to do this even if that does not always mean that they are following the rules exactly.

In fact, Henley believes that "if we didn't have freedom of the press, there would be nothing." He references other countries, such as Russia, whose governments place severe restrictions on the press, in some cases manipulating newspapers to frame events in different ways than what truly occurred. Therefore, he claims that "free press is vital to a democracy," allowing newspapers to flourish and consumers to learn the news. If newspapers didn't exist, he questions, how would citizens know what is going on in the news? And in turn, if credible newspapers faded away, there would be even more of an opportunity for people to arise whose ideas, published online for free and without censorship, would corrupt the basic ideals of democracy and introduce radical opinions that would undermine the establishment of the United States.

Although opportunities for these events have been more prevalent in recent years and have received much more attention in the face of Donald Trump's presidency, Henley trusts that heavily partisan,

hateful media will fade away and that in the end, fact-based journalism will prevail.

Overall, David Henley has a decidedly optimistic outlook about the future of journalism even as he looks criticism and distrust in the face. He understands that it is much easier to actually create what is truly "fake news" today because of readily available access to sites that allow people to create online journals that appear true but contain underlying bias and hatred, and no one has to check these websites to ensure that they are true: "The Internet is one of the best inventions, but it can also be a force for evil and fake news." However, he laughs this off by stating that people have been claiming the media is producing "fake news" for generations, and although today's media is different because of the existence of the Internet, he trusts that true, fact-seeking journalists will continue to fight. He is aware that since the days of early America, newspapers supporting individual political parties and opinions existed, but until now, "they were laughed off," whereas today, a distrust and near hatred of the media is proliferating. This is mainly caused by the current presidential administration, which claims that any article or organization representing their pursuits in a negative manner are "purveyors of fake news," and Henley acknowledges that this means that perhaps today is the biggest threat to journalism in the country's history. However, he remains optimistic, and he believes that those who truly believe that factuality is of the utmost importance will become reputable journalists. After all, the most important issue in journalism, as he

states, is “honesty, clarity, decency, and for the writer to get his facts straight.”

Jill Palermo, a Virginia reporter, has a bit more wary view of journalism. After receiving her B.A. in journalism from the University of Illinois and spending twenty years in print journalism for daily newspapers, she began working for the *Fauquier Times* and the *Prince William Times*, two local weekly newspapers. Because each of those journals only has two full-time writers, the organizations do not have specific written codes of journalistic ethics, instead relying on the morals that they receive “in their training.” However, Palermo hurriedly informs me that she wants to make it clear that “just because [the *Fauquier Times*] does not have a prescribed code of ethics does not mean that they are not following an intrinsic code of ethics.”

Palermo admits that “there is truth to the post-truth era” and that quasi-news websites and other infringements upon trustworthy journalism are some of the biggest threats to journalism. She also expresses concern that “people have preconceived notions about what they want the news to be,” providing somewhat of a breeding ground for sources of fake news that highlight radical minority opinions and market them as truth. In fact, she believes that the only way for media to be trustworthy in readers’ eyes is if they are not producing information that is biased or untrustworthy, otherwise risking going out of business and suffering a loss of trust and legitimacy from consumers.

Whereas my conversation with David Henley remains mostly optimistic, and his trust in the

First Amendment and blossoming journalists characterizes his persona, Palermo understands the provisions allowed by the First Amendment and the rights of journalists, but our interview focuses much more on the problems of the current day and the struggles that journalists face in the era of “fake news.” She believes that although the First Amendment is “foundational,” the fact that the Constitution itself forbids most attempts to police journalism is a cause of real fake news published online. Of course, while she believes that the phrase “fake news” that has emerged more and more during recent political events “brushes the entire industry with a wide stroke,” encompassing even those who meet the gold standard of ethical, accurate journalism, she is also ever more aware of actual fake news sources, and pleads that Americans become more savvy about discerning the real from the fake.

A point that both Henley and Palermo agree on, though, is the fact that “journalists must be ever more vigilant to save the industry for generations.” Where Henley has full faith in the fact that ethical young writers in pursuit of the truth will emerge as the most prominent journalists, Palermo remains worried about the industry, hoping that she can trust journalists to do as she says. Both points of view are valid in the end; but as they both affirm, we must always hope for the best in the future. ■

An American flag is shown waving on a flagpole against a clear, light blue sky. The flag is positioned on the right side of the frame, with its stripes and stars visible. The text is overlaid on the left side of the image.

