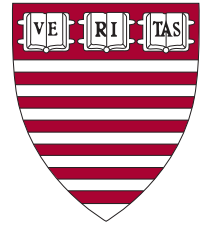
Richard S. Salant Lecture on Freedom of the Press

with

Jonathan Zittrain

Joan Shorenstein Center
PRESS ▪ POLITICS



▪ PUBLIC POLICY ▪

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History

In 2007, the estate of Dr. Frank Stanton, former president of CBS, provided funding for an annual lecture in honor of his longtime friend and colleague, Mr. Richard S. Salant, a lawyer, broadcast media executive, ardent defender of the First Amendment and passionate leader of broadcast ethics and news standards.

Frank Stanton was a central figure in the development of television broadcasting. He became president of CBS in January 1946, a position he held for 27 years. A staunch advocate of First Amendment rights, Stanton worked to ensure that broadcast journalism received protection equal to that received by the print press. In testimony before a U.S. Congressional committee when he was ordered to hand over material from an investigative report called "The Selling of the Pentagon," Stanton said that the order amounted to an infringement of free speech under the First Amendment. He was also instrumental in assembling the first televised presidential debate in 1960. In 1935, Stanton received a doctorate from Ohio State University and was hired by CBS. He became head of CBS's research department in 1938, vice president and general manager in 1945, and in 1946, at the age of 38, was made president of the company. Dr. Stanton was an early proponent of the creation of a Press and Politics Center at the Kennedy School. He served on the advisory committee for the proposed Center in the early 1980s and was on the Shorenstein Center's advisory board from 1987 until his death in 2006.

Richard S. Salant served as president of CBS News from 1961 to 1964 and from 1966 to 1979. Under his leadership, CBS was the first network to expand its nightly news coverage to a half-hour on weekdays; start a full-time election unit; create additional regional news bureaus outside New York and Washington; and launch *60 Minutes,* CBS Morning News and Sunday Morning programs. He was credited with raising professional standards and expanding news programming at CBS. Salant was known as both a defender of the news media's First Amendment rights and a critic of what he considered the media's excesses and failings. Salant graduated from Harvard College in 1935 and from Harvard Law School in 1938. He worked in government and as a lawyer. Mr. Salant represented CBS in hearings before the FCC and Congressional committees and in a suit with RCA-NBC over which network would develop color television. Although CBS lost, Salant impressed the network's president, Frank Stanton, who later appointed him vice president of CBS News in 1952.

Jonathan Zittrain is a Professor of Law at Harvard Law School and co-director of the Berkman Center for Internet and Society. Previously, he was the Chair in Internet Governance and Regulation at Oxford University and a principal of the Oxford Internet Institute. He was also a visiting professor at the New York University School of Law and Stanford Law School. Zittrain was a co-founder of the Berkman Center, where he served as its first executive director from 1997 to 2000. Before receiving tenure, he was the Jack N. and Lillian R. Berkman Visiting Professor for Entrepreneurial Legal Studies at Harvard Law School. With students, he began Chilling Effects, a website that tracks and archives legal threats made to Internet content producers. In February, 2009, he launched Herdict, a website that collects and tracks self-reported inaccessible sites from around the world. He also performed the first large-scale tests of Internet filtering in China and Saudi Arabia in 2002, and as part of the OpenNet Initiative, he has co-edited a study of Internet filtering by national governments, "Access Denied: The Practice and Policy of Global Internet Filtering." He is the author of *The Future of the Internet — And How to Stop It,* and several books on Internet law. Zittrain holds a bachelor's degree in cognitive science and artificial intelligence from Yale University, a JD from Harvard Law School and a master's in public administration from Harvard's Kennedy School of Government.

Richard S. Salant Lecture
October 22, 2009

Mr. Jones: I'm pleased to welcome you to the second annual Richard S. Salant Lecture on Freedom of the Press. This is a night when we honor press freedom and look at the challenges it faces in these tumultuous times. Those challenges can come in many forms. Later we shall hear from Jonathan Zittrain who is an expert on the digital future.

But before that there is more a direct threat to press freedom that is looming across the Atlantic in Italy and we want to address that, in part, tonight. From time to time a situation emerges that demands a demonstration. Tonight I, on behalf of the Shorenstein Center, and my colleague, Bob Giles, curator of the Nieman Foundation, are jointly presenting a citation honoring a man and a news organization that have called power to account and continue to do so at great cost and even at their peril.

Many of you may have followed the accounts in recent months of the scandals surrounding Silvio Berlusconi, the prime minister of Italy. In some respects, the stories of philandering and the pursuit of very young women may have shocked or even amused you, but in Italy the situation is anything but amusing. Indeed, what is happening in Italy, the world's seventh largest economy and part of a Western Europe that we think of as a citadel of enlightened press freedom, is demonstrating that freedom of the press in 2009 can be genuinely at risk in our world.

Silvio Berlusconi is a media mogul, the owner of Italy's three commercial television networks. He also, as prime minister, has tacit control of the three state-run television networks in Italy. He also controls a number of other news outlets and has, because of his political power, the kind of intimidating muscle that can be life threatening to any news outlet that seeks to call him to account.

In Italy, the only major newspaper that has been willing to take on that challenge has been *La Repubblica*, under the editorial guidance of Ezio Mauro. *La Repubblica* led the way in reporting on the ever-multiplying Berlusconi scandals. Berlusconi framed their inquiries as anti-Italian. Not surprisingly, there was no aggressive television coverage of the Berlusconi scandals, and it matters because the vast majority of Italians say they get their news from television.

Last spring, to focus on Berlusconi's refusal to be accountable, each day *La Repubblica* began publishing 10 questions for the prime minister concerning his ethics and behavior. The Berlusconi reaction to *La Repubblica* has been first to ignore it, then to urge those advertisers who seek his favor

to withdraw their advertising, and now to file a lawsuit asking millions in damages and charging the paper with slander for daring to question his behavior.

We are not talking about Zimbabwe or Russia. This is Italy, in the heart of Western Europe. The issues go well beyond dalliances with young women, but the model is as old as journalism: Those in power seek to throttle the press when their interests are challenged.

But what about when those in power are the press? In democratic societies, this is not supposed to happen, but it is happening and journalists in Italy are in genuine fear that it is going to get worse. As a model, it is a frightening one that could be repeated in other supposed bastions of press freedom. For that reason, the Shorenstein Center and the Nieman Foundation invited Mr. Mauro to come to Cambridge so that we could jointly present him with a citation for his fight to preserve a free press in Italy.

Mr. Mauro, would you please come forward? (Applause)

The citation says: At a time of grave jeopardy to freedom of the press in Italy, *La Repubblica*, under the editorial guidance of Ezio Mauro, has courageously insisted in its pages that government must be accountable to the citizens and that the role of the press is to demand that accountability. Despite threats, economic pressure and lawsuits seeking millions in damages, *La Repubblica* has continued to lead the fight for making power accountable and has inspired hundreds of thousands of Italians to join the fight for genuine press freedom.

