On Campus

Freeing the Flow

President Lee C. Bollinger’s new book, *Uninhibited, Robust, and Wide-Open: A Free Press for a New Century*, argues that the idea of a free and independent press — and Internet — should be our principal export. Bollinger spoke recently with *Columbia*'s Michael B. Shavelson.

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You draw the title of your book from Justice Brennan’s opinion in the 1964 Supreme Court case *New York Times Co. v. Sullivan*, one of the most

important free-speech cases of the 20th century. Brennan wrote that "debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." We all learned in school that in the best of circumstances a plurality of voices can help us arrive at the truth, but — given the messiness — is that why we should value free speech as much as we do in the United States?

You raise a profound question, one that has occupied my attention for several decades. It was the thing that puzzled me the most when I started as a young scholar and ended up writing the book *The Tolerant Society* about this issue. Why would a society take the principle of free speech — which everybody more or less accepts as a basic principle — and expand it as far as our society has? It's the *scope* of the principle of freedom of speech and freedom of the press that is itself of interest.

There are classic arguments for unfettered speech. There is the one you've mentioned: we'll get the truth if we just let everybody say what they want, without regard to whether it's reasonable, unreasonable, or offensive. When this plays out in real life, though, we have people advocating horrible things like discrimination, the violent overthrow of society, hate, or genocide, and it's pretty hard to make the case that all of this is necessary to search for the truth. A second argument concedes that not all speech is necessary to the search for truth, but insists that interacting with "false" ideas reinforces our understanding of and commitment to truth. John Stuart Mill made both of these arguments. In my view, this second argument is also weak in explaining the full range of speech we protect.

We should also be aware of what people are thinking. Even people on the edge.

That's the safety-valve argument, which says that we want people to be able to release what they're feeling, and we want to know what it is they're feeling.

Then there's the traditional argument that it would be great if we could eliminate those ideas that we so detest and fear, reasonably so. But we can't do that without threatening the speech we value.

Those points are all part of a reasonable debate, but they miss the profound meaning of what free speech has come to mean in the United States. Ultimately, I

believe, we need to turn to a different understanding of what we're doing with free speech — which is found in the lessons inherent in the *toleration* of bad-speech acts. There is something in the character of this country that strives to be open not only with speech, but with all kinds of behavior. Ours may be the most open society in history.

I just came back from a trip to Asia, where countries like China and Singapore have a very different philosophy of how to compose a society. Their idea is captured by the term *harmony*; a society should be harmonious, and any conflict should be minimized. They think that out of a more collaborative, harmonious community will come advancement. In our route they see divisiveness and eventually chaos.

Part of the genius of the United States is our warm embrace of a society in which individuals can say and do many things that we might not like. The brilliance is in the idea that the long-term stability and inventiveness of a nation will be enhanced by a character that can resist fear of our natural authoritarian tendencies to dampen differences.

That's a recent idea. Free speech and a free press are really 20th-century inventions. It's unclear how the experiment will turn out, but we have for now settled on a distinctive approach, which is highly successful. In free speech and press, therefore, we're working not only on truth but on character as well.

The Supreme Court justices over the past century must have had more faith in the individual than one would find at other times and places.

Their decisions definitely had to be rooted in a faith in people to take enormous differences in attitudes, desires, specific policies, and understandings of what makes a good life — and to live with great openness about disagreements and conflicts.

That also implies a sophistication and intelligence among the members of the society to pick among ideas and arguments and determine which path to follow.

I think it clearly does that as well. If you believed that people generally would take ideas and go in the wrong direction again and again, then it would be hard to be committed to this kind of openness. Of course, always given the alternatives, there is a belief that not only is that the best among many worse or bad alternatives, but

also that there is a kind of capacity or character we want to achieve.

When the Internet was new, were you surprised by how much nuttiness was out there? Beyond the Web sites simply driven by hatred, who would have imagined that there were so many conspiracy theories, each with competing sites? I assume that the Internet didn't create these ideas, but that people with crazy ideas now have a great way to promote those ideas.

Your last point is an interesting one; we'll have to see over time whether the Internet is not just a mirror of how people think, both good and bad, but a cause of it. If you're steeped in First Amendment traditions, you are not at all surprised by the visibility of strange speakers. The Supreme Court cases typically do not present highly appealing characters offering reasoned arguments for their positions. Rather, the speakers are frequently offensive and worse. So, the Internet may simply reveal what we've already been seeing.

One of the things that I've looked at carefully over a long period of time is broadcast regulation and how it has appeared to be an anomaly within the system of freedom of expression. One thing that system reveals is that every time a new communication technology comes along, people get nervous. They are afraid that the technology is going to change the way people think and behave, and societies want to clamp down on it. I sense this happening now with the Internet, but of course we have to make some allowances for the fact that at some point the fears may be true. That they haven't been true in the past doesn't mean they won't be true in the future.