INTO TODAY: THE POST- TRUTH ERA

“Journalists are the real enemy of the people!” cries Donald Trump. As his administration disdains the country’s most reputable news sources left and right for being purveyors of “fake news,” journalists wait on edge for their reputations to falter by no fault of their own. And thus dawns the “post-truth era,” as the age of journalism in the modern world has been dubbed.

The post-truth era is so named because it stands for a regression in the world regarding journalism; one where “the truth of the story no longer matters,” and rather, “what matters is that the story falls in line with what a person wants to hear.” For example, those who are in opposition to journalists make wild claims inflating their own reputations or wrongly blaming the media without giving a thought to checking themselves against the facts, and in many cases, those people’s supporters will accept those as truth, again without consulting the facts of the matter. Thus, the fact that nearly every story that negatively represents public officials is quickly retorted as being “fake” shows that “‘fake news’ no longer means factless or slanderous news, but rather news that is seen to attack a person’s pre-existing beliefs.”¹ Unfortunately, these reckless claims, which have come almost to characterize Trump’s presidency, have led to a mass public distrust of journalists and a growing, yet unwarranted, negative reputation.

However, is it too much to say that the “post-truth era” need not be so prominent in today’s society at all? As we have seen throughout history, journalists have continually been under fire for their writing, which in many

cases truly was inappropriate and not in line with what many journalistic codes would proclaim today. In fact, many of the first newspapers in the United States were attacked for their partisan, near-propagandist intentions to sway readers for particular political ideals, and throughout the late 19th century, journalists like Joseph Pulitzer and William Randolph Hearst knowingly inserted exaggerated statistics and embellished stories for their own financial benefits and a desire to one-up other competitors. How is it that today, when a majority of young people are attracted to journalism mainly because it allows them an opportunity to explore the truth and pursue ethical reporting, journalism is being particularly criticized? As many journalists today state, they actually have an optimistic view about the future because it appears that the struggle to find truth in the era of “fake news” has inspired the next generation of journalists to do even better. Although many journalists admit that “the ideal of objectivity is difficult if not impossible to attain,” still, “objectivity remains the primary goal in the profession’s code of ethics.”²

When questioned about the existence of the “post-truth era,” NPR’s Standards of Practice editor Mark Memmott laughed apprehensively and admitted that the term made him nervous. “In a vast majority of stories,” he asserted, “there is a truth.” Essentially, even if a publication is decried as “fake,” he, like many other reputable journalists today, believes that every published article has at least one aspect of truth in it. Furthermore, he claims that “just because someone doesn’t believe [a

statement] doesn’t mean that it also isn’t true.” In other words, he takes an indirect blow at the current presidential administration--and other prominent political figures as well--in order to make clear that he trusts well-meaning journalists to publish what they see fit as ethical and truthful, even in the face of resistance and offense.

Of course, there are some cases today in which those who are at least perceived as honest journalists are not free of blame. For example, there is the issue of “real fake news.” Aside from what Trump might claim about reputable journalists’ misrepresentation of his administration, there exists a growing number of people who use mostly online platforms to create “patently false” headlines and articles but present them “in a way meant to deceive consumers into thinking that it is real.”³ As stated by numerous journalists, the practice of journalism is vital to democracy in that it allows for people to read accurate news and determine their political opinions, and infringing upon this basic right very nearly places America’s system of democracy in jeopardy. Furthermore, the popularity of the Internet age has forever changed the method of receiving news; social media platforms allow for content--regardless of its accuracy--to be “relayed among users with no significant third party filtering, fact-checking, or editorial judgment.” Thus, by using methods like clickbaiting and developing strategies and visuals that resemble accurate reporting websites, “an individual user with no track record or reputation can in some cases reach as many readers as Fox News, CNN, or the *New York Times*.”⁴ Because the First Amendment’s

freedom of the press clause prohibits the censorship of many published materials, including those that may present false information, fake Internet journalism has begun to flourish, undermining many of the basic principles to which journalists strive to adhere.

