

H A R V A R D U N I V E R S I T Y
JOHN F. KENNEDY SCHOOL OF GOVERNMENT
JOAN SHORENSTEIN CENTER ON THE
PRESS, POLITICS AND PUBLIC POLICY

RICAHRD S. SALANT LECTURE ON THE FREEDOM OF THE PRESS
JONATHAN ZITTRAIN

Thursday
October 22, 2009

Nye Conference Center
Taubman Building
79 JFK Street
Cambridge, Massachusetts

BEFORE: ALEX JONES
Director
Joan Shorenstein Center on Press,
Politics and Public Policy
Kennedy School of Government

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P R O C E E D I N G S

(7:30 p.m.)

1
2
3 MR. JONES: We're going to move forward. I
4 hope you have enjoyed your dinner, I hope you've had
5 plenty of wine. It's a happy occasion and we very much
6 want you to celebrate with us.

7 I am Alex Jones, Director of the Joan
8 Shorenstein Center on the Press, Politics and Public
9 Policy and I'm pleased to welcome you to the Second
10 Annual Richard S. Salant Lecture on Freedom of the
11 Press. This is a night when we honor press freedom and
12 look at the challenges it faces in these tumultuous
13 times. Those challenges can come in many forms. Later
14 we shall hear from Jonathan Zittrain who is an expert
15 on the digital future.

16 But before that there is more a direct threat
17 to press freedom that is looming across the Atlantic
18 and Italy and we want to address that in part, in
19 fashion, tonight. From time to time a situation
20 emerges that demands a demonstration, tonight I, on
21 behalf of the Shorenstein Center, and my colleague, Bob
22 Giles, Curator of the Nieman Foundation, we are jointly
23 presenting a citation honoring a man and a news

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1 organization that has called power to account and
2 continue to do so at great cost and even at their
3 peril.

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

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

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

11 Last spring, the focus on Berlusconi's refusal
12 to be accountable, each day *La Repubblica* began
13 publishing ten custodians for the prime minister
14 concerning his ethics and behavior. The Berlusconi
15 reaction to *La Repubblica* has been first to ignore it,
16 then to urge those advertisers who seek his favor to
17 withdraw their advertising, and now to file a lawsuit
18 asking millions in damages and charging the paper with
19 slander for daring to question his behavior.

20 We are not talking about Zimbabwe or Russia,
21 this is Italy, in the heart of Western Europe. The
22 issues go well beyond dalliances with young women, but
23 the model is as old as journalism, those in power seek

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1 to throttle the press when their interests are
2 challenged.

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

13 Mr. Mauro, would you please come forward?

14 (Applause)

15 MR. JONES: The citation says: At a time of
16 grave jeopardy to freedom of the press in Italy, *La*
17 *Repubblica*, under the editorial guidance of Ezio Mauro,
18 has courageously insisted in its pages that government
19 must be accountable to the citizens and that the role
20 of the press is to demand that accountability. Despite
21 threats, economic pressure and lawsuits seeking
22 millions in damages, *La Repubblica* has continued to
23 lead the fight for making power accountable and has

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1 inspired hundreds of thousands of Italians to join the
2 fight for genuine press freedom.

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

11 (Applause)

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

22 The previous day, *La Repubblica* had revealed
23 the presence of Mr. Berlusconi at the birthday party of

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1 an 18 year old girl near Naples. My husband frequents
2 minors, said the first lady, he does it because he is
3 sick and I have asked his doctor to help him as is
4 normal to do with a person who is ill.

5 We thought that that was enough to start a
6 journalistic investigation.

7 (Laughter)

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

18 Since then, we have published the ten questions
19 every day for the simple reason that we have never
20 received any answer. In reality, in these six months,
21 some answers came, indirectly, but quite shocking. It
22 was revealed to the Judges by a paid escort that she
23 had spent the night of the election of President Obama

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1 with the prime minister at his private home in Rome in
2 the so-called big bed of Putin.

3 (Laughter)

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

16 I think it was the first time that a leader of
17 a democratic country had openly tried to divert the
18 free market in order to financially weaken a newspaper.

19 Two weeks ago, the same leader repeated then that you
20 must rebel against *La Repubblica*. Finally, the premier
21 issued writs for the ten questions, asking for one
22 million euros in damages, approximately \$1.5 million,
23 another first. The special case of a prime minister

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1 who denounces some questions only because he wants the
2 judge to stop the questions, as he does not intend to
3 answer them.

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

15 At this point, the question of freedom is
16 evident, the question of truth is open and attached,
17 from the young women to the attack against the press,
18 to their coercion toward the institution. The abuse of
19 power is getting bigger day by day, it is a natural
20 place of journalists of the ten questions of freedom.
21 We are trying to fill in the blanks.

22 Thank you.

23 (Applause)

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

8 But before I introduce Jonathan, I want first
9 to spend a moment on the two men who make tonight's
10 lecture possible and whose contributions to a free
11 press were enormous. Richard Salant was considered the
12 greatest ever head of a network news division for his
13 tenure at CBS during a time when CBS was truly the
14 television news leader, in the 1960s and '70s. When
15 Richard Salant became President of CBS News, the
16 keystone nightly news program was fifteen minutes long.

17 There was no "60 Minutes", no full-time unit assigned
18 to covering elections, so no CBS morning news. He
19 changed all that and made CBS the leader in raising
20 television news to something respected journalistically
21 in a way it had never been before. He stood for high
22 quality news and a willingness to fight for that high
23 quality.

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

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

21 Jonathan Zittrain, our Salant Lecturer tonight,
22 would have been a man after Dick Salant's heart. Dick
23 was a man who was a ferocious advocate of what was, in

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1 his time, the new thing, television news. But he was
2 also one of its most outspoken critics and he worried
3 about it, about where it was going and what the
4 consequences, or some unintended or largely unforeseen
5 would be of the innovations in television news that
6 were happening with what seemed like breakneck speed.

7 Jonathan Zittrain is the kind of web zealot and
8 believer who can also write a book called *The Future of*
9 *the Internet and How to Stop it*.

10 (Laughter)

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

17 The us tonight is a group that ranges from
18 serious and super knowledgeable techies to those of us
19 who use the web but don't really understand the jargon
20 very well, for whom the concept of the cloud is cloudy.

21 (Laughter)

22 MR. JONES: The cloud, by the way, as I
23 understand it anyway, is a metaphor for a world in

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1 which your digital records, files, essentially almost
2 everything in web land would exist online, meaning that
3 it would be out there in cyberspace and not cozily at
4 home in your own PC. It is the concept that has
5 ramifications both great and frightening, as Jonathan
6 has written in an op-ed for the *New York Times* in July
7 called "Lost in the Cloud".