For his courage in leading *La Repubblica* so honorably and bravely in these perilous times, the Nieman Foundation for Journalism at Harvard University and the Joan Shorenstein Center on the Press, Politics and Public Policy at Harvard's Kennedy School of Government present this citation to Ezio Mauro. It is awarded in hope and belief that the fight for press freedom in Italy will prevail. (Applause)

Mr. Mauro: Thank you for your kind words, thank you for your invitation and for your interest in our work. The relationship between the press and the power in Italy today is quite complicated. The scandals that Prime Minister Silvio Berlusconi has been involved with started when the first lady, Veronica Lario, with an official statement to the press agencies, denounced the political trash that her husband was involved in, promising electoral candidates to young women in exchange for personal favors.

The previous day, *La Repubblica* had revealed the presence of Mr. Berlusconi at the birthday party of an 18-year-old girl near Naples. "My husband frequents minors," said the first lady, "he does it because he is sick, and I have asked his doctor to help him as is normal to do with a person who is ill."

We thought that that was enough to start a journalistic investigation. (Laughter)

We simply tried to do it. When the prime minister defended himself on television, we noted some evident contradictions in his account of the story, some obvious lies. So we organized the 10 questions about the lies and the contradiction asking officially for an interview to the prime minister. His undersecretary assured us answers. We proposed a period for waiting, four days, and four days later, as the answers did not arrive, we published the 10 questions.

Since then, we have published the 10 questions every day for the simple reason that we have never received any answer. In reality, in these six months, some answers came, indirectly, but quite shocking. It was revealed to the judges by a paid escort that she had spent the night of the election of President Obama with the prime minister at his private home in Rome in the so-called big bed of Putin. (Laughter)

Shortly thereafter she received a candidate electoral list linked with Berlusconi's party in a municipal campaign. After effects, the reaction, the prime minister addressed to reporters of *La Repubblica* as delinquent and he suggested on television that Italians should not read the newspapers, adding that good information exists only on television, that in Italy he controls entirely. Then in an official speech, he invited the companies to take advertisements out of the catastrophic newspapers, specifying immediately after that he was thinking specifically of *La Repubblica*.

I think it was the first time that a leader of a democratic country had openly tried to divert the free market in order to financially weaken a newspaper. Two weeks ago, the same leader repeated then that you must rebel against *La Repubblica*. Finally, the premier issued writs for the 10 questions, asking for one million euros in damages, approximately $1.5 million, another first. The special case of a prime minister who denounces some questions only because he wants the judge to stop the questions, as he does not intend to answer them.

At this moment, that's the problem with truth and the problem of freedom, too. It's responsible to work with the journalistic investigation about the power in charge and under what conditions, the last chapter. When 10 days ago the constitutional court rejected the law for criminal immunity made by Berlusconi to escape from his sentence in the trial for corruption, the prime minister launched a political attack not only against the court, but also against the president of the republic accusing him of not interfering in the autonomy of the court.

At this point, the question of freedom is evident, the question of truth is open and attacked, from the young women to the attack against the press, to their coercion toward the institution. The abuse of power is get-

ting bigger day by day, it is a natural place of journalists of the 10 questions of freedom. We are trying to fill in the blanks.

Thank you. (Applause)

Mr. Jones: The centerpiece of tonight's gathering is the Richard S. Salant Lecture on Freedom of the Press. Tonight you will hear from Jonathan Zittrain, who is one of the true deep thinkers about the digital future, which will include a version of freedom of the press which we may not yet be able to imagine.

But before I introduce Jonathan, I want first to spend a moment on the two men who make tonight's lecture possible and whose contributions to a free press were enormous. Richard Salant was considered the greatest-ever head of a network news division for his tenure at CBS during a time when CBS was truly the television news leader, in the 1960s and 70s. When Richard Salant became president of CBS News, the keystone nightly news program was 15 minutes long. There was no *60 Minutes*, no full-time unit assigned to covering elections, so no CBS Morning News. He changed all that and made CBS the leader in raising television news to something respected journalistically in a way it had never been before. He stood for high quality news and a willingness to fight for that high quality.

But I think it is important that I mention another great CBS icon; I speak of Frank Stanton. Frank died on Christmas Eve of 2006. He was a great friend of the Shorenstein Center and of the Kennedy School, and it is from a bequest in his will that the Salant Lecture was born. Frank Stanton was not a news man in the literal sense. To best of my knowledge, he never covered a story. But as president of the CBS network, he was a champion of news and press freedom.

For one thing, he was Dick Salant's ally and champion; he made it possible for Dick Salant to win the reputation of being the world's greatest news division chief and made it possible for CBS to become respected as the nation's Tiffany network for news. The point is that this lecture could have been called the Frank N. Stanton Lecture on Freedom of the Press; that it is named instead for his friend, Richard Salant, was the decision of Dr. Stanton who, among other things, was remarkably modest.

Jonathan Zittrain, our Salant Lecturer tonight, would have been a man after Dick Salant's heart. Dick was a man who was a ferocious advocate of what was, in his time, the new thing, television news. But he was also one of its most outspoken critics, and he worried about it, about where it was going and what the consequences, some unintended or largely unforeseen, would be of the innovations in television news that were happening with what seemed like breakneck speed.

Jonathan Zittrain is the kind of Web zealot and believer who can also write a book called *The Future of the Internet— and How to Stop it*. (Laughter)

One of my favorite comments on that very successful book was from someone who said he bought it just because he liked the title, but he found it, and I'm quoting here, "instructive without being tedious, alarming without being hysterical, balanced, informed and most relevant to all of us."

The "us" tonight is a group that ranges from serious and super knowledgeable techies to those of us who use the Web but don't really understand the jargon very well, for whom the concept of the cloud is cloudy. (Laughter)

The cloud, by the way, as I understand it anyway, is a metaphor for a world in which your digital records, files, essentially almost everything in Web land would exist online, meaning that it would be out there in cyberspace and not cozily at home in your own PC. It is the concept that has ramifications both great and frightening, as Jonathan has written in an op-ed for *The New York Times* in July called "Lost in the Cloud."

The problem for someone like Jonathan is that he is quite able to embrace the benefits of the cloud, such as, as he puts it, with your stuff in the cloud, it is not a catastrophe to lose your laptop any more than losing your glasses would permanently destroy your vision. But he also sees real dangers to privacy, to manipulation, to censorship and especially to innovation of a kind that he thinks could be throttled because the cloud is not an amorphous swirl of mist but something owned and controlled by the companies that have their hands on the software.

I'm out of my depth here, but our speaker is very much in his element. He is, as I said before, one of the genuine deep thinkers about the Web and where it is going. And it was for that reason, because the Web is our future and the future of news and free speech, that we wanted Jonathan to be our Salant Lecturer this year.

He is a Professor of Law at Harvard Law School and co-director and founder and the first executive director of the Berkman Center for Internet and Society at the Law School. He was previously the chair in Internet governance and regulation at Oxford University and a principle in the Oxford Internet Institute. He has taken a particular interest in the efforts of governments and others to muzzle and thwart the Internet's great power of making information widely available. Internet filtering, as it's called, has been one of the enduring targets of his research, which included the report entitled "Access Denied: The Practice and Policy of Global Internet Filtering."

He has an undergraduate degree from Yale in cognitive science and artificial intelligence, a JD from Harvard Law School and a master of public administration degree from the Harvard Kennedy School. In other words, he is one of us. (Laughter)

He is someone whose opinion about the Internet and freedom of the press is profoundly important to hear.