Amidst today's increasing reliance on Internet news sources, other journalism industries have indeed begun to falter. For example, although seven in ten Americans are said to have reported that they believe their local newspapers are well-off financially, "the newspaper industry has been in a tailspin" since the entrance of the Internet age, most severely affecting local news outlets around the United States. Local newspapers, radio stations, and television stations are slowly contracting, and a smaller availability of reporters and editors has led to "local" stations expanding to cover sometimes large regions at a time. And amidst all the chaos, Americans have largely failed to notice the signs that

show this gradual disappearance, often claiming that they have faith in local news stations to stay afloat even as they opt for free news services rather than funding the local outlets.⁵ Clearly, even though there are promising signs for journalism as a whole in that the majority of new journalists are those who are most suited for defending the truth, there are also major problems occurring in other aspects of journalism.

Although countless elected officials mislabel reputable news sources as being "fake news" simply because they do not agree with statements that have been made, the world of journalism is not hopeless. In fact, many major journalists see more hope than in the past because they see that those who are truly invested in journalistic pursuits are also staunchly aware of ethical codes and a desire to publish the truth. Although the public's perception of journalism today is perhaps not the strongest because there truly

are sources of "fake news" and a degeneration of qualified reporters and editors to cover all aspects of news, those journalists who truly seek to publish the truth are those whose words will eventually persevere. In fact, we have seen it in history before: journalists have constantly been under attack from the public, but objective, credible news has always emerged. The majority of journalists today acknowledge that there are misgivings in their profession, but in the end, regardless of what any political administration might say, there is truth to be sought and published, and those truths will outlive the post-truth era.■

“JOURNALISM CAN NEVER BE SILENT: THAT IS ITS GREATEST VIRTUE AND ITS GREATEST FAULT. IT MUST SPEAK, AND SPEAK IMMEDIATELY, WHILE THE ECHOES OF WONDER, THE CLAIMS OF TRIUMPH AND THE SIGNS OF HORROR ARE STILL IN THE AIR.”
— HENRY ANATOLE GRUNWALD

APPENDIX A: ENDNOTES

Fake News: A History

- 1: Grossman et al. 38
- 2: Tornoe
- 3: Chemerinsky 1
- 4: Chemerinsky 2
- 5: Britannica
- 6: “‘You furnish the pictures and I’ll furnish the war.’ --William Randolph Hearst, January 25, 1898”
- 7: Samuel
- 8: *Ibid.*
- 9: Gajda 1045
- 10: Tornoe
- 11: Britannica
- 12: Qtd. in Samuel
- 13: Samuel
- 14: Esser and Umbricht 229
- 15: Bosworth 4
- 16: Achenbach
- 17: Borden and Tew
- 18: Esser and Umbricht 232
- 19: Vasu 4

Journalistic Codes: A Lesson in Ethics

- 1: Society of Professional Journalists
- 2: Clarke and Zhou 31
- 3: Borden and Tew 308
- 4: Clarke and Zhou 33
- 5: Clarke and Zhou 1
- 6: Clarke and Zhou 33
- 7: Esser and Umbricht 238
- 8: *Ibid.*
- 9: Esser and Umbricht 239
- 10: “A Look at the Last Nine US Reporters Who Faced the Possibility of Jail Time”

First Amendment Freedoms

- 1: Chemerinsky 14
- 2: Gajda 1057
- 3: Gajda 1040
- 4: Chemerinsky 5-6
- 5: Chemerinsky 2

The Supreme Court and the Press

- 1: “Freedom of the Press”
- 2: Chemerinsky 6
- 3: Oyez
- 4: Chemerinsky 7
- 5: Oyez
- 6: “Freedom of the Press”
- 7: Chemerinsky 8
- 8: Oyez
- 9: Gajda 1047
- 10: *Ibid.*

Objectivity or Interpretation?