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

19 I'm out of my depth here, but our speaker is
20 very much in his element. He is, as I said before, one
21 of the genuine deep thinkers about the web and where it
22 is going. And it was for that reason, because the web
23 is our future and the future of news and free speech,

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1 that we wanted Jonathan to be our Salant Lecturer this
2 year. He is a Professor of Law at Harvard Law School
3 and Codirector and founder and the first Executive
4 Director of the Berkman Center for Internet and Society
5 at the Law School.

6 He was previously the chair in internet
7 governance and regulation at Oxford University and a
8 principle in the Oxford Internet Institute. He has
9 taken a particular interest in the efforts of
10 governments and others to muzzle and thwart the
11 internet's great power of making information widely
12 available. Internet filtering, as it's called, has
13 been one of the enduring targets of his research, which
14 included the report entitled "Access Denied: The
15 Practice and Policy of Global Internet Filtering".

16 He has an undergraduate degree from Yale in
17 cognitive science and artificial intelligence, a JD
18 from Harvard Law School, which he told me at dinner
19 tonight that Charles Nesson was his favorite teacher,
20 and a master of public administration degree from
21 Harvard from the Harvard Kennedy School. In other
22 words, he is one of us.

23 (Laughter)

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1 MR. JONES: He is someone whose opinion about
2 the internet and freedom of the press is profoundly
3 important to hear.

4 Jonathan Zittrain.

5 (Applause)

6 MR. ZITTRAIN: Thank you so much, Alex, for
7 that incredibly thoughtful introduction and for a
8 summary of my book that's far better than any summary
9 I've managed to do for my book.

10 (Laughter)

11 MR. ZITTRAIN: Which then eliminates the need
12 for me to talk about my book in any way, except that if
13 you don't buy it for the title, you could buy it for
14 the cover.

15 (Laughter)

16 MR. ZITTRAIN: It's a terrific cover for the
17 book as well.

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

22 On May 8, 2006, the High Court of England and
23 Wales handed down a decision in the long running

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1 trademark dispute between Apple Computer and Apple
2 Corp, the corporation founded by the Beatles. The BBC
3 raced to cover the story and arranged a live interview
4 with a well known personal computer expert named Guy
5 Cuni.

6 As Mr. Cuni waited in one reception area, a
7 candidate for a job in the BBC's IT department waited
8 in another, his name was Guy Goma. You can guess the
9 rest.

10 (Laughter)

11 MR. ZITTRAIN: A harried intern fetched the
12 wrong Guy.

13 (Laughter)

14 MR. ZITTRAIN: A puzzled Mr. Goma was rapidly
15 made up, mic'd and seated opposite a BBC anchor.

16 (Laughter)

17 MR. ZITTRAIN: As Wickipedia describes it,
18 Goma's face goes through four distinct expressions in
19 under five seconds.

20 (Laughter)

21 MR. ZITTRAIN: Shocked realization, blind
22 terror, philosophical resolve, and finally,
23 determination to do his best.

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1 (Laughter)

2 MR. ZITTRAIN: But perhaps the results speak
3 for themselves in the longest 1.5 minutes perhaps known
4 to human kind.

5 (Laughter)

6 (Whereupon, a video was played.)

7 MR. ZITTRAIN: Now, what's striking to me about
8 this incident is not the behavior of Guy Goma, who
9 turned in an extraordinary performance under surreal
10 circumstances.

11 (Laughter/Applause)

12 MR. ZITTRAIN: Sadly, he did not get the IT
13 job.

14 (Laughter)

15 MR. ZITTRAIN: What's striking to me is the
16 behavior of the anchor, she appears to realize almost
17 immediately that something is awry and yet the show
18 must go on, she is trapped in a script.

19 When we first think of freedom of the press, we
20 quite naturally gravitate to the kinds of pressures
21 that Mr. Mauro is confronting in Italy, intrusions by
22 government into reporting and publishing and corporate
23 entanglements that pare back editor's independence from

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1 the people they cover. These pressures are real and
2 growing and our vigilant press has engaged in a
3 decade's long effort to sort how best to defy them.

4 But tonight I want to focus on the scripts in
5 which we are trapped and then on a very different kind
6 of fear than that of government encroachment, then onto
7 solutions because the BBC anchor is not an anomaly.
8 Many professional journalists of good will and
9 undisputed talent have drifted to a place where they
10 are routinely parties to the absurd and prisoners to
11 threats not as readily grasped as those from official
12 censors. For example, in 2006, Press Secretary Tony
13 Snow and Councilor Dan Bartlett hosted a briefing in
14 the midst of President Bush's trip to Latvia.

15 They opened on the record with appropriately
16 anodyne remarks about how well the trip was going, but
17 the press gaggle was interested in an unrelated memo
18 that had just leaked indicating that the Bush
19 Administration was losing confidence in Iraq's prime
20 minister. As questions ramped up about that, Mr. Snow
21 answered first on the record with appropriate anodyne
22 unqualified support for the prime minister and then
23 announced that the briefing would continue on

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1 background, which is sometimes disputed press speak
2 indicating that quotes can only be attributed
3 anonymously.

4 Sure enough, at that point in the official
5 White House transcript we see the Q&A substituting
6 senior administration official for every answer,
7 instead of Mr. Snow or Mr. Bartlett, and the gaggle
8 rolls with it. Q: Can I get back to something the
9 senior official on the left said?

10 (Laughter)

11 MR. ZITTRAIN: Senior administration official:
12 Your left or our left?

13 (Laughter)

14 MR. ZITTRAIN: Q: My left. Senior
15 administration official: I'll help you, even though
16 I'm on your right and our left, I'll take on the latter
17 question.

18 (Laughter)

19 MR. ZITTRAIN: Now the *New York Times* has a
20 tough policy on the use of anonymous sources, it
21 requires that anonymity be a last resort when the story
22 is of compelling public interest and the information is
23 not available any other way. When anonymity is

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1 granted, the reason must be shared with the reader.
2 How did that pan out for the story appearing in the
3 *Times* following the Latvian press conference? The
4 account dutifully kept that solemn confidence between
5 source and reporter, distinguishing the press
6 secretary's first on the record answer from the
7 anonymous ones that followed.

8 The president has confidence in Prime Minister
9 Maliki, the White House Press Secretary Tony Snow told
10 reporters. Two senior administration officials, who
11 insisted on anonymity in exchange for talking about a
12 classified memo, suggested its contents would be no
13 surprise to the Iraqi prime minister. That is so
14 evocative, insisted on anonymity in exchange for
15 talking about a classified memo. It makes it sound
16 like they are in a parking garage off the Key Bridge
17 furtively whispering with Deep Throat when in fact Tony
18 Snow had idly waived a wand in the midst of a packed
19 press conference.

20 Juan Kett picked up on it the next day with a
21 droll blog entry that deviated from the otherwise
22 unremarkable script. White House officials magically
23 become anonymous halfway through briefing.