You write in your book that "at the moment when our technological capacities to communicate globally are greater than ever, when the interdependency of peoples around the globe is greater than ever, and when the need for news about international and global issues is greater than ever, the technology that facilitates this communication is simultaneously undermining the capacity of the American media institutions to meet their responsibilities to the public. America is at risk of intellectual isolationism, at least as grave a problem for the nation as economic protectionism."

You quote figures about the rapid drop in the number of foreign correspondents for newspapers, television stations, and networks. It is

ironic because I can now go to my computer and read *Le Figaro*, listen to Xinhua, or watch Al Arabiya. Of course the problem is that people *don't*.

We see the admired institutions within the press, especially newspapers, suffering devastating blows to their financial viability and responding in ways that should lead us to be concerned under normal circumstances — but under current circumstances, we should be truly alarmed. A common response is to cut back on the coverage of news, especially international news, which is very expensive. Foreign bureaus are being closed at a startling pace and the number of foreign correspondents is declining. There is a strong cause-and-effect relationship between what is covered and what people are interested in. As you point out, I pose the proposition that at the very moment when we need more information and knowledge about the world, we're getting far less.

One of the great things about the Internet is that it has broken down the monopoly position of major press organizations to channel information to the public. But it's a myth to say that, although the major branches of the media are under serious threat financially and are reducing their news coverage, we shouldn't be concerned because there are now other sources, such as bloggers, from which we can now get our news. Most people at the end of the day are going to turn to very few places to get their information. Time is limited, people's attention is limited, and we should think carefully about how people will be able to understand our world with the communications structure that exists.

There is a powerful need for institutions we can trust. We *need* journalists with professional standards and judgment, in large organizations, dedicated to sorting through information and giving us reports whose accuracy we can test over time. The fact that there are hundreds of thousands of places you can go to get information is good, but it's not going to serve the needs of creating a nation and a global society.

You write that for the press to flourish, it cannot be composed of a multitude of isolated individuals, but that it must be an institution. What is the role of journalism schools, Columbia's and others, in shoring up that institution?

Given the crisis, the role of journalism schools — and of a great journalism school like Columbia's — should be to take those issues on. In October, Dean Nicholas

Lemann, Professor Michael Schudson, and Leonard Downie, Jr., who is the retired editor of the *Washington Post* and a professor at Arizona State University, released a report confronting some of these issues. We have financial crisis in the press, it is leading to a decline in the coverage of local issues, so how can we develop policies and practices that will help alleviate these grave risks for American democracy? They focused on local news. This is precisely the kind of contribution a great professional school can make to the profession and to society. It's getting a lot of attention, and we couldn't be happier about that. (*See the news story on "The Reconstruction of American Journalism," page 35. — Ed.*)

You make the point that it was during the 20th century that the United States developed, codified, and embraced a national free press. In your book you express the hope that the 21st century will be the century in which the same will happen with the global press. What do you see as the *New York Times v. Sullivan* of the 21st century?

If we believe in freedom of the press and all that that means, we need to argue for it on a global scale. Because the rest of the world doesn't entirely accept this belief, we need to engage with the world about the issue. In other words, the project of the 21st century is to develop, as much as possible, some kind of global understanding of a free press. The United States needs to make this a top national priority.

Recognizing we're dealing with nation-states, it's inevitable that we're going to have to confront the issues of what kind of press principles we want on a global scale. This is not new. The Universal Declaration of Human Rights, which dates back to the 1940s, has wonderful language dealing with freedom of expression.

We have to start with the realization that this is what the United States did on a national scale in the last century. *We* had laws that punished the press for publishing things that would embarrass the government or would bring the public to hold the government in disrepute. *We* had laws that protected the reputations of public officials and made citizens potentially liable for saying false things about them. *We* had laws that forbade the press from covering trials while trials were under way. *We* had laws that forbade the press from publishing state secrets. We looked at each of these and decided, "No, we're not going to go that route."

There are some exceptions, but essentially we said we're going to have a different society than those laws would give us.

If you look at the rest of the world, you'll find that most nations have more restrictive laws and about half have major censorship. Now, since we have reporters operating around the world — and should have more — and since what we publish here is now being read everyplace else, there already is a collision between the laws of other nations and the press. We have to look at our own experience, understand why we did what we did, and then figure out how to move in that direction in the global arena. The 20th century was in many ways a move from very local forums to a national forum as both the economy and communications technologies became national. Now that's happening on a global scale.

It was a logical progression and one that I had not really focused on before sitting down to write this book. I was thrilled with the opportunity to think about it for the first time myself.

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