- 1: Esser and Umbricht 232
- 2: Esser and Umbricht 233
- 3: Qtd. in Tornoe
- 4: Grossman
- 5: Bosworth 10
- 6: Prior 23
- 7: Mass Media 21
- 8: Bosworth 1
- 9: Mass Media 36
- 10: Mass Media 32
- 11: Smith and Searles
- 12: Grossman et al. 74
- 13: Bosworth 13
- 14: Bosworth 6 and 12

Into Today: The Post-Truth Era

- 1: Rochlin 386
- 2: Clarke and Zhou 54
- 3: Burshtein
- 4: Allcott and Gentzkow 211
- 5: Madrigal

APPENDIX B: ANNOTATED BIBLIOGRAPHY

Achenbach, Joel. "Did the News Media, Led by Walter Cronkite, Lose the War in Vietnam?" Washington Post, 25 May 2018, https://www.washingtonpost.com/national/did-the-news-media-led-by-walter-cronkite-lose-the-war-in-vietnam/2018/05/25/a5b3e098-495e-11e8-827e-190efaf1f1ee_story.html?utm_term=.34ea77034356. Accessed 11 Feb. 2019.

This source provided a lengthy history of the events that surrounded the Vietnam War and how they influenced Walter Cronkite to interpret the war in his own, subjective way. This was an important source to understand the history of that time period and to contrast Cronkite's assumed bias-free reporting with other historical time periods of distrust of the media.

Allcott, Hunt, and Matthew Gentzkow. "Social Media and Fake News in the 2016 Election." *Journal of Economic Perspectives*, vol. 31, no. 2, 2017, doi=10.1257/jep.31.2.211. Accessed 10 Oct. 2018.

This article presented many statistical representations and analyses of real-world occurrences in regard to the fake news spur surrounding the 2016 election. Those data were particularly valuable in ascertaining distinct information about fake news and real citizens' reactions to it.

"A Look at the Last Nine US Reporters Who Faced the Possibility of Jail Time." *Columbia Journalism Review*, July/Aug. 2014, https://archives.cjr.org/opening_shot/opening_shot_july_august_204.php. Accessed 22 Feb. 2019.

This article provides a list of nine reporters whose publications were radical in such a way that they were called into question and asked to disclose the names of sources from which they divulged information. However, they determined not to do so, even when faced with the prospect of jail time. This source came in handy because it provided an alternate opinion on the vision of ethics and allows one to consider whether it was more ethical for them not to disclose personal information even after being asked to do so. In this way, it provided a counter-argument from which to balance off other ideas.

Balmas, Meital. "When Fake News Becomes Real: Combined Exposure to Multiple News Sources and Political Attitudes of Inefficacy, Alienation, and Cynicism." *Communication Research*, vol. 41, no. 3, 2014, pp. 430. search.proquest.com/docview/1503908455?accountid=338. Accessed 10 Oct. 2018.

This source refers to the media genre that has become known as "fake news;" in other words, mostly comedy shows whose jokes aim at the misgivings of the political sphere. It still contained valuable information about the public's reaction to the exposure to multiple media sources, depicting real results from experiments, and it highlights the political skew and response to different points of view by viewers of news shows.

Borden, Sandra L, and Chad Tew. "The Role of Journalist and the Performance of Journalism: Ethical Lessons From "Fake" News (Seriously)." *Journal of Mass Media Ethics*, 5 Dec. 2007, DOI: 10.1080/08900520701583586. Accessed 10 Oct. 2018.

This source presents an argument about the role of several modern-day comedians in their portrayal of current events. It argues that they play a different type of journalism, then discusses the meaning of the word "journalism" and how it refers to the use of fake news in media. The source was especially useful in establishing a definition for journalism and learning of some roles of journalists.

Bosworth, Jonathan L. "Fair and Balanced: The History, Operation, and Political Impacts of Fox News." 22 May 2015. ir.library.oregonstate.edu/concern/honors_college_theses/h702q8198. Accessed 10 Oct. 2018.

This thesis demonstrated the history and development of Fox News, focusing on the fact that regardless of its claims of being fair and balanced, it represents a conservative-biased news station. It contained information about misinformation in the media and the fact that viewers of Fox News tend to be misinformed about the news. Therefore, it showed a partisan reaction to fake news.

Buchanan, Pat. "Liberal Media Bias Is Not a Myth." *Opposing Viewpoints: Mass Media*, edited by William Dudley, Thomson Gale, 2005, 35-38.

Pat Buchanan authored this essay as one of two in this anthology that determined whether liberal media bias was or was not a myth. In this case, of course, Buchanan argued that the media was becoming far too liberal. His quotes proved helpful in formulating a counter-argument in the section about objectivity and interpretive journalism in today's media.

Burshtein, Sheldon. "The True Story on Fake News." *Intellectual Property Journal* 29.3 (2017): 397-446. ProQuest. Web. 6 Dec. 2018.