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1 (Laughter)

2 MR. ZITTRAIN: Mr. Snow likely heard about Juan
3 Kett's tweak, his next briefing from Jordan began as
4 follows. Mr. Snow: Greetings, welcome to Aman.
5 First, I am joined by my close personal friend senior
6 administration official, for a background briefing on
7 the president's dinner, so let me introduce to one and
8 all senior administration official to give you a read
9 out and then answer your questions.

10 (Laughter)

11 MR. ZITTRAIN: No one came to or left the
12 podium as the rest of Mr. Snow's briefing was
13 officially and unofficially conducted by senior
14 administration official. Berkman founder, Professor
15 Nesson, teaches us that nearly everything can be viewed
16 through at least two lenses, certainly true here. One
17 view let's us get a kick out of the episode, it's
18 refreshing to see public officials display a sense of
19 humor and what's the harm? It doesn't take Woodward
20 and Bernstein to figure out who is talking after Snow's
21 switch over.

22 Another view says that it's lucky we don't need
23 Woodward and Bernstein's help because they are not on

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1 our side. The joke isn't for us or even near us, it's
2 on us. No matter who is in power, our officials so
3 routinely mask their identities when speaking that it
4 can happen as casually as putting on a pair of
5 sunglasses. But it's not the official who dons them.
6 Rather, he tells every reporter to obscure his or her
7 vision and to a person they do. As the habit spreads,
8 the public reads accounts with quotes, that it must
9 take on faith are not made up, from government
10 officials who cannot be named and who remain unknown
11 for posterity.

12 Now, while this is a story involving
13 government, I don't think this failure of press freedom
14 results from official bullying. The First Amendment
15 isn't implicated. Rather, it's a story of banal and
16 loathsome convention, the press is stuck with its
17 script and each person in the chain, from reporter, to
18 editor to publisher, finds it bizarrely inconceivable
19 to stray from it. It is the medium in which we swim.
20 The wild card here was Juan Kett, who had no delegate
21 in Latvia or Jordan, who leached off the reporting from
22 those on site, who made the press briefings even worth
23 holding, who effortlessly highlighted a truth in plain

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1 view that others ignored.

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

12 Dick Salant's insight that news should be based
13 on what the public needs to know to participate in a
14 democratic system, not on what they would like to know,
15 is under threat from that funny video of a cat flushing
16 the toilet and the scripts that push the press to
17 directly compete with it. When a stunning piece of
18 investigative journalism does break through the page or
19 the screen, it often gets lost before it inhabits the
20 public consciousness. Within our ocean of bits, there
21 are too many outrages, some real, most fake, to sustain
22 attention to any given one, unless that one is the
23 subject of a concerted and relentless effort to focus

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1 public attention on a crude bumper sticker, a project
2 more suited to advertising and astroturfing than to
3 journalism. As a result, the big scoop can no longer
4 be the act that pays for the day to day sweat.

5 The state of affairs is more or less well
6 known, but I think the internet can actually help,
7 rather than hurt. Some of the popular projects most
8 reviled by the press establishment as unreliable and
9 parasitic can actually help save it from its own
10 dangers of mediocrity. For example, deadlines are
11 nothing new to journalism and a time crunch can make it
12 difficult for even a conscientious editor to check
13 facts. Thanks to the eyes of some bloggers, mistakes
14 and deception can be ferreted out.

15 The number of doctored photos run in the pages
16 of our most reputable newspapers is astonishing.
17 Reuters published a photo showing an Israelis F-16
18 firing "missiles during an air strike on An Nabatiyah,
19 in Southern Lebanon". If you were simply reading your
20 morning paper unusually carefully that day, you might
21 have done a double take if you looked at the photo,
22 shrugged and then moved on, but some bloggers don't let
23 go of things and they have audiences. One produced

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1 compelling evidence intrinsic to the photo that the
2 missiles were in fact flares and that there had been
3 only one flare crudely copied and pasted in PhotoShop.

4 Reuters stuck to the script, it briefly
5 stonewalled, then withdrew the photo without comment.
6 As pressure grew and more patently doctored photos were
7 found, Reuters Editor Paul Holmes clarified, we have
8 since made our guidelines on PhotoShop use much more
9 explicit. PhotoShop is a standard tool for
10 photographers but it's how you use the software that
11 counts. The rule of thumb in the news business is that
12 you must do no more with PhotoShop than you used to do
13 in a dark room in the days of 35mm film. An
14 interesting kind of indexed standard.

15 No structural changes were made, no apparent
16 self-examination was undertaken, just a sort of
17 circling of the wagons. "All the photos that leave
18 Iraq are edited by a highly experienced chief
19 photographer who works seven days a week during his
20 rotation", perhaps he is working too hard.

21 (Laughter)

22 MR. ZITTRAIN: "That position is now held by a
23 foreign photographer with 27 years experience." The

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1 freelancer responsible for the manipulated photos had
2 ten years experience with Reuters, ultimately 900 of
3 his photos were withdrawn.

4 The pitbull attitude from the blogosphere then
5 can be a gift to journalism. Rather than seeing it as
6 fraying public confidence in the fourth estate or
7 unfairly consuming editors time revisiting last week's
8 news when this week's is already pressing, it is at
9 last an alert reader with the means to communicate
10 back. It's a public wanting to engage with the
11 profession, it is a jury empowered to ask questions.

12 Surely not all are asked in good faith, but
13 those that are should be treasured, the mirror they
14 offer is far more powerful than internal peer review.
15 And the fact that they are often an unruly, often
16 anonymous distributed pack, this too can be an
17 important tonic for another new but fundamental problem
18 facing the press, a fear distinct from that attending
19 censorship and intimidation from those in power.
20 Instead, it is a fear from those many more who are not
21 in power.

22 Consider what happened after the Danish
23 newspaper, *Jyllands-Posten*, engaged in what many saw to

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1 be an unnecessary and puerile stunt intended to
2 underscore what it saw as undue sensitivity to the
3 emerging desire within some denominations of Islam to
4 eschew any physical portrayal of its founding prophet.

5 Describing it as a protest against perceived
6 collective self-censorship, the paper invited the
7 approximately forty members of the Danish Editorial
8 Cartoonists Union to "draw Mohammed as you see him".
9 Twelve responded and the resulting collage gave rise to
10 what Prime Minister Anders Fogh Rasmussen called
11 Denmark's worst international crisis since World War
12 II.

13 The images were circulated by outraged Imams,
14 riots broke out in multiple countries, boycotts of
15 Danish products were organized and death threats were
16 made. This was of course news. If you were doing more
17 than playing Quake in 2005, you knew about this
18 incident. But I'm curious, did you see the cartoons in
19 question? How many people actually saw the cartoons?
20 Wow, almost half the people in the room. Of course the
21 next question is where did you see them?

22 (Laughter)

23 MR. ZITTRAIN: Because to republish them before

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1 the controversy arose may well have been an uncalled
2 for provocation, but once the riots started, they
3 became central to the story. There is simply no way to
4 grasp the phenomenon, to understand it, without
5 actually seeing the cartoons.