Jonathan Zittrain. (Applause)

Mr. Zittrain: Thank you so much, Alex, for that thoughtful introduction and for a summary of my book that's far better than any summary I've managed to do. (Laughter)

Which then eliminates the need for me to talk about my book in any way, except that if you don't buy it for the title, you could buy it for the cover. (Laughter)

But I really want to thank you and the Shorenstein Center for including me here tonight and for pushing me beyond my normal boundaries and comfort zone as I try to look at a different future.

On May 8, 2006, the High Court of England and Wales handed down a decision in the long-running trademark dispute between Apple Computer and Apple Corp, the corporation founded by the Beatles. The BBC raced to cover the story and arranged a live interview with a well-known personal computer expert named Guy Kewney.

As Mr. Kewney waited in one reception area, a candidate for a job in the BBC's IT department waited in another. His name was Guy Goma. You can guess the rest. (Laughter)

A harried intern fetched the wrong Guy. (Laughter)

A puzzled Mr. Goma was rapidly made up, miked and seated opposite a BBC anchor. (Laughter)

As Wikipedia describes it, "Goma's face goes through four distinct expressions in under five seconds—" (Laughter)

"—shocked realization, blind terror, philosophical resolve, and finally, determination to do his best." (Laughter)

But perhaps the results speak for themselves in the longest 1.5 minutes perhaps known to human kind. (Laughter)

(Whereupon, a video was played.)

Now, what's striking to me about this incident is not the behavior of Guy Goma, who turned in an extraordinary performance under surreal circumstances. (Laughter/Applause)

Sadly, he did not get the IT job. (Laughter)

What's striking to me is the behavior of the anchor. She appears to realize almost immediately that something is awry, and yet the show must go on. She is trapped in a script.

When we first think of freedom of the press, we quite naturally gravitate to the kinds of pressures that Mr. Mauro is confronting in Italy, intrusions by government into reporting and publishing, and corporate entanglements that pare back editors' independence from the people they cover.

These pressures are real and growing, and our vigilant press has engaged in a decades-long effort to sort out how best to defy them.

But tonight I want to focus on the scripts in which we are trapped, and then on a very different kind of fear than that of government encroachment, then onto solutions, because the BBC anchor is not an anomaly. Many professional journalists of good will and undisputed talent have drifted to a place where they are routinely parties to the absurd and prisoners to threats not as readily grasped as those from official censors.

For example, in 2006, press secretary Tony Snow and counselor Dan Bartlett hosted a briefing in the midst of President Bush's trip to Latvia. They opened on the record with appropriately anodyne remarks about how well the trip was going, but the press gaggle was interested in an unrelated memo that had just leaked indicating that the Bush administration was losing confidence in Iraq's prime minister. As questions ramped up about that, Mr. Snow answered first on the record—with appropriately anodyne unqualified support for the prime minister—and then announced that the briefing would continue "on background," which is sometimes-disputed press-speak indicating that quotes can only be attributed anonymously.

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Sure enough, at that point in the official White House transcript we see the Q&A substituting "Senior Administration Official" for every answer, instead of Mr. Snow or Mr. Bartlett, and the gaggle rolls with it:

Q: Can I get back to something the senior official on the left said? (Laughter)

Senior Administration Official: Your left or our left? (Laughter)

Q: My left.

Senior Administration Official: I'll help you, even though I'm on your right and our left, I'll take on the latter question. (Laughter)

Now *The New York Times* has a tough policy on the use of anonymous sources. It requires that anonymity be "a last resort when the story is of compelling public interest and the information is not available any other way." When anonymity is granted, the reason must be shared with the reader.

How did that pan out for the story appearing in the *Times* following the Latvian press conference? The account dutifully kept that solemn con-

fidence between source and reporter, distinguishing the press secretary's first on-the-record answer from the anonymous ones that followed:

"The president has confidence in Prime Minister Maliki, the White House Press Secretary Tony Snow told reporters...Two senior administration officials, who insisted on anonymity in exchange for talking about a classified memo...suggested its contents would be no surprise to the Iraqi prime minister." That is so evocative: "insisted on anonymity in exchange for talking about a classified memo." It makes it sound like they are in a parking garage off the Key Bridge furtively whispering with Deep Throat, when in fact Tony Snow had idly waived a wand in the midst of a packed press conference. Wonkette picked up on it the next day with a droll blog entry that deviated from the otherwise-unremarkable collective press script: "White House Officials Magically Become Anonymous Halfway Through Briefing." (Laughter)

Mr. Snow likely heard about Wonkette's tweak; his next briefing from Jordan began as follows:

Mr. Snow: Greetings, welcome to Amman. First, I am joined by my close personal friend, Senior Administration Official, for a background briefing on the president's dinner...so let me introduce to one and all, Senior Administration Official, to give you a readout and then answer your questions. (Laughter)

No one came to or left the podium as the rest of Mr. Snow's briefing was officially and unofficially conducted by Senior Administration Official.

Berkman founder Charles Nesson teaches us that nearly everything can be viewed through at least two lenses, and that is certainly true here. One view lets us get a kick out of the episode; it's refreshing to see public officials display a sense of humor, and what's the harm? It doesn't take Woodward and Bernstein to figure out who is talking after Snow's switchover.

Another view says that it's lucky we don't need Woodward and Bernstein's help because they are not on our side. The joke isn't for us or even near us: it's *on* us. No matter who is in power, our officials so routinely mask their identities when speaking that it can happen as casually as putting on a pair of sunglasses. But it's not the official who dons them. Rather, he tells every reporter to obscure his or her vision—and to a person, they do. As the habit spreads, the public reads accounts with quotes, that it must take on faith are not made up, from government officials who cannot be named and who remain unknown for posterity.

Now, while this is a story involving government, I don't think this failure of press freedom results from official bullying. The First Amendment isn't implicated. Rather, it's a story of banal but loathsome convention: The press is stuck with its script, and each person in the chain, from reporter to

editor to publisher, finds it bizarrely inconceivable to stray from it. It is the medium in which we swim. The wild card here was Wonkette, who had no delegate in Latvia or Jordan, who leeched off the reporting from those on-site who made the press briefings even worth holding, who effortlessly highlighted a truth in plain view that others ignored.

So, okay, I've mentioned Wonkette, let's talk about the Internet. So much ink and so many bits have been spilled and routed in the battle between blogs and the mainstream media that we are not even sure what we are arguing about anymore. If the subject of a favorable story in *The New York Times* hypothetically had to decide whether the story would appear only in print or only online, I think the answer has clearly become online. And once online is the place to be, competition for the public's attention is fierce.

Dick Salant's insight that news should be based on what the public needs to know to participate in a democratic system, not on what they would like to know, is under threat from that funny video of a cat flushing the toilet, and the scripts that push the press to directly compete with it.

When a stunning piece of investigative journalism does break through the page or the screen, it often gets lost before it inhabits the public consciousness. Within our ocean of bits, there are too many outrages, some real, most fake, to sustain attention to any given one, unless that one is the subject of a concerted and relentless effort to focus public attention on a crude bumper sticker, a project more suited to advertising and astroturfing than to journalism. As a result, the big scoop can no longer be the act that pays for the day-to-day sweat.

The press is stuck with its script, and each person in the chain, from reporter to editor to publisher, finds it bizarrely inconceivable to stray from it. It is the medium in which we swim.

This state of affairs is more or less well known, but I think the Internet can actually help, rather than hurt. Some of the popular projects most reviled by the press establishment as unreliable and parasitic can actually help save it from its own dangers of mediocrity.