This source gave the most comprehensive definition of fake news and what it may mean in today's world. It presented the results of fake news in several forms of media, and it was helpful in defining the actual term of fake news and seeing what a general opinion of the phenomenon is.

Chemerinsky, Erwin. "False Speech and the First Amendment." *Oklahoma Law Review*, vol. 71, no. 1, 2018, pp. 1-15. digitalcommons.law.ou.edu/olr/vol71/iss1/2. Accessed 10 Oct. 2018.

This source consists of a historical analysis of false publishing, including an extensive analysis of landmark U.S. Supreme Court cases that ruled that fake news was constitutional. This provided excellent historical background for understanding fake news as well as showing the different approaches to the publication of fake news in the media.

Clarke, Chandra, and Shuhua Zhou. "Fake News? A Survey on Video News Releases and their Implications on Journalistic Ethics, Independence and Credibility of Broadcast News." *Media Watch*, vol. 6, no. 1, 2015, pp. 16-27. DOI: 10.15655/mw/2015/v6i1/55376. Accessed 10 Oct. 2018.

This source provided a detailed analysis of the credibility of video news recordings and the importance of journalistic ethics in reporting the news. It was integral in educating about a unique type of "fake news," and it established a firm argument against the unethical presentation of VNRs.

Crossman, Fletcher. "BBC vs. Fox News: fair and balanced to you, too; Media bias." *International Herald Tribune*, 10 Feb. 2004, p. 6. *Global Issues in Context*, link.galegroup.com/apps/doc/A113093968/GIC?u=va_p_wakef_s&sid=GIC&xid=c8105524. Accessed 10 Oct. 2018.

This article discusses the media biases of both BBC and Fox News, one leaning liberally and the other conservatively, and states that although Fox News brands their broadcasts with the slogan of "fair and balanced news," it, like many other current news stations, has a distinct political bias. This was interesting in developing an opinion about television news outlets.

David Henley, personal interview, 19 Feb. 2019.

While interviewing David Henley, a print journalist operating out of Orange County, California, many "quote-worthy" statements were recorded so that they could be included in this thesis. Being the second interviewee, some of his opinions had already been expressed, but he, like the other journalists that were interviewed,

presented his arguments in an altogether unique way and defended them such that his interview became an extremely important source in formulating this thesis.

Dionne, E.J. "Liberal Media Bias Is a Myth." *Opposing Viewpoints: Mass Media*, edited by William Dudley, Thomson Gale, 2005, 31-34.

This essay was one of two presented in the *Opposing Viewpoints* anthology that concerned the issue of liberal media bias. In this case, it was argued that the term "liberal bias" was unnecessary because the media at the time of the essay's writing was beginning to shift toward a more conservative tone. This source was especially helpful in this thesis' section about objectivity versus interpretive journalism, and it could be used as one of two arguments about the terrain of reporting today.

Esser, Frank, and Andrea Umbricht. "The Evolution of Objective and Interpretative Journalism in the Western Press: Comparing Six News Systems since the 1960s." *Journalism & Mass Communication Quarterly*, vol. 91, no. 2, 2014, pp. 229-249. doi.org/10.1177/1077699014527459. Accessed 10 Oct. 2018.

This scientific paper puts forth hypotheses and evaluations about the changing terrain of media in countries around the world from the 1960s to today. It presents that there has been a change in the kind of production put forth by the media, from objectivity to interpretation, and that many of these changes originate in the United States. Not only was this source valuable for finding historical facts about the development of the press, but it also gave visuals and explanations about the changes in the media, especially as they related to "hard news" versus the subjectivity of today.

"Freedom of the Press." Bill of Rights Institute, <https://billofrights.org/educate/educator-resources/landmark-cases/freedom-of-the-press/>. Accessed 3 Mar. 2019.

This source presented a list of all the most noteworthy Supreme Court cases that involved decisions about the freedom of the press. It was very helpful in determining which cases would be most worthwhile to include and further research about court cases in history.

Freeze, Jack. "Yellow Journalism Returns to America." *Daily Times*, 30 Mar. 2017. search.proquest.com/docview/1881973653?accountid=338. Accessed 10 Oct. 2018.

