Transcribed by Elena Sassower, Director, Center for Judicial Accountability, Inc.

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<u>Columbia Graduate School of Journalism</u> <u>February 8, 2007 Symposium: "Media Reform: Is it Good for Journalism?"</u>

Part 2: "Changing the Rules" -

Panelists: <u>Kathleen Carroll</u> – Executive Director & Senior Vice President, Associated Press

<u>Michael Fancher</u> – Editor-at Large, Seattle Times <u>Deepa Fernandes</u> – Host, Waskeup Call, WBAI <u>Norman Pearlstine</u> – Senior Advisor, Carlyle Group;

Former Editor-in-Chief, Time, Inc. <u>Jack Shafer</u> – Editor-at-Large, Slate

Moderator: <u>Nicholas Lemann</u> – Dean, Columbia Graduate School of Journalism

Shafer: The publisher of Slate, Cliff Sloan, says there's never been a larger audience for quality

journalism in the United States...

So, I would say, in a relentlessly optimistic way, that audiences probably are

consuming more quality journalism today than at anytime in my lifetime.

<u>Lemann</u>: Umm, Let's see. You were next, I think. There are a couple more.

Sassower: My name is Elena Sassower. I'm director and co-founder of the Center for Judicial

Accountability, a non-

<u>Pearlstine</u>: Center for what?

Sassower: Center for Judicial Accountability, a non-partisan, non-profit citizens' organization. Dean Lemann began this panel discussion by saving "if you halious in a salious in a saliou

Lemann began this panel discussion by saying "if you believe in good journalism, what can you do to tweak the rules so that we have better journalism". Well, I think we would all agree that quality journalism consists of accurate reporting and also reporting that presents issues of legitimate public concern. Indeed, it is for that reason, to promote discussion of issues of

legitimate public concern, that the First Amendment exists.

I'd like to say that, in connection with this question of what reforms can we make, there is on-the-ground reform happening right now. There is a public interest lawsuit against <u>The New York Times</u> for journalistic fraud. This is the first ever lawsuit to bring such cause of action.

It rests on a law review article that said that such cause of action would –

<u>Lemann</u>: Question, question?

<u>Sassower</u>: Yes, okay. And it rests on two other law review articles. My question is – because Professor

Wald said that we are short of facts – what can we do to get the journalists on the panel, the scholar that was on the panel, and others to address the facts presented in this lawsuit that

apply three separate law review articles that powerfully advance media reform in the public interest in support of the First Amendment and the public's right to know. What can we do?"

Lemann:

Anybody familiar with this case?

Fancher:

I get e-mails about it. I guess, what, what, when we think about, when we think about this whole notion of media reform and fighting against the consolidation of ownership, one of the things that gets said is — no matter what your cause is, this should be your second cause because this is about your ability to get your story told. And so, when you think about, whether you're on the, whether you're the National Rifle Association, or you're Christian conservatives, or you're the Hollywood creative community, or you're at war with The New York Times over journalism fraud, being able to find access, to get your story told is what this is all about. So, you know, I think you just have to keep up your battle.

Lemann:

You asked your question, we've got to have more questions, okay.

Sassower:

The question is the viability of this cause of action, as well as others proposed by law review articles.

Lemann:

Yeah, okay. I think... ma'am.

Sassower:

We can't get discussion by the scholars, by the research institutions, including this one which gets money from <u>The New York Times</u>, from the Sulzberger family, and does not respect fundamental conflict of interest rules, as likewise the other institutions that are connected to the industry. My question is –

Shafer:

Will you send me, will you send me the lawsuit?

Lemann:

Yes, thank you.

Sassower:

It was already sent to you, sir.

Shafer:

No it wasn't.

Lemann:

Yeah.

Sassower goes up to the podium and hands Shafer three previous e-mails, enclosing three press releases about the lawsuit

Shafer:

Thanks.

Lemann:

Okay, so Jack will look into it and write a column about it.

Shafer:

I'm served, I'm served. Have couple of lawyers here who can defend me?

Sassower:

Thank you.

Shafer:

Thank you.