For example, deadlines are nothing new to journalism, and a time crunch can make it difficult for even a conscientious editor to check facts. Thanks to the eyes of some bloggers, mistakes and deception can be ferreted out. The number of doctored photos run in the pages of our most reputable newspapers is astonishing. Reuters published a photo showing an Israeli F-16 firing "missiles during an air strike on Nabatiyah in southern Lebanon." If you were simply reading your morning paper unusually

carefully that day, you might have done a double take if you looked at the photo, shrugged and then moved on. But some bloggers don't let go of things, and they have audiences. One produced compelling evidence intrinsic to the photo that the missiles were in fact flares, and that there had been only one flare crudely copied and pasted in Photoshop.

Reuters stuck to the script. It briefly stonewalled, then withdrew the photo without comment. As pressure grew and more patently doctored photos were found, Reuters editor Paul Holmes clarified, "We have since made our guidelines on Photoshop use much more explicit...Photoshop is a standard tool for photographers, but it's how you use the software that counts. The rule of thumb in the news business is that you must do no more with Photoshop than you used to do in a dark room in the days of 35mm film." An interesting kind of indexed standard. No structural changes were made, no apparent self-examination was undertaken, just a sort of circling of the wagons: "All the photos that leave Iraq are edited by a highly experienced chief photographer who works seven days a week during his rotation." Perhaps he is working too hard. (Laughter)

The pit-bull attitude from the blogosphere then can be a gift to journalism. Rather than seeing it as fraying public confidence in the fourth estate or unfairly consuming editors' time revisiting last week's news when this week's is already pressing, it is at last an alert reader with the means to communicate back.

"That position is now held by a foreign photographer with 27 years experience." (The freelancer responsible for the manipulated photos had 10 years experience with Reuters; ultimately 900 of his photos were withdrawn.)

The pit-bull attitude from the blogosphere then can be a gift to journalism. Rather than seeing it as fraying public confidence in the fourth estate or unfairly consuming editors' time revisiting last week's news when this week's is already pressing, it is at last an alert reader with the means to communicate back. It's a public wanting to engage with the profession; it is a jury empowered to ask questions. Surely not all are asked in good faith, but those that are should be treasured. The mirror they offer is far more powerful than internal peer review.

And the fact that they are often an unruly, often anonymous distributed pack? This too can be an important tonic for another new but fundamental problem facing the press: a fear distinct from that attending censor-

ship and intimidation from those in power. Instead, it is a fear from those many more who are *not* in power.

Consider what happened after the Danish newspaper *Jyllands-Posten* engaged in what many saw to be an unnecessary and puerile stunt intended to underscore what it saw as undue sensitivity to the emerging desire within some denominations of Islam to eschew any physical portrayal of its founding prophet. Describing it as a protest against perceived collective self-censorship, the paper invited the approximately 40 members of the Danish Editorial Cartoonists' Union to "draw Mohammed as you see him." Twelve responded, and the resulting collage gave rise to what Prime Minister Anders Fogh Rasmussen called Denmark's worst international crisis since World War II. The images (along with some others not originally part of the publication) were circulated by outraged imams. Riots broke out in multiple countries, boycotts of Danish products were organized and death threats were made.

This was of course news. If you were doing more than playing Quake in 2005, you knew about this incident. But I'm curious, did you see the cartoons in question? How many people actually saw the cartoons? Wow, almost half the people in the room. Of course the next question is where did you see them? (Laughter)

Because to republish them before the controversy arose may well have been an uncalled for provocation, but once the riots started, they became central to the story. There is simply no way to grasp the phenomenon, to understand it, without actually seeing the cartoons. Last year, from this podium, Anthony Lewis spoke of the moment in 1971 that *The New York Times* began publishing excerpts from the top secret Pentagon Papers, a multi-volume account from the military about how the U.S. got into the Vietnam War. The *Times* lawyers had advised publisher Punch Sulzberger not to do it. Indeed, they refused to look at the documents themselves, saying that would make them party to a crime. The U.S. government obtained a restraining order against the *Times*. What happened next? *The Washington Post* picked up where the *Times* left off, until it too was silenced. But then *The Boston Globe* and others published, too. It was basically a Napster for classified documents. (Laughter)

The Supreme Court's holding in favor of the press a fortnight later, was not just a legal victory, Lewis observed, it was a victory for a Madisonian conception of the press as a check on abuse of power, a commitment to truth in the face of intimidation.

Four decades later and the intimidation comes not just from a government against its own citizens, but from an inchoate mass. None of the papers that took on the White House in 1971 published any of the *Jyllands-*

Posten cartoons alongside their stories. Was it because they were not newsworthy? Of course not. If Balloon Boy belongs on the front page; this does, too. This story is a compelling one. Was it because they were potentially offensive to large numbers of people? Of course not; we have entire media networks devoted to generating and promoting material precisely because it is offensive to large numbers of people. (Laughter)

It was fear. The publishers of *The New York Press,* which by its own description "covers controversial issues and tackles edgy topics," intervened to prevent its editors from reprinting the cartoons. The entire editorial staff of the *Press* then walked out. Only a handful of papers shared the entire collage with readers, including Clemson University's *Tiger Town Observer*, Fairmont State's *The Columns*, D.C.'s famed right wing *Human Events* and the University of Illinois's *Daily Illini*, and here in Cambridge four of the cartoons appeared in the *Harvard Salient*. The editor of the *Daily Illini*, a former Army medic and paratrooper, was suspended from the paper for printing the cartoons.

Now, is it really sensible to put the *Jyllands-Posten* cartoons in the same sentence, much less league, as the Pentagon Papers? I think so.

Now, is it really sensible to put the *Jyllands-Posten* cartoons in the same sentence, much less league, as the Pentagon Papers? I think so. Both are in their own ways at the heart of a process over maintaining a liberal society, one where ideas we revile or fear must nonetheless be available, with the most narrow and carefully constrained exceptions, exceptions having to do with personal privacy, genuine national security and the protection of children. In a testament to just how odd our media landscape has become, this point has been made most lyrically in a two-part episode of *South Park*. How many people saw that? (Laughter)

Nobody wants to admit it. (Laughter)

The episode's dramatic tension, which I watched for purely research purposes, is grounded in whether a television network within the show's universe will allow a three-second unremarkable depiction of Mohammed. The answer in the story line is yes and *South Park* cuts to an image of a cartoon television about to show a cartoon Mohammed, now a full two layers removed from reality. Then our reality intervenes: a slide of text fills the entire frame. It says, "Comedy Central has refused to broadcast an image of Mohammed on their network." It wasn't a joke. The most offensive show on television, which in the very same episode featured *poop smeared over Jesus,* was not permitted to cross that line. *South Park*'s creators had the last

word of a sort; it turns out that the opening title sequence of every episode since July of 2001 has included a depiction of Mohammed within a horde of waving townspeople. (Laughter)

But academia, beloved and vital bastion of free thought, is in the same bind as the press. My guess is that Alex and Edie are happy in this stage of my remarks that I'm not using PowerPoint tonight. Others have been confronted more seriously with this question. Brandeis professor Jytte Klausen wrote a definitive account of the *Jyllands-Posten* affair called *The Cartoons that Shook the World*. It will be published next month by Yale University Press. Professor Klausen included the cartoons in the book, along with other depictions of Mohammed, stretching back centuries from both Muslim and non-Muslim sources, such as a 19th-century engraving showing the prophet in a scene from Dante's *Inferno*. Citing fear of violence, the university has insisted on expunging all the images before the book went to press.

