

How Free Can the Press Be? (The History of Communication)

Randall P. Bezanson



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The First Amendment to the Constitution states that Congress shall make no law abridging the freedom of the press, but the definitions of "press," of "freedom," and even of "abridgment" have evolved by means of judicial rulings on cases concerning the limits and purposes of press freedoms. _x000B_ x000B_In How Free Can the Press Be? Randall P. Bezanson explores the changes in understanding of press freedom in America by discussing in depth nine of the most pivotal and provocative First Amendment cases in U.S. judicial history. These cases were argued before the U.S. Supreme Court, state Supreme Courts, and even a local circuit court, and concerned matters ranging from The New York Times's publication of the Pentagon Papers to Hugo Zacchini, the human cannonball who claimed television broadcasts of his act threatened his livelihood. Other cases include a politician blackballed by the Miami Herald and prevented from responding in its pages, the Pittsburgh Press arguing it had the right to employ gender-based column headings in its classified ads section, and the victim of a crime suing the Des Moines Register over that paper's publication of intimate details, including the victim's name. Each case resulted in a ruling that refined or reshaped judicial definition of the limits of press freedom._x000B_x000B_Does the First Amendment give the press a special position under the law? Is editorial judgment a cornerstone of the press? Does the press have a duty to publish truth and fact, to present both sides of a story, to respect the privacy of individuals, to obtain its information through legally acceptable means? How does press freedom weigh against national security? Bezanson addresses these and other questions, examining the arguments on both sides, and using these landmark cases as a springboard for a wider discussion of the meaning and limits of press freedom.

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