



Free and Independent Press—Lesson Plan

Student Objectives

- Understand the role of a free and independent press in promoting vibrant and diverse political discourse, transparency in government, and the free flow of ideas and opinions in a democratic society.
- Appreciate the issues raised by government regulation of the press and the democratic paradox of such regulation and the people’s “right to know.”
- Explore how a free and independent press can be threatened by private or government monopoly of news information and outlets in a democratic society.
- Analyze the reasons supporting and opposing legal prohibitions on majority control of news media by individual persons, corporations, or the government itself.
- Identify areas of agreement and disagreement with other students.
- Decide, individually and as a group, whether democracies should prohibit anyone from controlling a majority of the news media in a community; support decisions based on evidence and sound reasoning.
- Reflect on the value of deliberation when deciding issues in a democracy.

Question for Deliberation

Should our democracy permit monopolies of broadcast news media in local communities?

Materials

- Lesson Procedures
- Handout 1—Deliberation Guide
- Handout 2—Deliberation Activities
- Handout 3—Student Reflection on Deliberation
- Reading
- Selected Resources
- Deliberation Question with Arguments
(optional—use if students have difficulty extracting the arguments or time is limited)



Free and Independent Press—Reading

1 A free press meets many needs in a democracy. It exposes government mistakes and
2 corruption that officials may want to keep quiet. It allows ideas to be publicly heard, examined,
3 and questioned. This free flow of ideas and information enables people to make informed
4 decisions about public issues—an essential activity of self-government.

5 In Europe and the United States, television is the primary source of information for most
6 people. Maintaining citizen access to information is challenging when all or most broadcast
7 media outlets are monopolized by powerful individuals, corporations, or the government itself.

8 **Democratic Government: Protector and Regulator of a Free Press**

9 European democracies generally try to protect and regulate press freedom and people's
10 access to information through law. The Russian Constitution, for example, states that "the
11 freedom of mass communication shall be guaranteed... censorship shall be banned." However, it
12 also reserves the right to determine "the list of data comprising state secrets" by federal law. In
13 the United States, decisions of the Supreme Court have largely shaped press freedom. While the
14 First Amendment to the U.S. Constitution reads, "Congress shall make no law... abridging the
15 freedom of speech, or of the press," these freedoms have never been absolute. Throughout U.S.
16 history, the government has attempted to limit press freedom on several grounds. These include
17 national security and interference with a national war effort.

18 **The Cost of Independence: Money and Media Access**

19 The U.S. journalist A. J. Liebling once said that “freedom of the press is guaranteed only to
20 those who own one.” Even when the law protects the media, it does not pay the cost of running a
21 media outlet. Media need money to remain independent.

22 Funding for broadcast media comes almost exclusively from advertisers. Advertisers buy
23 time or space to display their products and services during a broadcast. They also pay to sponsor
24 events. McDonald’s, Samsung, and Visa are all sponsors of the 2008 Olympic Games in Beijing.
25 Sponsors can insist that no competitor advertise during the same event. For example, if Coca-
26 Cola is an Olympic sponsor, then Pepsi Cola won’t be advertised or sold at the Games.

27 Adequate funding for broadcast media is a problem around the world, particularly in regional
28 or local markets. Andrey Richter, director of the Moscow Media Law and Policy Institute, notes
29 that the failure of the media advertising market to develop outside the major population centers
30 “has a negative effect on economic sustainability and the independence of regional mass media.”

31 **Concentration of Broadcast Media Power: Examples and Consequences**

32 Corporations, very wealthy individuals, or the state itself control most broadcast media.
33 According to the EU Monitoring and Advocacy Program, television markets across Europe “are
34 highly concentrated both in terms of ownership and viewership. In most countries, the three
35 largest channels grab the bulk of the viewership.... At the same time, the ownership of private
36 broadcasts tend to be highly concentrated” (OSI/EU Monitoring and Advocacy Program, 2005).
37 The United States shows similar patterns. As a result, a small number of people can decide what
38 tens of millions of people see broadcast.

39 Owners of media empires have successfully used their communications power to gain public
40 office. During Silvio Berlusconi's successful 2001 election campaign to become prime minister
41 of Italy, for example, he headed a communications empire that included three of the nation's four
42 largest television channels. These channels represented more than 40% of the daily viewing
43 audience. According to Italian journalist Raffaele Mastrodonato, Berlusconi appeared on the
44 channels he owned over 60% more frequently than did his opponent.

45 What can happen when only a few decisionmakers determine which stories will receive
46 broadcast time? During August 2006, for example, all three major U.S. television networks
47 opened their evening newscasts with in-depth coverage of the arrest of John Mark Karr, a former
48 teacher suspected of murdering child beauty contestant JonBenet Ramsey. By contrast that day,
49 two networks only mentioned briefly the Bush Administration's use of the National Security
50 Agency to conduct secret surveillance on U.S. citizens, and the third network did not mention it
51 at all ("Mainstream TV Media Drops the Ball," 2006).

