

Government and the Press

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Abstract: Government and the press provide individuals a framework for educating people in the field of cultural, education and social science. The author's goal is to provide individuals with the knowledge needed to reflect on issues in their communities pertaining to government and the press.

Keywords: government, journalists, press, public

I. Government and the Press

Freedom of the press refers to the right of citizens to publish facts, ideas, and opinions without interference from the government or private groups. The right applies to print media, such as books and newspapers, as well as to electronic media (Santa Monica College, 2020).

Because of the great power and potential that words have to influence people, the freedom of the press has been challenged since the origins of modern printing in the 1400s. Today, thanks to the plethora of available means of modern communication, this power is even greater. A number of governments, believing that the power of words might be levied against them, impose limitations on the press. Indeed, some governments have taken control of the press itself and operate it in their own interests. Most publishers and writers, on the other hand, fight for the greatest degree of freedom possible.

Democratic governments guarantee freedom of the press as a part of their effort to protect and encourage the exchange of ideas. This is useful to the citizens of democratic nations, who need information to help them decide whether to support or oppose the policies of their national and local governments.

However, even in democracies, freedom of the press is typically not unlimited. Most democratic governments restrict press freedom three primary types of cases: when the government believes that such freedom could endanger individuals, could jeopardize national security, or could disrupt social morality. In the first case, laws against libel protect individuals from written materials that could threaten their reputation or privacy. In the second, laws against sedition (i.e., the encouragement of rebellion) and treason function to prevent the publication of material harmful to national security. Finally, laws prohibiting obscenity aim to protect the moral fabric of the citizenry.

In the United States, the First Amendment to the Constitution guarantees the freedom of the press (Sullivan, 2007). In its entirety, the First Amendment protects not only the freedom of the press but also citizens' freedoms of religion and speech and their rights to assemble and petition the government. The First Amendment states, "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" (Walker, 2020). All U.S. state constitutions also include protections for press freedom. The First Amendment allows the press to perform its duties without government interference. Those duties are to inform the public, to protect the public interest, and to influence public opinion (Ianzu & Neuborne, 2020).

Informing the public is the journalist's chief duty. Journalists have an obligation to be accurate and to report all sides to a given story (Western Kentucky University, 2013). They also have the responsibility of deciding which events are sufficiently important to be reported as news. Citizens particularly require high-quality information about current political events, which can help them select candidates to vote for and decide whether to support

government policies. Only with reliable reporting can citizens make intelligent decisions about how they wish to be governed (Каталог файлов, 2011).

Protecting the public interest is another important duty of journalism in the United States—and a means of safeguarding the rights of citizens. Through investigative reporting, journalists may root out and expose dishonesty in government and mismanagement of public funds, as well as unfair business practices on the part of private actors. One of the most dramatic illustrations of the value of investigative reporting unfolded in the early 1970s, when the press played a major role in uncovering the Watergate scandal.

Finally, it is a journalistic duty to influence public opinion, that is, to persuade the public on various issues. Through editorials, the management or editorial board of a news organization expresses its views on current issues and attempts to persuade the public to adopt those same views. Many editorials encourage actions that the publishing news organization believes will benefit the community or the nation. An editorial might, for example, urge citizens to approve a school bond proposal or to elect a certain candidate to office. The media also seeks to influence public opinion by way of commentaries. Commentaries reflect the opinions of individual journalists rather than those of a news organization or its management.

These are the duties of the press, and in discharging them, journalists ought to be protected by the First Amendment. However, there are times when the thin line between being a journalist and being a citizen becomes blurred. This raises the question: what, exactly, are the limits of the press, and is the press protected by the First Amendment?

Restrictions on the freedom of the press are controversial, to say the least. U.S. journalists have a constitutional right to gather information and to publish or broadcast any news learned in the process. Most journalists argue that any restriction on these rights violates the First Amendment. The government, on the other hand, prefers that certain information be withheld in the public interest. Such information might include material that could endanger the nation or jeopardize a defendant's right to a fair trial.