6 Last year, from this podium, Anthony Lewis
7 spoke of the moment in 1971 that the *New York Times*
8 began publishing excerpts from the top secret Pentagon
9 Papers, a multi-volume account from the military about
10 how the US got into the Vietnam War.

11 The *Times* lawyers had advised publishing Punch
12 Salzberger not to do it, indeed they refused to look at
13 the documents themselves, saying that would make them
14 party to a crime. The U.S. Government obtained a
15 restraining order against the *Times*. What happened
16 next? The *Washington Post* picked up where the *Times*
17 left off, until it too was silenced, but then the
18 *Boston Globe* and others published too. It was
19 basically a Napster for classified documents.

20 (Laughter)

21 MR. ZITTRAIN: The Supreme Court's holding in
22 favor of the press a fortnight later, it was not just a
23 legal victory, Lewis observed, it was a victory for a

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1 Madisonian conception of the press as a check on abuse
2 of power, a commitment to truth in the face of
3 intimidation. Four decades later and the intimidation
4 comes not just from a government against its own
5 citizens but from an inchoate mass. None of the papers
6 that took on the White House in 1971 published any of
7 the *Jyllands-Posten's* cartoons along side their
8 stories. Was it because they were not newsworthy? Of
9 course not. If Balloon Boy belongs on the front page,
10 this does too, this story is a compelling one.

11 Was it because they were potentially offensive
12 to large numbers of people? Of course not, we have
13 entire media networks devoted to generating and
14 promoting material precisely because it is offensive to
15 large numbers of people.

16 (Laughter)

17 MR. ZITTRAIN: It was fear. The publishers of
18 the *New York Press* which by its own description "covers
19 controversial issues and tackles edgy topics",
20 intervened to prevent its editors from reprinting the
21 cartoons. The entire editorial staff of the *Press* then
22 walked out. Only a handful of papers shared the entire
23 collage with readers, including Clemson University's

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1 *Tiger Town Observer*, Fairmont State's *The Columns*,
2 D.C.'s famed right wing *Human Events* and the University
3 of Illinois' *Daily Illini*, and here in Cambridge four
4 of the cartoons appeared in the *Harvard Salient*. The
5 editor of the *Daily Illini*, a former army medic and
6 paratrooper, was suspended from the paper for printing
7 the cartoons.

8 Now, is it really sensible to put the *Jyllands-*
9 *Posten* cartoons in the same sentence, much less league,
10 as the Pentagon Papers? I think so. Both are in their
11 own ways at the heart of a process over maintaining a
12 liberal society, one where ideas we revile or fear must
13 nonetheless be available, with the most narrow and
14 carefully constrained exceptions, exceptions having to
15 do with personal privacy, genuine national security and
16 the protection of children.

17 In a testament to just how odd our media
18 landscape has become, this point has been made most
19 lyrically in a two part episode of "South Park". How
20 many people saw that?

21 (Laughter)

22 MR. ZITTRAIN: Nobody wants to admit it.

23 (Laughter)

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1 MR. ZITTRAIN: The episode's dramatic tension,
2 which I watched for purely research purposes, is
3 grounded in whether a television network within the
4 show's universe will allow a three second unremarkable
5 depiction of Mohammed. The answer in the story line is
6 yes and "South Park" cuts to an image of a cartoon
7 television about to show a cartoon Mohammed, now a full
8 two layers removed from reality. Then our reality
9 intervenes, a slide of text fills the entire frame, it
10 says Comedy Central has refused to broadcast an image
11 of Mohammed on their network. It wasn't a joke.

12 The most offensive show on television, which in
13 the very same episode featured poop smeared over Jesus,
14 was not permitted to cross that line. "South Park's"
15 creators had the last word of a sort, it turns out that
16 the opening title sequence of every episode since July
17 of 2001 has included a depiction of Mohammed within a
18 horde of waving townspeople.

19 (Laughter)

20 MR. ZITTRAIN: But academia, beloved and vital
21 bastion of free thought, is in the same bind as the
22 press. My guess is that Alex and Edie are happy in
23 this stage of my remarks that I'm not using PowerPoint

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1 tonight. Others have been confronted more seriously
2 with this question. Brandeis Professor Jytte Klausen
3 wrote a definitive account of the *Jyllands-Posten*
4 affair called "The cartoons that Shook the World", it
5 will be published next month by Yale University Press.

6 Professor Klausen included the cartoons in the book,
7 along with other depictions of Mohammed, stretching
8 back centuries from both Muslim and non Muslim sources,
9 such as a 19th Century engraving showing the prophet in
10 a scene from *Dante's Inferno*.

11 Citing fear of violence, the university has
12 insisted on expunging all the images before the book
13 went to press. So where can you see the
14 *Jyllands-Posten* drawings to come to your own judgement
15 about whether they are something you should be allowed
16 to see? Wickipedia, without fanfare or drama,
17 Wickipedia has a remarkably complete narrative of the
18 whole affair and all 12 cartoons. They are in
19 thumbnail form on the main article page so as to
20 minimize offense to visitors not expecting them, a
21 click and they are in full resolution.

22 On the discussion page, instructions are
23 provided how to configure one's browser not to see

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1 them. The editor's statement there is as pithy and
2 elemental as Tony Snow's self-introduction as an
3 unnamed source, "images or details contained within
4 this article may be graphic or otherwise objectionable,
5 in order to ensure a quality article and complete
6 coverage of a subject matter". Naivety that there can
7 be a neutral point of view on sensitive subjects,
8 something often abandoned by the world weary press and
9 academia, here makes a difficult decision into an easy
10 one.

11 So it turns out that the most effective bulwark
12 against the fear generated by the threatening stranger,
13 rather than the censorious government official, is an
14 institution whose governance is as diffuse and
15 anonymous as the threat itself. If Wickipedia founder
16 Jimbo Wales tried to censor the cartoons by fiat,
17 perhaps fearing for his own safety, he would loose
18 control of his newsroom. The very qualities that so
19 often make Wickipedia inane and unreliable here are the
20 qualities that make it a beacon in troubled times, an
21 institution that at least in this narrow but crucial
22 sense I believe would make Richard Salant proud.

23 Now, this isn't about Wickipedia versus the

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1 mainstream media. The nearly unanimous decision by our
2 beloved press establishment to back down here, which is
3 a situation guaranteed to repeat for other topics, yet
4 evading review, as we say in lawyer speak, this may be
5 rational, if regrettable. Yale did not want to
6 endanger its community over a single book, this is
7 precisely what makes the less externally accountable
8 Wikipedia, and other distributed internet enterprises,
9 a friend and colleague to the press.

10 No doubt one of the factors going into Yale's
11 decision this summer was that these images too
12 sensitive to publish are yet available to anyone who
13 wants to see them within ten keystrokes and five
14 seconds. Google indexes them because it indexes
15 everything, we don't see the availability there as a
16 moral choice to approve or abominate, and Wikipedia
17 retains them because its editors are everywhere and
18 nowhere, its script is refreshingly different from that
19 of the press and together they can provide a form of
20 informational biodiversity that assures survival of an
21 idea across a range of hostile environments. They can
22 even outright cooperate.