So where can you see the *Jyllands-Posten* drawings to come to your own judgment about whether they are something you should be allowed to see?

Wikipedia. Without fanfare or drama, Wikipedia has a remarkably complete narrative of the whole affair, and all 12 cartoons. They are in thumbnail form on the main article page so as to minimize offense to visitors not expecting them; a click and they are in full resolution. On the discussion page, instructions are provided how to configure one's browser not to see them. The editors' statement there is as pithy and elemental as Tony Snow's self-introduction as an unnamed source: "Images or details contained within this article may be graphic or otherwise objectionable in order to ensure a quality article and complete coverage of a subject matter." Naïveté that there can be a "neutral point of view" on sensitive subjects, something often abandoned by the world-weary press and academia, here makes a difficult decision into an easy one.

But academia, beloved and vital bastion of free thought, is in the same bind as the press.

So it turns out that the most effective bulwark against the fear generated by the threatening stranger, rather than the censorious government official, is an institution whose governance is as diffuse and anonymous as the threat itself. If Wikipedia founder Jimbo Wales tried to censor the cartoons by fiat, perhaps fearing for his own safety, he would lose control of his "newsroom." The very qualities that so often make Wikipedia inane and unreliable here are the qualities that make it a beacon in troubled

times, an institution that, at least in this narrow but crucial sense, I believe would make Richard Salant proud.

Now, this isn't about Wikipedia versus the mainstream media. The nearly unanimous decision by our beloved press establishment to back down here, which is a situation guaranteed to repeat for other topics, yet evading review, as we say in lawyer speak, may be rational, if regrettable. Yale did not want to endanger its community over a single book; this is precisely what makes the less externally accountable Wikipedia, and other distributed Internet enterprises, a friend and colleague to the press. No doubt one of the factors going into Yale's decision this summer was that these images too sensitive to publish are yet available to anyone who wants to see them within 10 keystrokes and five seconds. Google indexes them because it indexes everything. We don't see the availability there as a moral choice to approve or abominate, and Wikipedia retains them because its editors are everywhere and nowhere. Its script is refreshingly different from that of the press, and together they can provide a form of informational biodiversity that assures survival of an idea across a range of hostile environments.

The very qualities that so often make Wikipedia inane and unreliable here are the qualities that make it a beacon in troubled times, an institution that, at least in this narrow but crucial sense, I believe would make Richard Salant proud.

They can even outright cooperate. *New York Times* reporter David Rohde is one of the many brave press correspondents who have reported from dangerous areas beyond the Green Zones of the world. A veteran who covered the massacres of Srebrenica, he was kidnapped while pursuing a story outside Kabul. He was held for seven months. In order to support delicate negotiations, word of his abduction was appropriately held back by the *Times* and other mainstream media, Wikipedia among them, with a critical mass of editors assiduously keeping Rohde's entry silent on the matter. Important when the place people go for their news turns out to be often Wikipedia, seventh most popular Web site in the world. Rohde escaped his captors in June.

The Internet revolution is so young. I think it's properly dated to be about a decade old, pegged to the mainstream adoption of broadband. We lucked into phenomena like Wikipedia, an idea famously so profoundly stupid and improbable that even its founder never even came up with it. But with the door ajar, we can open it more fully, and mediating Web sites,

like Talking Points Memo, show us how traditional media and new media can be a whole more than the sum of their parts.

An important cluster of work to be done here is to ensure that important ideas can reach people who want to absorb them. It is not enough for *The New York Times* to publish world-class news. It must take active steps to reach those whose governments or peers prefer that they not see it. Well over a billion people have their Internet activities routinely and automatically channeled away from unapproved sites and topics. With a few tweaks to existing protocols, we can change the entire playing field away from the current cat-and-mouse stalemate of filtering followed by attempted circumvention.

RSS protocol, "really simple syndication," allows information from one source to be automatically incorporated into another. The Herdict project, up the street at the law school, collects reports of Internet blocking in real time from the people who are trying to get somewhere and can't. Put these two projects together and any number of people and institutions can step forward to allocate a small and quiet piece of their Web presences to a feed of the contents of censored sites. The reports come into Herdict, go into the feed, and people who ahead of time have said, I don't mind a corner of my page going to the censored item of the day, they then have that automatically displayed. And suddenly an attempt to filter a Web site automatically results in its contents being mirrored to thousands of other places. The more people try to see it and can't, the more mirroring takes place. Google and Bing then merrily index everything, and searching for a forbidden phrase will find it available anywhere.

The only thing more powerful than the *Post* and the *Globe* following on the heels of the *Times* is if the readers themselves can become part of the process, passing on a vital word rather than expecting experts alone to do it and to face the consequences.

Imagine then if the press could devote its energy to ferreting out truth from lies, important from trifling, and see its results ricocheted from one participant to another. The only thing more powerful than the *Post* and the *Globe* following on the heels of the *Times* is if the readers themselves can become part of the process, passing on a vital word rather than expecting experts alone to do it and to face the consequences. Indeed, we can change Hypertext Transfer Protocol (HTTP) itself in a way that had once occurred to its inventor but got lost in the shuffle. If your computer can't get some-

where, it could automatically ask nearby computers if they had recently been there and share what they saw.

Not only can people help distribute content but they can help to assure its integrity. Photos can be changed and texts altered long after the fact, as we shift to a world of Google Books served from that cloud and Kindles that can have Orwell's works purged from afar, like *1984*, how classic is that? (Laughter)

Physical books will become either ancient curiosities or on-demand printouts, no more verifiable than their digital sources. But nearly all of us possess a powerful machine on our laps or desks with more storage than we could ever use. We can create protocols like that of the so-called LOCKSS (Lots of Copies Keep Stuff Safe) project where libraries and individuals can share digital works for the purpose of double-checking them against one another, an insurance policy against the memory hole.

We should be encouraging more people, certainly our kids, as they wile away the days in our overwhelmed and dysfunctional schools, to take part in the *functions* of the press.

We should be encouraging more people, certainly our kids, as they while away the days in our overwhelmed and dysfunctional schools, to take part in the *functions* of the press. Wikipedia itself ought to have a simple interface, to the geeks in the room, a Dreamweaver moment like the one experienced by the Web itself, so that you don't have to know a markup language in order to fix a typo in an article.

But what of the trenchant objection that having citizen journalists is no more sensible than having citizen surgeons? Well the key part of surgery is skill. It takes almost a decade to know how to properly remove a gallstone and until then you shouldn't get a scalpel anywhere near a breathing human. Of course there is skill to journalism; a solid story requires more than just someone asking questions of a source. But here Richard Salant's experience is instructive. As Alex said, his only previous experience before he became head of the CBS News division was as editor of his high school newspaper.