To a great extent, the United States press regulates itself; most publishers do not print material that they know to be false or that could lead to crime, rioting, or revolution. Publishers also seek to avoid publishing libelous material, obscenities, and other matters that might offend large numbers of readers. Nonetheless, many conflicts between the press and the government must be settled by litigation. Several court decisions have forbidden the government to censor material prior to its publication or broadcasting. The courts have noted that although such censorship—known as “prior restraint” or “prior censorship”—could in some cases prevent abuses by the press, it could also be used to prevent the media from reporting government misconduct. The courts have therefore reasoned that prior censorship is nearly always too extreme a remedy to press abuses.

The news media may be legally penalized, however, for publishing or broadcasting material in violation of a court order. The press may also be held responsible if it abuses the rights of private citizens. Journalists and news organizations may be sued for libel if they publish or broadcast false information that harms a person's reputation.

In general, media organizations act responsibly and do not intentionally abuse their right to freedom of the press. News organizations may even withhold information voluntarily if the government advises that reporting the material might harm the public interest. But the press and the government often disagree as to what information should be withheld, especially in the areas of national defense and foreign affairs. In most cases, the press argues that the people's right to know about the actions of their government outweighs the benefits of maintaining secrecy. For this reason, the government often tries to keep what it considers “sensitive” information out of the hands of the news media.

Journalists can sometimes obtain this “sensitive” material from news sources within the government who believe that the information should be made public. But because these sources fear that should they be discovered, they will lose their jobs, such a source is likely to ask journalists to promise that their identity will remain confidential. Reporters similarly use confidential sources to investigate organizations other than the government.

On occasion, journalists have been called as witnesses in trials and government investigations and ordered to reveal the identity of one or more sources. In most cases, the summoned journalists have refused to answer rather than break their promises of anonymity. Journalists feel that they must protect their sources not only for their sources' own sakes but also to reassure other potential sources that reporters can be trusted. Journalists argue that confidential sources are essential to investigative reporting and that many cases of wrongdoing would never have been exposed without such sources. Some journalists maintained this conviction even in the face of criminal penalties, electing to go to jail rather than to reveal the identity of a source.

Another area of concern in journalistic freedom is the “Fairness Doctrine,” a past regulation of the Federal Communications Commission (FCC). The Fairness Doctrine, which applied only to broadcast media, required radio and television stations to devote a certain amount of broadcast time to the discussion of controversial issues.

Furthermore, if a station presented one side of an issue, it was required also allocate airtime to the presentation of the opposing view (Gill, 2018). Congress has declared that the airwaves are public property and that stations must serve the public interest to retain their licenses to broadcast. Even so, some broadcasters argue that the Fairness Doctrine was unconstitutional because it constituted a government limit on freedom of expression. These groups feared that the regulations could restrict investigative reporting by forcing broadcasters to balance every charge of wrongdoing against the accused party's claims of innocence. The doctrine prevented stations from taking strong positions on controversial issues (Thierer, 1993).

Many Americans believe that the press often acts irresponsibly. As a whole, the press has been accused of political prejudices, and journalists do tend to be liberal. Some believe that political views held by journalists and within management often influence what news organizations decide to report and how they report it.

The press has also been criticized for how it handles coverage of terrorist activities, such as airplane hijackings. Critics say that by giving terrorists the publicity they seek; the media encourages others to commit criminal acts by which they too can gain publicity. In response, journalists contend that it is more important that the public be informed of such events than it is to limit exposure to terroristic or criminal activities.

Some critics have accused the press of falsely characterizing events by emphasizing their most spectacular or unusual aspects. Many people also feel that the press sometimes manufactures its own news by engaging in mass coverage of insignificant stories. Others still declare that the press tends to invade the privacy of those struck by tragedy, disregarding their feelings and not allowing them room to grieve.

The growth of both the size and importance of the news media has led to tremendous advances in the techniques of gathering and disseminating news. Even so, journalists argue that government interference sometimes prevents them from printing information that the public deserves to know. There are times when journalists First Amendment protection is simply not enough.

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