23 *New York Times* reporter David Rhode is one of

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1 the many brave press correspondents who have reported
2 from dangerous areas beyond the green zones of the
3 world, a veteran who covered the massacres of
4 Srebrenica, he was kidnapped while pursuing a story
5 outside Kabul. He was held for nine months. In order
6 to support delicate negotiations, word of his abduction
7 was appropriately held back by the *Times* and other
8 mainstream media, Wickikipedia among them, with a
9 critical mass of editors assiduously keeping Rhode's
10 entry silent on the matter. Important when the place
11 people go for their news turns out to be often
12 Wickikipedia, seventh most popular website in the world. Rhode

13 The internet revolution is so young, I think
14 it's properly dated to be about a decade old, pegged to
15 the mainstream adoption of broadband. We lucked into
16 phenomena like Wickikipedia, an idea famously so
17 profoundly stupid and improbable that even its founder
18 never even came up with it. But with the door ajar, we
19 can open it more fully and mediating web sites, like
20 talking points memo, show us how traditional media and
21 new media can be a whole more than the sum of their
22 parts.

23 An important cluster of work to be done here is

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1 to ensure that important ideas can reach people who
2 want to absorb them. It is not enough for the *New York*
3 *Times* to publish world class news, it must take active
4 steps to reach those whose governments or peers prefer
5 that they not see it. Well over a billion people have
6 their internet activities routinely and automatically
7 channeled away from unapproved sites and topics. With
8 a few tweaks to existing protocols, we can change the
9 entire playing field away from the current cat and
10 mouse stalemate of filtering followed by attempted
11 circumvention.

12 RSS protocol, really simple syndication, allows
13 information from one source to be automatically
14 incorporated into another. The Herdict Project, up the
15 street at the Law School, collects reports of internet
16 blocking in real time from the people who are trying to
17 get somewhere and can't. Put these two projects
18 together and any number of people and institutions can
19 step forward to allocate a small and quiet piece of
20 their web presence to a feed of the contents of
21 censored sites.

22 The reports come into Herdict, it goes into the
23 feed and people who ahead of time have said I don't

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1 mind a corner of my page going to the censored item of
2 the day, they then have that automatically displayed.
3 And suddenly an attempt to filter a website
4 automatically results in its contents being mirrored to
5 thousands of other places. The more people try to see
6 it and can't, the more mirroring takes place. Google
7 and Bing then merrily index everything and searching
8 for a forbidden phrase will find it available anywhere.

9 Imagine then if the press could devote its
10 energy to ferreting out truth from lies, importance
11 from trifling, and see its results ricocheted from one
12 participant to another. The only thing more powerful
13 than the *Post* and the *Globe* following on the heels of
14 the *Times* is if the readers themselves can become part
15 of the process, passing on a vital word, rather than
16 expecting experts alone to do it and to face the
17 consequences alone.

18 Indeed, we can change hypertext protocol itself
19 in a way that had once occurred to its inventor but got
20 lost in the shuffle. If your computer can't get
21 somewhere, it could automatically ask nearby computers
22 if they had recently been there and share what they
23 saw. Not only can people help distribute content but

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1 they can help to assure its integrity. Photos can be
2 changed and texts altered long after the fact and as we
3 shift to a world of Google books served from that cloud
4 and kindles that can have Orwell's works purged from
5 afar, like *1984*, how classic is that?

6 (Laughter)

7 MR. ZITTRAIN: Physical books will become
8 either ancient curiosities or on demand printouts, no
9 more verifiable than their digital sources, but nearly
10 all of us possess a powerful machine on our laps or
11 desks with more storage than we could ever use. We can
12 create protocols like that of the so-called Locks
13 Project where libraries and individuals can share
14 digital works for the purpose of double checking them
15 against one another, an insurance policy against the
16 memory hole. We should be encouraging more people,
17 certainly our kids, as they wile away the days in our
18 overwhelmed and dysfunctional schools, to take part in
19 the functions of the press.

20 Wickipedia itself ought to have a simple
21 interface, to the geeks in the room, a dream weaver
22 moment like the one experienced by the web itself, so
23 that you don't have to know a mark up language in order

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1 to fix a typo in an article.

2 But what of the trenchant objection that having
3 citizen journalists is no more sensible than having
4 citizen surgeons? Well the key part of surgery is
5 skill. It takes almost a decade to know how to
6 properly remove a gallstone and until then you
7 shouldn't get a scalpel anywhere near a breathing
8 human.

9 Of course there is skill to journalism, a solid
10 story requires more than just someone asking questions
11 of a source, but here Richard Salant's experience is
12 instructive. As Alex was saying, his only previous
13 experience before he became head of the CBS News
14 division was as editor of his high school newspaper.
15 What Salant brought to the table was values. Precisely
16 because he was not a creature of the press, he could
17 perceive and reject its tired and narrow scripts.

18 At CBS, he separated news from sports and
19 entertainment and eliminated glitzy music and sound
20 effects. He broadcast documentaries critical of his
21 own network, he rejected the coziness that had sprung
22 up between the media and government. I believe he
23 would have been nauseated by the senior administration

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1 officials news conference. And since it's in this
2 week's news cycle and likely to recur, what would he
3 have thought of Fox News? I would genuinely like to
4 know.

5 And his successors in the media should say it
6 cannot be for the White House to decree what is real
7 and fake, and appearances to the untrained eye can be
8 deceiving, especially now that every news outlet has
9 glitzy music and sound effects. There's a temporary
10 victory there. Recall that the White House accredited
11 Talon News, whose sole reporter followed a predictable
12 script of softballs to those in power. So, instead,
13 the press must cover itself, it owes Fox and MSNBC and
14 the *Times* and the *Post* a departure from its script, a
15 kind of scrutiny that would give any powerful or
16 popular outside institution pause.

17 Those values are worth sharing with the public
18 at large not just through the product of a well tuned
19 press but through its process. We have the opportunity
20 to enlist people in the Madisonian enterprise, to
21 recruit them for the stories that they can tell, their
22 cell phone tapes, their sharp eyes and minds,
23 especially when the live and know the situation that

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1 the typical reporter can only approach as an outsider.

2 As cameras and recorders become ubiquitous, we should
3 engage those who aspire to tell a true story with them.

4 Amazingly, here in Massachusetts, I think we
5 should repeal the absurd law by which a citizen
6 recording his interaction in public with a misbehaving
7 agent of the state finds himself charged with a felony
8 for making an unauthorized recording of his
9 surroundings, the very recording that unambiguously
10 substantiates his claim of abuse. The skills of
11 professional journalist and interested citizen can be
12 complementary, united by a desire to get at truth. To
13 think that instead people should just consume the
14 media, that they simply need to know one thing, even if
15 they want to know another, is to abandon rather than
16 cultivate the link between the press and the public it
17 serves and informs.