52 Even when someone wants to buy television time, commercial television networks are free to
53 say no. MoveOn.org, a left-wing U.S. political group, tried to buy advertising time for an anti-
54 Iraq War message during the 2004 Super Bowl. The television network, CBS, declined to run the
55 advertisement, citing a policy of avoiding political ads. According to Alex Jones of Harvard
56 University, "The rules are exactly what the owner of the news medium wants them to be.... they
57 are not rules, they are simply choices" ("MoveOn Knocked Out," 2004). In fact, CBS did run
58 three political advertisements during the Super Bowl—including one for President Bush's White
59 House Office of National Drug Control Policy.

60 In Central and Eastern Europe, public service television "remains the main source of news
61 for the largest part of the population" (OSI/EU Monitoring and Advocacy Program, 2005). Here,

62 too, public service television needs sufficient *economic* independence to protect *editorial*
63 independence. Commercial television in Europe attracts advertisers and viewers through popular
64 “reality TV” shows, revenue-generating sporting events, and documentaries and other programs
65 that feature high production values and special effects. In order to gain viewers, public service
66 television feels great pressure to imitate commercial programming so that government funding
67 will continue.

68 Political pressure and interference are also a threat to public service television’s
69 independence. Because public service television broadcasters use state funding, they also create
70 “buffer” structures to protect their editorial independence. This buffer usually consists of an
71 independent board of governors for policy and a management group for day-to-day affairs. Most
72 also have programming guidelines. The success of these measures in keeping public service
73 television independent varies by country. In the Czech Republic, for example, television
74 journalists report no direct pressure from the government. They do, however, receive indirect
75 pressure from members of parliament, who condemn critical or investigative reports. In other
76 countries, public service television transmits the government’s preferred message.

77 Large television networks also may limit the amount of programming by and for minority
78 communities. In Europe, there is very little minority programming. “Nowhere are quotas
79 imposed on commercial broadcasters for any programming directed at linguistic and ethnic
80 minorities” (OSI/EU Monitoring and Advocacy Program, 2005). Even among public service
81 broadcasters, only Macedonia has laws requiring a certain quota of minority programming. In the
82 United States, federal laws and guidelines only require reporting the number of broadcast media
83 licenses that are owned by women or racial minorities. Less than 10% of the 13,000 U.S.

84 licensed stations are controlled by female or minority concerns (FCC, 2004-2005). There is no
85 U.S. requirement to report the amount of minority programming that is broadcast.

86 **Monopoly Control in Broadcast Media: What's the Problem?**

87 In large countries, such as Russia and the United States, many people believe that bigger can
88 be better for media independence. Small local outlets work in isolation from each other and have
89 small budgets, so the government may more easily threaten or hide the big picture from them. By
90 contrast, big media organizations have the economic strength and geographic reach necessary to
91 stand up to the government. Even in smaller democracies, such as Estonia, media consolidation
92 has had a strengthening effect for media independence.

93 Opponents of broadcast media consolidation worry about the loss of local control. Czech
94 journalist Jan Urban notes that there is “a nearly absolute monopoly in electronic media as well
95 as in the advertising market” (O’Connor, 2004) in the Czech Republic. When a few corporations
96 monopolize the market, says CNN founder Ted Turner, “that’s like a dictator deciding what
97 candidates are allowed to stand for parliamentary elections and then claiming that the people
98 choose their leaders” (Turner, 2004).

99 One model for protecting against monopoly control comes from the Lithuanian constitution.
100 It states that “censorship of mass media shall be prohibited” and that “the State, political parties,
101 political and public organizations, and other institutions or persons may not monopolize means
102 of mass media.” Until recently, the United States also prohibited media companies from owning
103 more than one television station in a medium-sized or smaller market.

104 Supporters of large media organizations say such limits are unnecessary because the nature
105 of mass media is changing. In 2003, for example, the U.S. Federal Communications Commission

106 argued that policies limiting media ownership consolidation did not account for such alternatives
107 as cable and the internet. These new technologies would enable communities and individuals to
108 access diverse views without additional government controls on media ownership.

109 Opponents of media monopolies respond that the crucial issue is how many people a medias
110 outlet can reach. A pamphlet printed in a basement reaches far fewer readers than *Izvestia* or the
111 *Washington Post*. As U.S. law professor James Barron has written, “The test of a community’s
112 opportunities for free expression rests not so much in an abundance of alternative media but
113 rather in an abundance of opportunities to secure expression in media with the largest impact.”

114 Whether through regulations, court decisions, technology, or market forces, how societies
115 decide to keep mass media free and independent may determine their futures as democracies.