What Salant brought to the table was values. Precisely because he was not a creature of the press, he could perceive and reject its tired and narrow scripts. At CBS, he separated news from sports and entertainment and eliminated glitzy music and sound effects. He broadcast documentaries critical of his own network. He rejected the coziness that had sprung up between the media and government. I believe he would have been

nauseated by the Senior Administration Official's news conference. And since it's in this week's news cycle and likely to recur, what would he have thought of Fox News? I would genuinely like to know, and his successors in the media should say. It cannot be for the White House to decree what is real and fake, and appearances to the untrained eye can be deceiving, especially now that every news outlet has glitzy music and sound effects. Recall that the White House accredited *Talon News*, whose sole "reporter" followed a predictable script of softballs to those in power.

It cannot be for the White House to decree what is real and fake, and appearances to the untrained eye can be deceiving, especially now that every news outlet has glitzy music and sound effects.

So, instead, the press must cover itself. It owes Fox—and MSNBC and *The Times* and *The Post*—a departure from its script, a kind of scrutiny that would give any powerful or popular outside institution pause.

Those values are worth sharing with the public at large not just through the product of a well-tuned press but through its process. We have the opportunity to enlist people in the Madisonian enterprise, to recruit them for the stories that they can tell, their cell-phone tapes, their sharp eyes and minds, especially when they live and know the situation that the typical reporter can only approach as an outsider. As cameras and recorders become ubiquitous, we should engage those who aspire to tell a true story with them. Here in Massachusetts, we should repeal the absurd law by which a citizen recording his interaction in public with a misbehaving agent of the state finds himself charged with a felony for making an unauthorized recording of his surroundings, the very recording that unambiguously substantiates his claim of abuse.

The skills of professional journalist and interested citizen can be complementary, united by a desire to get at truth. To think that instead people should just consume the media, that they simply need to know one thing, even if they want to know another, is to abandon rather than cultivate the link between the press and the public it serves and informs.

The skills of professional journalist and interested citizen can be complementary, united by a desire to get at truth.

What Guy Goma experienced in two seconds as he adjusted to an utterly unanticipated reality in front of hundreds of thousands of viewers is actually what the press has been grappling with for at least two years: shocked realization and blind terror. What

lies ahead is the rest of that sequence: philosophical resolve, and finally, determination to do our best. Let us hope we can pick up that thread as gamely and admirably as Mr. Goma did.

Thank you very much. (Applause)

Mr. Jones: We have mics here and here and if you have questions, please just line up at the mic and we will address them.

Mr. Zittrain: And if Jeff Gannon is here, apologies, the reporter for *Talon News*.

Mr. Jones: Let me ask you, Jonathan, your story about the Mohammed cartoons was very powerful. One thing that you didn't mention was that, what happened after those cartoons were published is that a group of people took those published cartoons and added some much more offensive cartoons to them and that those are the ones that were then circulated in the Middle East that generated the kind of hatred.

One of the things that has been an issue forever in the mainstream media anyway is the question of taste and when is it appropriate to publish certain things and not publish other things. There is probably an argument to made in this case, of course, that this was part of the story, but to compare it to the Pentagon Papers, I'm not quite sure makes the same point. The Pentagon Papers was published not because people were interested or would have read them. In fact, when the Pentagon Papers were published, Punch Sulzberger was delighted because they got no response whatsoever and probably never would have because they were, you know, tedious and boring and they took forever to read. The only reason people actually paid attention was because Richard Nixon, at the instigation of Henry Kissinger, decided to try to stop the publication.

I guess my point is that the *Times* did it as a demonstration of independence and I think your point, and a valid one, is that they did not publish the cartoons as a demonstration that they did not have that independence and I really wonder whether that is a fair conclusion to draw in the case of publishing cartoons that were calculated to be insulting in the first place.

Mr. Zittrain: Yes. What a fascinating question. I think you are right that the original publication of the cartoons by the right-leaning newspaper in Denmark was a demonstration of independence, probably more than that, but that's the nicest spin we can put on it, and I'm not sure that was such a necessary thing. That's why I say the original publication may well have been ill-advised. But once it became the news, precisely unlike the Pentagon Papers, for just the reason you say, actually being able to see the cartoons makes all the difference in understanding the story, including distinguishing between the cartoons in the paper and the other cartoons, one of which was a gentleman wearing a pig snout with an elastic band around his head as part of, apparently they do this in France, a "who can

snort most like a pig" contest, completely unrelated to anything having to do with Islam.

But then the idea that you would not publish that photo as the mistaken photo that didn't belong in the dossier, you wouldn't publish it because you want to show independence, you would publish it because it's crucial to understanding the story that implicates so many millions of people.

And it's funny, if anything, it almost sounds like then the Pentagon Papers case was less signal than we might think because, as you say, the papers themselves, few of them were even actually published, literally, they were boring. If the government had won, the most the government could have gotten was that the papers themselves not be published verbatim. You can't take the knowledge of having read them out of the heads of the journalists, and like police who can go after independent evidence once they know where, under which shell the marble lies, the release of the papers was enough to expose whatever had to be exposed about Vietnam and the papers could have paraphrased the rest.

So to me it's actually the opposite, that publishing the cartoons turns out to be crucial to understanding the story, whereas, publishing the Pentagon Papers literally, just as you say, was not; it was merely a demonstration of independence.

But finally, here I think the fact that the papers chose not to publish them doesn't matter as much if you see their alternative and ready availability through other sources that are more insulated from this kind of mass intimidation, then they are just working together.

Mr. Jones: I may be wrong in this but my recollection is that a number of the news organizations that did not publish them in their print form did put them on their Web sites.

Mr. Zittrain: That's an interesting question. I think if they did, it was a deep link to Wikipedia, I'd have to double check that. (Laughter)

Mr. Jones: Cris?

Ms. Russell: You talked about the opportunities of the Web, the Internet, and we have a tendency to talk about the public, the Internet, the mainstream media as sort of singular places.

But if you were looking at the Web not as this great sort of landscape that's flat but instead as a landscape of very deep canyons where people fall in and they don't get out, talk about the fact—

Mr. Zittrain: The Hotel California conception.

Ms. Russell: But I think we see in some of the controversies where people, their world view is getting narrower and narrower because they fall in one of those canyons and their view of reality is distorted by falling. It's not like they are getting a wide form of information, they are talking in

a very sort of circular way about climate change or evolution. I write about science and medicine, so I'm looking in that area, but reinforcing views that are not shared by the experts or society at large and yet those views are very viral and they are carried very quickly within that canyon.

Mr. Zittrain: Yes.

Ms. Russell: So, within that view, how do you reconcile the danger of getting people deeper and deeper into views that are separating people, not really joining them together?

Mr. Zittrain: Yes. I think I get the question. Another example might be the anti-vaccination community, which has YouTube videos that have huge numbers of views....So that phenomenon taken alone is clearly a bad one. It's a self-reinforcing community of wing nuts that if operating alone might say, is it me or is it everyone else? Some of them being wing nuts would be like, it's everyone else, but others would be like, well maybe it is me, since I can't find anybody that agrees and thanks to the Net, they can find self-reinforcing communities, what Cass Sunstein famously called "the daily me," to just affirm what you are about.

Now there is such a loud cacophony we end up curled in the epistemological fetal position, not knowing what to believe about anything. And the Internet says, "My work is done."