18 What Guy Goma experienced in two seconds as he
19 adjusted to an utterly unanticipated reality, in front
20 of hundreds of thousands of viewers, is actually what
21 the press has been grappling with for at least two
22 years, shocked realization and blind terror. What lies
23 ahead is the rest of that sequence, philosophical

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1 resolve, and finally, determination to do our best.
2 Let us hope we can pick up that thread as gamely and
3 admirably as Mr. Goma did.

4 Thank you very much.

5 (Applause)

6 MR. JONES: We have mics here and here and if
7 you have questions, please just line up at the mic and
8 we will address them.

9 MR. ZITTRAIN: And if Jeff Gannon is here,
10 apologies, the reporter for Talon News.

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

19 One of the things that has been an issue
20 forever in the mainstream media anyway is the question
21 of taste and when is it appropriate to publish certain
22 things and not publish other things. There is probably
23 an argument to made in this case, of course, that this

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1 was part of the story, but to compare it to the
2 Pentagon Papers, I'm not quite sure makes the same
3 point. The Pentagon Papers was published not because
4 people were interested or would have read. In fact,
5 when the Pentagon Papers were published, Punch
6 Salzberger was delighted because they got no response
7 whatsoever and probably never would have because they
8 were, you know, tedious and boring and they took
9 forever to read. The only reason people actually paid
10 attention was because Richard Nixon, at the instigation
11 of Henry Kissinger, decided to try to stop the
12 publication.

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

21 MR. ZITTRAIN: Yes. What a fascinating
22 question. I think you are right that the original
23 publication of the cartoons by the right-leaning

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1 newspaper in Denmark was a demonstration of
2 independence, probably more than that, but that's the
3 nicest spin we can put on it, and I'm not sure that was
4 such a necessary thing. That's why I say the original
5 publication may well have been ill-advised. But once
6 it became the news, precisely unlike the Pentagon
7 Papers, for just the reason you say, actually being
8 able to see the cartoons makes all the difference in
9 understanding the story, including distinguishing
10 between the cartoons and the paper and the other
11 cartoon, one of which was a gentleman wearing a pig
12 snout with an elastic band around his head as part of,
13 apparently they do this in France, a who can snort most
14 like a pig contest, completely unrelated to anything
15 having to do with Islam.

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

22 And it's funny, if anything, it almost sounds
23 like then the Pentagon Papers case was less signal than

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1 we might think because, as you say, the papers
2 themselves, few of them were even actually published,
3 literally, they were boring. If the government had
4 won, the most the government could have gotten was that
5 the papers themselves not be published verbatim. You
6 can't take the knowledge of having read them out of the
7 heads of the journalists, and like police who can go
8 after independent evidence once they know where, you
9 know, under which shell the, under which, yeah, shell
10 the marble lies, the release of the papers was enough
11 to expose whatever had to be exposed about Vietnam and
12 the papers could have paraphrased the rest.

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

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

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1 MR. JONES: I may be wrong in this but my
2 recollection is that a number of the news organizations
3 that did not publish them in their print form did put
4 them on their websites.

5 MR. ZITTRAIN: That's an interesting question.
6 I think if they did, it was a deep link to Wikipedia,
7 I'd have to double check that.

8 (Laughter)

9 MR. JONES: Cris?

10 MS. RUSSELL: Could you talk a little bit, I
11 mean you talked about the opportunities of the web, the
12 internet, and we have a tendency to talk about the
13 public, the internet, the mainstream media as sort of
14 singular places.

15 MR. ZITTRAIN: Right.

16 MS. RUSSELL: But if you were looking at the
17 web not as this great sort of landscape that's flat but
18 instead as a landscape of very deep canyons where
19 people fall in and they don't get out, talk about the
20 fact--

21 MR. ZITTRAIN: The Hotel California conception.

22 MS. RUSSELL: But I think we see in some of the
23 controversies where people, their world view is getting

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1 narrower and narrower because they fall in one of those
2 canyons and their view of reality is distorted by
3 falling. It's not like they are getting a wide form of
4 information, they are talking in a very sort of
5 circular way about climate change or evolution. I
6 write about science and medicine, so I'm looking in
7 that area, but reinforcing views that are not shared by
8 the experts or society at large and yet those views are
9 very viral and they are carried very quickly within
10 that canyon.

11 MR. ZITTRAIN: Yes.

12 MS. RUSSELL: So, you know, within that view,
13 how do you reconcile the danger of getting people
14 deeper and deeper into views that are separating
15 people, not really joining them together.

16 MR. ZITTRAIN: Yes. I think I get the
17 question. Another example might be the
18 anti-vaccination community, which has You Tube videos
19 that have huge numbers of views and--

20 MS. RUSSELL: Well and where the concern about
21 autism and vaccines--

22 MR. ZITTRAIN: Right.

23 MS. RUSSELL: I was at a multimedia thing

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1 yesterday.

2 MR. ZITTRAIN: Right.

3 MS. RUSSELL: I think has now, that group is
4 very viral and they talk to each other and they are
5 totally convinced against the experts--

6 MR. ZITTRAIN: Right.

7 MS. RUSSELL: And I think that's now spilling
8 out for this reenforcing view that--

9 MR. ZITTRAIN: Right.

10 MS. RUSSELL: And if you Google that topic, you
11 are going to get all of the antis to vaccines.

12 MR. ZITTRAIN: Right.

13 MS. RUSSELL: More than you are going to get
14 the government view or the public health view.

15 MR. ZITTRAIN: Right. So that phenomenon taken
16 alone is clearly a bad one, it's a self-reinforcing
17 community of wingnuts that if operating alone might say
18 is it me or is it everyone else? Some of them being
19 wingnuts would be like it's everyone else, but others
20 would be like well maybe it is me, since I can't find
21 anybody that agrees and thanks to the net, they can
22 find self-reinforcing communities, what Cass Sunstein
23 famously called the daily me, to just affirm what you

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1 are about.

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

15 (Laughter)

16 MR. ZITTRAIN: And the internet says my work is
17 done.

18 (Laughter)

19 MR. ZITTRAIN: I mean it says in the medium
20 term there somehow is a role for the press, in part as
21 a branded agent you can trust, presuming that's been
22 earned and earned every day. Oddly enough, in the
23 internet community, what has that brand in part,

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1 snopes.com. I don't know if you guys have heard of
2 snopes, but when like some relative of yours, and
3 apologies if you are that relative--

4 (Laughter)

5 MR. ZITTRAIN: Forwards you the e-mail that
6 says, this is one recently, Bill Gates will pay you a
7 dollar if you forward this to all of your friends.
8 He'll pay you a dollar for friend, but get going,
9 there's only two weeks left. Like, you know, what are
10 you going to do? But snopes is there to say this is
11 false.