Free and Independent Press—Selected Resources

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Free and Independent Press— Deliberation Question with Arguments

Deliberation Question

Should our democracy permit monopolies of broadcast news media in local communities?

YES—Arguments to Support the Deliberation Question

1. Government regulation of broadcast news media equals government control of broadcast news media. Such control is the beginning of the end for freedom of the press. If the government can prohibit monopolies, it will expand its powers and use regulations to crush any powerful media it views as a threat.
2. People are naïve to believe that government will regulate mass media fairly. The government will inevitably favor those media who support the government. A free press is too important to democratic society for it to be left in the hands of politicians.
3. A powerful free press is sometimes the only institution that can oppose government. But power means independence, and independence requires money. To permit government to prevent or break up large independent mass media groups is to deny the mass media one of their only sources of power.
4. Concerns about private monopolies of broadcast news media are unfounded as long as there is a truly free market. Government regulations are slow and clumsy tools—they address problems of the past, not challenges of the future. Markets adjust quickly to the needs of society, use new technologies, and generate new products and services. The only groups who want government regulations are those who cannot compete in the real world of the market.
5. Everyone is a minority at some point, and “vulnerable” communities in a democratic society change from issue to issue. A free press can respond to market forces, including the under-met needs of all sorts of communities. Press freedom can permit minorities to emerge as power-brokers in mass media even if they have little power elsewhere. If broadcast news media are over-regulated by government, then minority communities will remain forever prisoners to the whims of those in power.



Free and Independent Press— Deliberation Question with Arguments

Deliberation Question

Should our democracy permit monopolies of broadcast news media in local communities?

NO—Arguments to Oppose the Deliberation Question

1. Government regulation of the press does not equal the death of a free and independent press. The rights of the press are like the rights of a person—no one's rights are absolute. Just as the government can place reasonable limits on the time, place, and manner in which a person speaks without destroying freedom of speech, so also the government can reasonably prevent monopolies in broadcast news media without destroying the freedom of the press.
2. The natural result of unregulated business is monopoly by the most powerful. Whether that monopoly is exercised by the state, by corporations, or by wealthy individuals, the market unfairly privileges the powerful over the needs of the many. This contradicts democratic principles. The needs of democracy are not served by permitting the control of all broadcast news media by just a few influential forces, whether they are government or private.
3. All regulation is not arbitrary regulation. Democratic government can serve the interests of the people. Legislatures and regulatory agencies respond to the needs and desires of small media producers, large media corporations, communities, and citizens. Public structures, not mass media monopolies, are best suited to protecting the free and independent information needs of democratic society.
4. In a democracy, laws protect citizens by limiting what public and private actors can do. The government, the wealthy, and the powerful always will find a way to express their concerns. Prohibiting monopolies in broadcast news media will protect freedom of the press by creating space for smaller, private voices to emerge.
5. Prohibiting monopolies in broadcast news media will best serve the most vulnerable members of society. Small and mid-sized communities are particularly at risk for having their views and needs ignored by powerful national interests that are far away. Poor, isolated, and minority communities will lack the means to make their voices heard.



Lesson Procedures

Step One: Introduction

Introduce the lesson and the Student Objectives on the **Lesson Plan**. Distribute and discuss **Handout 1—Deliberation Guide**. Review the Rules of Deliberation and post them in a prominent position in the classroom. Emphasize that the class will deliberate and then debrief the experience.

Step Two: Reading

Distribute a copy of the **Reading** to each student. Have students read the article carefully and underline facts and ideas they think are important and/or interesting (**ideally for homework**).

Step Three: Grouping and Reading Discussion

Divide the class into groups of four or five students. Group members should share important facts and interesting ideas with each other to develop a common understanding of the article. They can record these facts and ideas on **Handout 2—Deliberation Activities** (Review the Reading).

Step Four: Introducing the Deliberation Question

Each **Reading** addresses a Deliberation Question. Read aloud and/or post the Deliberation Question and ask students to write the Deliberation Question in the space provided on **Handout 2**. Remind students of the Rules for Deliberation on **Handout 1**.

Step Five: Learning the Reasons

Divide each group into two teams, Team A and Team B. Explain that each team is responsible for selecting the most compelling reasons for its position, which you will assign. Both teams should reread the **Reading**. Team A will find the most compelling reasons to **support** the Deliberation Question. Team B will find the most compelling reasons to **oppose** the Deliberation Question. To ensure maximum participation, ask everyone on the team to prepare to present at least one reason.

Note: Team A and Team B do not communicate while learning the reasons. If students need help identifying the arguments or time is limited, use the **Deliberation Question with Arguments** handouts. Ask students to identify the most compelling arguments and add any additional ones they may remember from the reading.