That's at least an empirical claim that I think anecdotally in some instances has turned out, but then what do we know is off the table for dealing with it? What's off the table is to deprive these people of Internet access. I think what's off the table is to have Google remove those search results that are clearly erroneous when they are hit, it's just in what universe would that happen? And appropriately, we wouldn't want it to, and then it leaves us with the kind of very thin balm of the answer to bad speech is more speech. Great, now there is such a loud cacophony we end up curled in the epistemological fetal position, not knowing what to believe about anything. (Laughter)

And the Internet says, "My work is done." (Laughter)

I mean it says in the medium term there somehow is a role for the press, in part as a branded agent you can trust, presuming that's been earned and earned every day. Oddly enough, in the Internet community, what has that brand in part: snopes.com. I don't know if you guys have heard of snopes, but when some relative of yours—and apologies if you are that relative—forwards you the e-mail that says, this is one recently, Bill Gates will pay you a dollar if you forward this to all of your friends.

He'll pay you a dollar per friend, but get going, there's only two weeks left. What are you going to do? But snopes is there to say this is false.

The media obviously has then a clear and welcome role through its standards of professionalism to help sort that out and not just to do the classic he said/she said on the one hand or on the other but say, on the one hand, this person said a truthful thing but on the other hand, this person got up at the same podium and said a false thing.

The long-term solution of course has to be I think, going back to the warehouses we keep kids in all day long for 10 or 15 years, and having them engage in exercises. Honestly, I would love to see creationism taught in a science class and subjected to the tools the kids are supposed to use to learn about science and let the chips fall where they may. If a unique discovery is made, bless the fifth grader, literally, that does it. (Laughter)

That's the kind of thing, now that more and more people feel empowered to answer a question through direct search, to them that is direct, rather than circumstantial evidence, I Googled it myself, we have to train them in the sets of skills that we think basically comprise the Western enlightenment, or I'll just say the enlightenment, you know, rational discourse. And if they want to reject it, then let them share a mailing list together and hope there aren't more of them than there are others because they are coming to get us. (Laughter)

Mr. Jones: They are coming to get us, yes.

Paige Austin: I am coming from working in the Middle East for many years for Al Jazeera. Coming from that perspective, that I wonder whether you don't sell short the problem of access and the problem of continuing to function in some of these environments. You know, in an American context, it's fine to say that obviously Snow is going to stand up and saying something, he's going to claim that it's off record, it's sort of a joke, the information will get out, it's Washington, D.C., we have the First Amendment.

Al Jazeera is banned from many countries. Second, we have a lot of countries in which we operate, Egypt, Syria, Iraq, these are not places that anyone is going to even be, if they toe the line, and now you wonder whether you will have this trickle down effect onto the Internet, the real story gets out. It's not going to be on Wonkette.

Do you make allowances for that different sort of environment, the places that don't have the sort of safety nets that we have in the States? Do you think that it's a graduated process? Do you think that's a role that needs to be played by outside Internet institutions?

Mr. Zittrain: Well I think it's ideally met by an "all of the above" approach. I do not mean to be Pollyanna about the prospects for the Inter-

net, that's the title of a book, I think. To the extent that one can cultivate the conditions for a free press in an area that has not had one, that I could imagine could be a variable far larger than any tweet coming from that area or even collection of tweets. How to cultivate that there of course is the question, and the tool box we have to make it happen is significantly larger now than it was yesterday, whether it's a combination of government grants from interested governments that want to spread democracy, so long as the fact of the grant doesn't backfire, as it can.

To the extent that one can cultivate the conditions for a free press in an area that has not had one, that I could imagine could be a variable far larger than any tweet coming from that area or even collection of tweets.

But when you have a kid being sent to computer camp and actually being asked to learn some of the skills that are seen as skills connected with economic advancement, so the government wants that, and at the same time the kid is exposed to the kinds of skills that at their most noble are the skills we associate with a free and well-functioning press, then maybe we really can try to complement whatever the reporter who gets in there or the handful of reporters who get hired and a second later, when a new boss comes in, could get fired, we complement them with people on the ground who could be getting the word out and having the technology to do it, to be live streaming as something is happening.

And I'm under no illusions that a picture is an objective thing. Obviously how you choose to film something, the angle, everything, can very much misrepresent what's going on. But with enough angles doing it, I do think it could augment the role of the traditional media and that's why the thing that had excited me most about the one laptop per child project, which is having plenty of difficulties, in part because it's so ambitious, but it was watching them pitch this project to governments that were not known for their civil liberties as "this will save you money on textbooks," and it was true. (Laughter)

You could save money on textbooks by putting them onto a chip, embedding them in this computer and handing out the computers to kids that hopefully would hang onto them for several years. And at the same time a lot more comes with it that was not the selling point to the ministries of education that are paying money for it. And my hope there is that is an example of a technology that in concert was something for the kids to do with the machines once they got on the Net that encourages them

to learn in a way that we recognize as skeptical learning. It seems an extra tool in the tool kit we didn't have 20 years ago.

Mr. Reynolds: Hi. I'm from the BBC and that was a great video, we've actually memorized it in the BBC. (Laughter)

We almost gave him a job, I wish we had done it. (Laughter)

In Britain, a few days ago, I don't know if you are aware, a law firm went to court to try to stop the reporting of parliamentary procedure against *The Guardian.* They won, but they failed because the news came out anyway on Twitter. So really looking ahead to the next few decades, however long we can look into the future, do you think we'll ever get to the stage where any kind of censorship is simply impossible, the actual concept of censorship will become a thing of the past? Thanks.

Mr. Zittrain: Sure, and it should be noted that the BBC, more than nearly any other news organization, works hard to connect with audiences whose governments don't want them to see the BBC, and it's also one of the first sites to be filtered by any country that implements filtering in the world, so congratulations for that. (Laughter)

There is this kind of "can't stop the signal" sensibility that says the truth will out eventually. Of course, that's problematic for those who must wait during the interregnum. And the other problem I think is that more and more people are learning if they want to keep a secret that instead of trying to keep the secret, which is harder to do, as long as they release 20 facts, 19 of which are false and one of which is true, it's actually incredibly time consuming and difficult to figure out what to believe.

I believe we will see more and more secrets hidden in plain view, and we haven't yet figured out a strategy for active disinformation.

And I believe we will see more and more secrets hidden in plain view, and we haven't yet figured out a strategy for active disinformation. So, in some ways, what has been touted from some corners as such a great use of Twitter during the Iranian election situation, it's a little bit of an unfair fight that first time through because the censors had other fish to fry, they were trying to shut down the SMS (Short Message Service) and dealing with traditional Web site filtering and suddenly Twitter is there and you can get into Twitter through all sorts of APIs (Application Programming Interfaces).

My guess is in the fullness of time, authoritarian governments will be much better prepared next time and when you see a Twitter account called Free Iran Now, we have no idea who is behind it, and they will talk about demonstrators marching this way, and all sorts of things. You could even

do what the FBI does, the classic sting where they tell people they've won a prize, please show up at this convention center and you'll get your prize, and people show up and get the prize — an arrest on an outstanding warrant. If only they went to snopes.com first. (Laughter)

Mr. Howe: Hi, Jonathan. Thank you so much, it was lovely. I've been at wired.com, I'm a Nieman fellow and—

Mr. Zittrain: Jeff Howe? Great to see you.

Mr. Howe: Yes, great to see you.

