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Cardozo's Public Service Law Week Kicks Off With a Look at Press Freedoms in the Trump Era

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BRINGING LAW TO LIFE

CARDOZO LAW

BENJAMIN N. CARDOZO SCHOOL OF LAW • YESHIVA UNIVERSITY

CARDOZO'S PUBLIC SERVICE LAW WEEK KICKS OFF WITH A LOOK AT PRESS FREEDOMS IN THE TRUMP ERA

January 25, 2017

January 24, 2017 - It was a discussion for our time—two journalists and a top media lawyer—discussing their fears and hopes for freedom of the press during one of the most tumultuous government transitions in modern history. The trio, interviewed by Raquel Wildes, a first-year student in the LLM program, delved into the role of the media, the fragmentation of audiences by social media and the public appetite for truth in a time of “alternative facts.”

The panel, titled *The Constitutional Role of the Press in a Post-Twitter World*, drew a large group of students and faculty to the Jacob Burns Moot Courtroom Mon., Jan. 23 to see David McGraw, general counsel for *The New York Times*; Andie Tucher, Columbia Journalism School professor and director of its Ph.D. program; and David Uberti, Columbia Journalism Review staff writer and Delacorte fellow.

All three panelists agreed: in the age of President Trump, the media and the administration have a more combative relationship than ever before. Tucher said the 2016 election cycle resulted in a “categorical smearing of the whole industry” and created a sense that journalistic content no longer matters because “journalists are evil.” The war between Trump and the media renewed its bitter rivalry this past weekend with Press Secretary Sean Spicer’s controversial press conference, which ignited a firestorm over what Senior Adviser Kellyanne Conway called “alternative facts.”

The Trump administration has attacked the media, claiming they are projecting false news in an effort to damage Trump’s name. The media is more and more in the business of asserting that administration officials aren’t being truthful. Tucher pointed out that historically, “it’s

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the nature of the journalist's job to upset people. That's why press is protected in the Constitution."

Upsetting people is one thing, but basing reports on people who are lying is another. Access-driven journalism, McGraw pointed out, is dominant in Washington and that needs to be reconsidered if the journalists become mouthpieces for misinformation. Access has the power to drive media coverage. McGraw asked the audience, "if you have someone who lies outright, should a network invite them on the air?"

Social media, the moderator pointed out, comes with its own legal issues, and the question arises of how to reach the audience that prefers fake news. Uberti said instead, he'd like to see the press setting what he called "our news agenda, instead of just reacting to Trump's latest outrageous statement." Because of social media and its pitfalls, Tucher told the audience, the press doesn't have the same credibility it once did.

All three panelists agreed the press is at a critical time in its existence in the U.S. The economic model is so important, Uberti said, with Tucher agreeing "that we have to pay for news that we consume. It can't be done otherwise."

Freedom of the press, the panel stressed, is an American value, not a liberal value.

When asked what future lawyers can read to educate themselves on their roles, the panelists' answers included great investigative journalism of the past, as well as the books *Devil in the Grove*, focusing on Thurgood Marshall's role in the civil rights battle, and *Why Americans Hate the Media and Why It Matters*.

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is proud to recognize 27 members of the Class of 2019 who have been elected to membership in the Order of the Coif.

June 11, 2019

[Cardozo Issues Statement on the Military Ban on Transgender Individuals \(/news/cardozo-issues-statement-military-ban-transgender-individuals\)](#)

Inclusion is at the heart of Cardozo Law School's community. The recently imposed government ban on transgender individuals serving in the military poses a problem for all institutions of higher learning committed to non-discriminatory practices.

June 6, 2019

[Cardozo Kicks off "19 at 100" Celebration \(/news/cardozo-kicks-19-100-celebration\)](#)

Cardozo's yearlong "Women's Votes, Women's Voices: The 19th Amendment at 100" event series kicked off on June 4, 2019 – exactly 100 years since the United States Congress granted women the right to vote by passing the 19th amendment on June 4, 1919.