Step Six: Presenting the Most Compelling Reasons

Tell students that each team will present the most compelling reasons to **support** or **oppose** the Deliberation Question. In preparation for the next step, Reversing Positions, have each team listen carefully for the most compelling reasons.

- Team A will explain their reasons for **supporting** the Deliberation Question. If Team B does not understand something, they should ask questions but NOT argue.
- Team B will explain their reasons for **opposing** the Deliberation Question. If Team A does not understand something, they should ask questions, but NOT argue.

Note: The teams may not believe in or agree with their reasons but should be as convincing as possible when presenting them to others.

Step Seven: Reversing Positions

Explain that, to demonstrate that each side understands the opposing arguments, each team will select the other team's most compelling reasons.

- Team B will explain to Team A what Team A's **most compelling** reasons were for **supporting** the Deliberation Question.
- Team A will explain to Team B what Team B's **most compelling** reasons were for **opposing** the Deliberation Question.

Step Eight: Deliberating the Question

Explain that students will now drop their roles and deliberate the question as a group. Remind the class of the question. In deliberating, students can (1) use what they have learned about the issue and (2) offer their personal experiences as they formulate opinions regarding the issue.

After deliberating, have students find areas of agreement in their group. Then ask students, as individuals, to express to the group their personal position on the issue and write it down (see My Personal Position on **Handout 2**).

Note: Individual students do **NOT** have to agree with the group.

Step Nine: Debriefing the Deliberation

Reconvene the entire class. Distribute **Handout 3—Student Reflection on Deliberation** as a guide. Ask students to discuss the following questions:

- What were the most compelling reasons for each side?
- What were the areas of agreement?
- What questions do you still have? Where can you get more information?
- What are some reasons why deliberating this issue is important in a democracy?
- What might you or your class do to address this problem? Options include teaching others about what they have learned; writing to elected officials, NGOs, or businesses; and conducting additional research.

Consider having students prepare personal reflections on the Deliberation Question through written, visual, or audio essays. Personal opinions can be posted on the web.

Step Ten: Student Poll/Student Reflection

Ask students: "Do you agree, disagree, or are you still undecided about the Deliberation Question?" Record the responses and have a student post the results on www.deliberating.org under the partnerships and/or the polls. Have students complete **Handout 3**.



Handout 1—Deliberation Guide

What Is Deliberation?

Deliberation (meaningful discussion) is the focused exchange of ideas and the analysis of arguments with the aim of making a decision.

Why Are We Deliberating?

Citizens must be able and willing to express and exchange ideas among themselves, with community leaders, and with their representatives in government. Citizens and public officials in a democracy need skills and opportunities to engage in civil public discussion of controversial issues in order to make informed policy decisions. Deliberation requires keeping an open mind, as this skill enables citizens to reconsider a decision based on new information or changing circumstances.

What Are the Rules for Deliberation?

- Read the material carefully.
- Focus on the deliberation question.
- Listen carefully to what others are saying.
- Check for understanding.
- Analyze what others say.
- Speak and encourage others to speak.
- Refer to the reading to support your ideas.
- Use relevant background knowledge, including life experiences, in a logical way.
- Use your heart and mind to express ideas and opinions.
- Remain engaged and respectful when controversy arises.
- Focus on ideas, not personalities.



Handout 2—Deliberation Activities

Review the Reading

Determine the most important facts and/or interesting ideas and write them below.

- 1) _____
- 2) _____
- 3) _____

Deliberation Question

Learning the Reasons

Reasons to Support the Deliberation Question (Team A)	Reasons to Oppose the Deliberation Question (Team B)

My Personal Position

On a separate sheet of paper, write down reasons to support your opinion. You may suggest another course of action than the policy proposed in the question or add your own ideas to address the underlying problem.



Name: _____

Date: _____

Teacher: _____

Handout 3—Student Reflection on Deliberation

Large Group Discussion: What We Learned

What were the most compelling reasons for each side?

Side A:

Side B:

What were the areas of agreement?

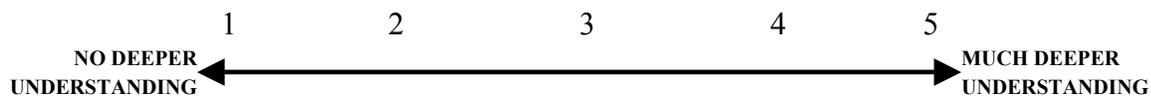
What questions do you still have? Where can you get more information?

What are some reasons why deliberating this issue is important in a democracy?

What might you and/or your class do to address this problem?

Individual Reflection: What I Learned

Which number best describes your understanding of the focus issue? [circle one]



What new insights did you gain?

What did you do well in the deliberation? What do you need to work on to improve your personal deliberation skills?

What did someone else in your group do or say that was particularly helpful? Is there anything the group should work on to improve the group deliberation?