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

19 The long term solution of course has to be I
20 think, going back to the warehouses we keep kids in all
21 day long for, you know, 10 or 15 years, and having them
22 engage in exercises. Like, honestly, I would love to
23 see creationism taught in a science class and subjected

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1 to the tools the kids are supposed to use to learn
2 about science and, you know, let the chips fall where
3 they may. If a unique discovery is made, you know,
4 bless the fifth grader, literally, that does it.

5 (Laughter)

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

17 (Laughter)

18 MR. JONES: They are coming to get us, yes.

19 FROM THE FLOOR: Hi. Thank you.

20 I have to ask you, I am coming from working in
21 the Middle East for many years for al Jazeera, al
22 Jazeera is a network, I was just listing off to my
23 tablemates the number of countries that it's banned

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1 from, which is several and fluctuating.

2 I have to say, coming from that perspective,
3 that I wonder whether you don't sell short the problem
4 of access and the problem of continuing to function in
5 some of these environments. You know, in an American
6 context, it's fine to say that obviously Snow is going
7 to stand up and saying something, he's going to claim
8 that it's off record, it's sort of a joke, the
9 information will get out, it's Washington, D.C., we
10 have the First Amendment.

11 I wonder is this a paradigm that you are able
12 to transfer? You know, I mean we are banned from many,
13 al Jazeera is banned from many countries. Second, we
14 have a lot of countries in which we operate, Egypt,
15 Syria, these are not places, Iraq, these are not places
16 that anyone is going to even be, if they tow the line,
17 and now you wonder whether you will have this trickle
18 down effect onto the internet, the real story gets out.

19 It's not going to be on Juan Kett, you know, I'm just,
20 I'm going to throw that out there.

21 So I mean I wonder do you make allowances for
22 that different sort of environment, the places that
23 don't have the sort of safety nets that we have in the

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1 States? Do you think that it's a graduated process?
2 Do you think that's a role that needs to be played by
3 outside internet institutions at HLS, at these kinds of
4 places? I'm just wondering if you could kind of talk
5 specifically about the case.

6 MR. ZITTRAIN: Well I think it's ideally met by
7 an all of the above approach. I do not mean to be
8 pollyanna about the prospects for the internet, that's
9 the title of a book, I think. To the extent that one
10 can cultivate the conditions for a free press in an
11 area that has not had one, that I could imagine could
12 be a variable far larger than any tweet coming from
13 that area or even collection of tweets. How to
14 cultivate that there of course is the question and the
15 tool box we have to make it happen is significantly
16 larger now than it was today, whether it's a
17 combination of, you know, government grants from
18 interested governments that want to spread democracy,
19 so long as the fact of the grant doesn't backfire, as
20 it can.

21 But when you have a kid being sent to computer
22 camp and actually being asked to learn some of the
23 skills that are seen as skills connected with economic

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1 advancement, so the government kind of wants that, and
2 at the same time the kid is exposed to the kinds of
3 skills that at their most noble are the skills we
4 associate with a free and well functioning press, then
5 maybe we really can try to complement whatever the
6 reporter who gets in there or the handful of reporters
7 who get hired and a second later, when a new boss comes
8 in, could get fired, we complement them with people on
9 the ground who could be getting the word out and having
10 the technology to do it, to be live streaming as
11 something is happening.

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

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1 (Laughter)

2 MR. ZITTRAIN: You could save money on
3 textbooks by putting them onto a chip, embedding them
4 in this computer and handing out the computers to kids
5 that hopefully would hang onto them for several years.
6 And at the same time a lot more comes with it that was
7 not the selling point to the ministries of education
8 that are paying money for it. And my hope there is
9 that is an example of a technology that in concert was
10 something for the kids to do with the machines once
11 they got on the net that encourages them to learn in a
12 way that we recognize as skeptical learning. You know,
13 it seems an extra tool in the tool kit we didn't have
14 twenty years ago.

15 FROM THE FLOOR: Hi. I'm from the BBC and that
16 was a great video, we've actually memorized it in the
17 BBC.

18 (Laughter)

19 FROM THE FLOOR: We almost gave him a job, I
20 wish we had done it.

21 (Laughter)

22 FROM THE FLOOR: In Britain, a few days ago, I
23 don't know if you are aware, a lawfirm went to court to

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1 try to stop the reporting of parliamentary procedure--

2 MR. ZITTRAIN: Yes, I saw that.

3 FROM THE FLOOR: --against *The Guardian*. They
4 won, but they failed because the news came out anyway
5 on Twitter. So really looking ahead to the next few
6 decades, however long we can look into the future, do
7 you think we'll ever get to the stage where any kind of
8 censorship is simply impossible, the actually concept
9 of censorship will become a thing of the past? Thanks.

10 MR. ZITTRAIN: Sure, and it should be noted the
11 BBC, more than nearly any other news organization,
12 works hard to connect with audiences whose governments
13 don't want them to see the BBC, and it's also one of
14 the first sites to be filtered by any country that
15 implements filtering in the world, so congratulations
16 for that.

17 (Laughter)

18 MR. ZITTRAIN: There is this kind of can't stop
19 the signal sensibility that says the truth will out
20 eventually. One problem is eventually, that's
21 problematic for those who must wait during the
22 interregnum. And the other problem I think is that
23 more and more people are learning if they want to keep

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1 a secret that instead of trying to keep the secret,
2 which is harder to do, as long as they release twenty
3 facts, nineteen of which are false and one of which is
4 true, it's actually incredibly time consuming and
5 difficult to figure out what to believe.

6 And I believe we will see more and more secrets
7 hidden in plain view and we haven't yet figured out a
8 strategy for active disinformation. So, in some ways,
9 what has been touted from some corners as such a great
10 use of Twitter during the Iranian election situation,
11 it's a little bit of an unfair fight that first time
12 through because the censors had other fish to fry, they
13 were trying to shut down the SMS and dealing with
14 traditional website filtering and suddenly Twitter is
15 there and you can get into Twitter through all sorts of
16 APIs.

17 My guess is in the fullness of time, they will
18 be much better prepared next time and when you see a
19 Twitter account called Free Iran Now, we have no idea
20 who is behind it and they will talk about demonstrators
21 marching this way and, you know, all sorts of things.
22 You could even do what the FBI does, the classic sting
23 where they tell people they've won a prize, please show

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1 up at this convention center and you'll get your prize,
2 and people show up and get the prize. If only they
3 went to snopes.com first.

4 (Laughter)

5 MR. ZITTRAIN: So that's an example of how you
6 could see them even for dissidents awarding the prize,
7 dissidents coming to it like flies on honey and, you
8 know, bad news.