This article provides a reader's point of view on the current media sphere and its reflection on politics and journalism. He claims that the yellow journalism of the past century has returned in full force, so this was interesting to use as a very opinionated side of the politics of journalism.

Gajda, Amy. "Judging Journalism: The Turn Toward Privacy and Judicial Regulation of the Press." *California Law Review*, August 2009, vol. 97, no. 4, 2009, pp. 1039-1105. https://www.jstor.org/stable/20677903?mag=to-fix-fake-news-look-to-yellow-journalism&seq=6#metadata_info_tab_contents. Accessed 5 December 2018.

While not necessarily focused on the publication of false news, this source provided insight into the legal side of publications in general, focusing specifically on the publication of private information and the ways that different forms of media are involved with the SPJ Code of Ethics and the First Amendment. Therefore, it proved a valuable source when searching for information about legal practices as they related to journalism.

Grossberg, Lawrence, et al. *Media Making: Mass Media in a Popular Culture*. Sage Publications, 2006.

This book contained copious information about the modern media and what that means for journalism. There were many chapters and sections that included relevant information for this thesis, particularly in the department relating to media bias and interpretive journalism.

Liaugminas, Sheila Gribben. "Media Bias Is a Serious Problem." *Opposing Viewpoints: Mass Media*, edited by William Dudley, Thomson Gale, 2005, 20-26.

Liaugminas' viewpoint was just one of several presented in this anthology of opposing viewpoints. Her opinion was worthwhile to read because it echoed many of the opinions argued in this thesis, if not always from the same justification. Therefore, many interesting quotes and opinions could be found in this essay.

Madrigal, Alexis C. "Local News is Dying, and Americans have No Idea." *The Atlantic*, 26 Mar. 2019, <https://www.theatlantic.com/technology/archive/2019/03/local-news-is-dying-and-americans-have-no-idea/585772/>. Accessed 31 Mar. 2019.

This article was surprisingly recent and provided an entirely new aspect to the idea of the current news industry. Offering the idea that Americans place much faith in local news organizations while simultaneously condemning them by opting for free, national news stations, its main idea was helpful to include in articles commenting about the current times. Furthermore, the fact that it was published while conducting research was important because it demonstrates that this thesis is increasingly relevant in today's world.

Mark Memmott, personal interview, 12 Feb. 2019.

Mark Memmott's interview was one of the most influential aspects to contribute to this thesis. The interview lasted only 30 minutes, but each of his answers was concise and thoughtful. The full interview comprised a nine-page document, from which could be extracted countless opinions and statements to flesh out the project.

"New York Times Company v. Sullivan." Oyez, <https://www.oyez.org/cases/1963/39>. Accessed 3 Mar. 2019.

As argued in the thesis, this was one of the most important and earliest court cases that extended the limits of the First Amendment. In this case, Sullivan sued the New York Times for what he claimed was libelous misrepresentation of his governmental work in favor of Martin Luther King. Again, this was one of the most important Supreme Court cases in recent United States history, so it was necessary to include in a thesis about journalism.

"New York Times Company v. United States." Oyez, <https://www.oyez.org/cases/1970/1873>. Accessed 3 Mar. 2019.

This was another one of the most important Supreme Court cases in United States history. Also known as the "Pentagon Papers" case, it essentially allowed for newspapers to publish any information that was given them regardless of presidential consent. It was extremely important in the history of journalism, and thus was necessary to include in this thesis.

Prior, Markus. *Post-Broadcast Democracy: How Media Choice Increases Inequality in Political Involvement and Polarizes Elections*. Cambridge University Press, 2007.

This book provided many details about the media, particularly in regard to political bias and polarization of journalism. Thus, it was important to include in the section about objectivity and media bias.

Rochlin, Nick. "Fake News: Belief in Post-Truth." *Library Hi Tech*, vol. 35, no. 3, 2017, pp. 386-392. search.proquest.com/docview/2005066494?accountid=338. Accessed 10 Oct. 2018.

This source presented a fresh perspective on the phenomenon of the Post-Truth era and summarizes the relevance of social media and the increased partisanship of the media. Its opinions on the terrain of today's media was a valuable resource in constructing my own opinion.