Mr. Zittrain: Long time caller, first time speaker. (Laughter)

Mr. Howe: Exactly. But I've been covering citizen journalism and actually helping run a citizen journalism program for *Wired*, the same we did with Jay Rosen at NYU, and in that four years I've been writing about this, the resistance on the part of mainstream news organizations, be it *The Guardian* or *The New York Times* has lessened and even been replaced with an enthusiasm. In fact, when I go out and give talks, people from, yesterday it was *Business Week*, come up to me and I mean they are ready for it.

The problem is not on the part of news organizations being willing to open up, on the part of citizens wanting to be journalists. And so I just want to sort of problematize what you said a little bit and pose the question, what if the onus and the partnership is on the other side?

Mr. Zittrain: And by the other side, you mean the public at large.

Mr. Howe: Exactly. Jay Rosen and a bunch of us at *Wired* ran a project called Assignment Zero, and in fact asking someone to write a story is kind of like asking them to rewrite a term paper, they don't want to do it. And so what is it that the media needs to do to get public contributions?

Mr. Zittrain: Yes. I guess one process answer is we continue shooting pasta at the ceiling as rapidly as possible and wait for something to stick, and the more that we can do through micro grants and other experiments in unlikely places, a kind of truly natural selection with mutation and wait to see what works, then we don't have to have intelligence about how to design it. That's the first hope. I think the second hope is to realize that it doesn't take a lot of people to have a critical mass.

I'm always surprised when people criticize something like Wikipedia for saying it turns out there is only like two or three thousand really active editors in the English language version of Wikipedia. It's like yeah, Look how much they get done. If we have a system that relies on everybody being a journalist, we know it's not going to work, but that's also why I have been thinking about this Dreamweaver issue that if you want to join Wikipedia, I think from an outsider's point of view it looks depressingly wide open to anybody that wants to edit anything.

And as you try to actually edit something and find it reverted in 15 seconds, you're like, this is a totally fascist organization that looks up no

view but its own and I'm not part of it. And they actually have this kind of "bring me the broom of the wicked witch" quality before you are allowed to be dubbed a Wikipedian and taught the secret digital handshake. And that's a bad thing I think. That's why I actually think that one of the most profound things you could do, and again, I'm just using Wikipedia as an example, I'm not meaning to make it the center of the whole universe here, is to think of an interface where using it is invisible, you don't even have to think about the technology. And where the contribution you make can start off small, it's not the whole term paper, it's just proofreading someone else's, or wait, that doesn't agree with what I just read there and being able to pitch in a little bit as you like, that's I think what can make it succeed. And my guess is a lot of Wikipedians would be against a front-end that is as simple to use as a word processor to make changes to it. They like the fact that you have to learn mark up.

Mr. Jones: Two more questions.

Ms. Ang: Hi. I'm a Nieman fellow as well and I was just wondering if you could talk a little bit about what you think is happening in China, for example, because it has the world's biggest Internet population, but it also has extremely wide-ranging and increasingly sophisticated mechanisms in place for filtering and censorship. And it's this mess of state-run media but also any kind of independent journalist or blogger or activist who tries to do anything, you know, they get harassed and thrown in jail.

So basically, is there a light at the end of the tunnel, and do you think new media is a way out of that mess?

Thanks.

Mr. Zittrain: Thank you, it's a really good question and so many people from the OpenNet Initiative have been studying it for about the past 10 years as a bellwether for so many of these issues.

It a little bit relates I think to the second question about insular communities. It's hard to think of a billion people as an insular community, but I remember at one point somebody from the corporate/government sector there being very excited about building a China Wide Web premised on language, as the initial barrier, but also possibly enforced by a firewall later.

And some of that insularity comes, as it may for any group of people, from nationalism, and so you actually do want to believe the stuff that makes your group come out on top and not be ashamed. We certainly see that here in the U.S. with how well and with what level of attention we react to news that may be news we don't want to see about our own behavior.

And so I think there is a large measure of that in China, my sense is that there are plenty of people, if you ask them about censorship, if you

offer a peek at BBC, it's like no thanks, I'm good, and not because they are afraid but because it doesn't speak to them. So that's a real issue.

I can only hope that projects that tend to hook people up one-on-one or in small groups around some obscure obsessive interest could make the difference — that the Yahtzee team in Beijing and the Yahtzee team in Boston have tons to talk about and every so often politics comes into it. It's also why one of the technologies I'm most interested in watching the development of, it's just about to hit a really cool place, is automatic translation technology, kind of the "Star Trek" universal translator. It's so close to being there, certainly for written text and eventually for the spoken word as well, either through good technology or through Mechanical Turkers racing to just translate everything for everybody.

...one of the technologies I'm most interested in watching the development of—it's just about to hit a really cool place—is automatic translation technology, kind of the "Star Trek" universal translator.

And when you have that, the prospect that you could be in a chat room with a bunch of people from China and a bunch of people from Europe and you are all talking in your respective languages and it's all getting translated as you go, that really may be a kind of a peer-to-peer, semiotic revolution, as Professor Terry Fisher might put it, that could change the equation.

From the Floor: You talked a little bit about Google and Microsoft and Yahoo indexing the Web. I work very closely with the search engines, I'm really aware that they are for-profit. Twitter is not yet profitable, but it just announced a partnership with Google and with Bing to do real-time search.

My question is, what happens when the motives of these profit-driven engines start to conflict with the free dissemination of information? What if Google decides that Wikipedia is for whatever reason less relevant to its users?

I mean it's not active disinformation, but it is active suppression, diversion, and it's corporate motives, but if they should decide that we don't want to index this because it's not as important and this is where the truth of information is coming out, it's somewhat like the newspaper is playing along, right?

Mr. Zittrain: I certainly agree with the part of the premise that says if Google were for some reason to decide that Wikipedia had earned the Google death penalty and no search result would include a link to Wikipedia anymore, it would go from being the seventh most popular Web site in

the world to the quintuple digits overnight. I actually believe that. I don't think that many people go straight to Wikipedia. That's a problem.

Now, how big a problem it is is extremely hard to quantify. Google will be the very first to point out that their market share for search is like 55 percent or something. It's not as big as you think and it's in part because default search for some browsers is still set to other search engines and people don't know how to change it, so Yahoo still gets a lot of traffic. (Laughter)

It would be great to see that there are alternative forces, institutional forces that can balance that beyond the market, but first let's dwell on the obligatory observation, that the market has some disciplining force. If you started getting search results that weren't very satisfactory on Google and people said but, you know, Dogpile gives it to me, you would be like, all right, I'm switching. Too little, too late for Dogpile but— (Laughter)

But I actually like looking for the player that's not even on that layer, so one example would be the browser. Now in browsers you'll actually see it's very easy to toggle what search engine you search when you use the bar, and there might even be some value that the people at Mozilla could decide, and then suddenly that affects everybody using Firefox, that they are going to do a meta search and when you search it will show you results not only from the top four search engines but results without redundancy, so you actually have your screen real estate taken up with new stuff, rather than the same link four times.

Small tweaks like that to me are akin to the small changes in protocol I've been mentioning that if we could up public awareness of it and awareness of geeks of it, we would have safety valves in addition to those provided by the classical market forces and to potential government regulation through standard competition antitrust law. We would actually have other ways of trying to see to it that no one bottleneck for whom a check could be written against it or a government official could serve it with an order, no one bottleneck controls what we see or the corpus of what we think exists out there.

Mr. Jones: Jonathan, thank you. This is very, very interesting, thank you very much.

And thank you all. (Applause)

And we are adjourned.