9 FROM THE FLOOR: Hi, Jonathan. Thank you so
10 much, it was lovely. So I've been at wired.com, I'm a
11 Nieman fellow and--

12 MR. ZITTRAIN: Great to see you.

13 FROM THE FLOOR: Great to see you.

14 MR. ZITTRAIN: Long time caller, first time
15 speaker.

16 (Laughter)

17 FROM THE FLOOR: Exactly. But I've been
18 covering citizen journalism and actually helping run a
19 citizen journalism program for Wired, the same we did
20 with Jay Rosen at NYU, and in that four years I've been
21 writing about this, the resistance on the part of
22 mainstream news organizations, be it *The Guardian* or
23 the *New York Times* has lessened and even been replaced

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1 with an enthusiasm. In fact, when I go out and give
2 talks, you know, people from, you know, yesterday it
3 was *Business Week*, come up to me and I mean they are
4 ready for it.

5 The problem is not on the part of news
6 organizations being willing to open up, on the part of
7 citizens wanting to be journalists. I mean and so I
8 just want to sort of problematize what you said a
9 little bit and sort of pose the question what if the
10 onus and the partnership is on the other side? I mean
11 and this is a question I get a lot and I don't know how
12 to answer it, so I'm genuinely hoping that you have,
13 especially with all the wonderful work. I mean Berkman
14 has been so successful in such projects like Herdict,
15 in really getting people to contribute.

16 MR. ZITTRAIN: And by the other side, you mean
17 the public at large.

18 FROM THE FLOOR: Exactly. I mean when we were,
19 so Jay Rosen and a bunch of us at Wired ran a project
20 called Assignment Zero, and the problem we had was I
21 think we feel, as journalists, that why wouldn't the
22 public want to be us, I mean we have such great jobs
23 but--

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1 (Laughter)

2 FROM THE FLOOR: In fact asking someone to
3 write a story is kind of like asking them to rewrite a
4 term paper, they don't want to do it. And so it's sort
5 of what is it that the media needs to do to get this
6 contribution and get this--

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

17 I'm always surprised when people criticize
18 something like Wikipedia for saying it turns out there
19 is only like two or three thousand really active
20 editors in the English language version of Wikipedia.

21 It's like yeah, look how much they get done, it's like
22 that's not a bad thing. If we have a system that
23 relies on everybody being a journalist, we know it's

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1 not going to work, but that's also why I have been
2 thinking about this dream weaver issue that if you want
3 to join Wickipedia, I think from an outsider's point of
4 view it looks like depressingly wide open to anybody
5 that wants to edit anything.

6 And as you try to actually edit something and
7 find it reverted in fifteen seconds, you're like this
8 is a totally fascist organization that looks up no view
9 but its own and I'm not part of it. And they actually
10 have this kind of bring me the broom of the wicket
11 witch quality before you are allowed to be dubbed a
12 Wickipedian and taught the secret digital handshake.
13 And that's a bad thing I think. That's why I actually
14 think that one of the most profound things you could
15 do, and again, I'm just using Wickipedia as an example,
16 I'm not meaning to make it the center of the whole
17 universe here, is to think of an interface where like
18 using it is invisible, you don't even have to think
19 about the technology.

20 And where the contribution you make can start
21 off small, it's not the whole term paper, it's just
22 proofreading someone else's, or wait, that doesn't
23 agree with what I just read there and being able to

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1 pitch in a little bit as you like, that's I think what
2 can make it succeed. And my guess is a lot of
3 Wikipedians would be against a front end that is as
4 simple to use as a word processor to make changes to
5 it, they like the fact that you have to learn mark up,
6 just like--

7 MR. JONES: Two more questions.

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

18 So basically I mean is there a light at the end
19 of the tunnel and do you think new media is a way out
20 of that mess basically?

21 Thanks.

22 MR. ZITTRAIN: Thank you, it's a really good
23 question and so many people from the Berkman Center

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1 have been studying it for about the past ten years as a
2 bellwether for so many of these issues.

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

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

18 And so I think there is a large measure of that
19 in China, my sense is that there are plenty of people,
20 if you ask them about censorship, if you offer them
21 somebody's, you're like here, take a peek at BBC, it's
22 like no thanks, I'm good, and not because they are
23 afraid but because it doesn't speak to them. So that's

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1 a real issue.

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

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

23 FROM THE FLOOR: My question is so you talked a

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1 little bit about Google and Microsoft and Yahoo
2 indexing the web, so I work very closely with the
3 search engines, I'm really aware that they are for
4 profit. Twitter is not yet profitable but it just
5 announced a partnership with Google and with Bing to
6 do, you know, real time search.

7 So my question is what happens when the motives
8 of these profit driven engines starts to conflict with
9 the free dissemination of information? What if Google
10 decides that Wickipedia is for whatever reason less
11 relevant to its users?

12 I mean it's not active disinformation but it is
13 active, I don't know, suppression, diversion, and its
14 corporate motives, but you do kind of, if they should
15 decide that we don't want to index this because it's
16 not as important and this is where, you know, the truth
17 of information is coming out, it's somewhat like the
18 newspaper is playing along, right?

19 Thank you.

20 MR. ZITTRAIN: Thank you.

21 I certainly agree with the part of the premise
22 that says if Google were for some reason to decide that
23 Wickipedia had earned the Google death penalty and no

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1 search result would include a link to Wickipedia
2 anymore, it would go from being the seventh most
3 popular website in the world to like, you know, the
4 quintuple digits overnight. I actually believe that, I
5 don't think that many people go straight to Wickipedia.
6 That's a problem.

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

15 (Laughter)

16 MR. ZITTRAIN: It would be great to see that
17 there are alternative forces, institutional forces that
18 can balance that beyond the market, but first let's
19 dwell on the obligatory moment, that the market has
20 some disciplining force. If you started getting search
21 results that weren't very satisfactory on Google and
22 people said but, you know, Dogpile gives it to me, you
23 would be like all right. Too little, too late for

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1 Dogpile but--

2 (Laughter)

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

15 Small tweaks like that to me are akin to the
16 small changes in protocol I've been mentioning that if
17 we could up public awareness of it and awareness of
18 geeks of it, we would have safety valves in addition to
19 those provided by the market and to potential
20 government regulation through standard competition
21 antitrust law. We would actually have other ways of
22 trying to see to it that no one bottleneck for whom a
23 check could be written against it or a government

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1 official could serve it with an order, no one
2 bottleneck controls what we see or the corpus of what
3 we think exists out there.

4 MR. JONES: Jonathan, thank you. This is very,
5 very interesting, thank you very much.

6 And thank you all.

7 (Applause)

8 MR. JONES: And we are adjourned.

9 (Whereupon, at 8:50 p.m., the session was adjourned.)

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C E R T I F I C A T E

This is to certify that the preceding transcript is an accurate record based on the recordings of the proceedings taken:

Before: ALEX JONES, Moderator

In the Matter of:

RICHARD S. SALANT LECTURE ON

THE FREEDOM OF THE PRESS

JONATHAN ZITTRAIN

Date: October 22, 2009

Place: Cambridge, Massachusetts

Martin T. Farley
Advance Services

11/02/09
Date

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