Samuel, Alexandra. "How the Internet Ruined Everything (Or Did It?)." JSTOR, [daily.jstor.org/to-fix-fake-news-look-to-yellow-journalism](https://www.jstor.org/stable/2645111). Accessed 10 Oct. 2018.

This article provided a look at the history of journalism and how that pertains to the current aspects of publishing fake news. It also explains some of the reasoning behind fake news and presents an argument about the relatedness of today's situation to that of history. This opinion mirrored my own, so it was beneficial to read another version of the story and look to history to understand the publication of fake news.

Smith, Glen, and Kathleen Searles. "Fair and Balanced News or a Difference of Opinion? Why Opinion Shows Matter for Media Effects." *Political Research Quarterly*, vol. 66, no. 3, 2012, pp. 671-684. doi.org/10.1177/1065912912465922. Accessed 10 Oct. 2018.

This source focuses on an evaluation of opinion and news shows, particularly Fox News during the 2008 presidential election cycle, and analyzes how they reflect the polarization of the American public. It was important in formulating an opinion about the effect that the media, specifically an opinionated one, has on the people who watch it.

Society of Professional Journalists. Society of Professional Journalists, 1996, <https://www.spj.org/index.asp>. Accessed 26 Jan. 2019.

This represents the entire website for the Society of Professional Journalists, from which source were obtained quotes and information about the history of the organization as well as its code of ethics. This was an important source in the thesis because it provided a framework from which to base commentary about ethics and the First Amendment.

"Susan B. Anthony List v. Driehaus." Oyez, <https://www.oyez.org/cases/2013/13-193>. Accessed 3 Mar. 2019.

This source provided sufficient information about the court case Susan B. Anthony List v. Driehaus. This case was a recent decision and was important in the history of journalism because it defined the extent to which advertisements can represent candidates for office. This was a landmark decision that was an important one to include in this thesis' section about important court cases.

"Tabloid Journalism." *Encyclopaedia Britannica*, 23 Feb. 2017, <https://www.britannica.com/topic/tabloid-journalism>. Accessed 13 Jan. 2019.

This provided a comprehensive history about tabloid journalism, which was a significant age that represents the public's distrust of the media. In this way, this was an important era to discuss about the history of journalism, and it provided for a useful source to understand the history of this time period.

Tornoe, Rob. "Get Ready for the 'Post-Truth' Era." *Editor & Publisher*, vol. 150, no. 2, 2017, pp. 26-27. search.proquest.com/docview/1880381059?accountid=338. Accessed 10 Oct. 2018.

This article detailed today's media in light of the 2016 presidential election and provided several potential tactics to avoid reading and publication of fake news. Alongside several historical examples of fake news in the media, this source was particularly useful in its explanation of a Pew poll that told about the nature of consumers of today's media.

Vasu, Norman, et al. "Fake News: National Security in the Post-Truth Era." Nanyang Technological University Policy Report, Jan. 2018, www.rsis.edu.sg/wp-content/uploads/2018/01/PR180313_Fake-News_WEB.pdf. Accessed 10 Oct. 2018.

This article takes into account the fact that fake news is not a new phenomenon, but it goes on to explain the reactions of news consumers after the 2016 presidential election, arguing that today's world is a newly named era. It was a valuable source for its broad range of topics that both considered history and the present.

"Yellow Journalism." Encyclopaedia Britannica, 11 Aug. 2016, <https://www.britannica.com/topic/yellow-journalism>. Accessed 13 Jan. 2019.

Yellow journalism was one of the most heavily researched arguments in the thesis, so this source provided for the most detailed, academic source of information. This was an article explaining the entirety of the era of yellow journalism, so for any facts included about yellow journalism, this source was most useful to fact-check and to provide general ideas about the time period.

"'You furnish the pictures and I'll furnish the war.' --William Randolph Hearst, January 25, 1898." Ian C. Friedman, 25 Jan. 2010, <http://www.iancfriedman.com/?p=29>. Accessed 5 Mar. 2019.

This quote exemplifies the sentiments of William Randolph Hearst relative to yellow journalism and shows the ideals at that time in history. This source was used to reference this quote.

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Photograph provided by Mark Memmott.

28: <https://www.nevadaappeal.com/news/opinion/david-c-henley-celebrating-55-years-of-marriage/>
Photograph provided by Jill Palermo.

31: <https://unsplash.com/photos/erZYLZdz--4>

