

# Censorship

JB 4773 Spring 2008 1:30 - 2:20 p.m., MWF (JB 103)

## Joey Senat, Ph.D.

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Hours: 2:30 - 3:30 p.m., MWF  
And By Appointment

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### COURSE CONTENT AND GOALS:

Every generation is faced with questions about which ideas, information, images or language is too objectionable to be permitted. Motivations to censor are often the same, regardless of the locale or point in history. Decisions about what to allow and what to prohibit are often based upon a gut reaction to the material at hand.

In this course, we will critically examine historical and contemporary occurrences of censorship from legal, philosophical, political, religious and sociological perspectives. We will explore the definition of censorship, the common elements found in all forms of censorship, the rationalizations and justifications for censorship, and the consequences and unintended results of censorship.

The OSU School of Journalism and Broadcasting is one of more than 100 accredited professional journalism/mass communication programs in the United States. The Accrediting Council on Education in Journalism and Mass Communications (ACEJMC) requires that all graduates of accredited programs should be aware of certain core values and competencies and be able to perform at an adequate level. Most relevant to this course are expectations that you demonstrate:

- An understanding of the relevant constitutional freedoms, legal issues and ethical principles in mass communication, and
- Critical, creative and individual thinking.

More specifically, by the end of the course, you should be better equipped to make reasoned decisions when the issue of censorship confronts you. Specifically, you should be able to:

- Recognize your First Amendment rights as a professional communicator and as a resident of the United States.
- Understand the social values at stake when censorship arises.
- Articulate why freedom of expression is important when faced with specific acts of censorship.
- Apply the law and assert your First Amendment rights in those situations.

To achieve these goals, you must keep up with assigned readings, participate intelligently in class discussions, complete out-of-class assignments on deadline and study diligently for tests. In short, you should do your best.

### READINGS:

They were chosen because they provide a solid explanation of the topics being studied in this course. Much of the time, you will be reading primary sources, *e.g.*, judicial opinions, so that you can “see for yourself” instead of relying upon the interpretations of others. Use the study guides to complete readings before the start of class. Our in-class discussions and lecture quizzes are based upon the readings. If you don’t keep up, you will be lost in class. You also will find class much more interesting if you do the readings. *Please, come to class prepared.*

**COURSE HOME PAGE & E-MAIL LIST:** [journalism.okstate.edu/faculty/jsenat/censorship/censorship.html](http://journalism.okstate.edu/faculty/jsenat/censorship/censorship.html)

The course home page contains the required online readings and important sources for your research paper. I also will use it and the class e-mail list to post reminders, announcements and other course-related materials. These can be useful tools, but only if you check your e-mail and the Web site regularly. Make sure that the e-mail address you actually use is the one on file with OSU. Please remember that a “reply all” to the e-mail list would send your response to everyone in the class. If you want to send a confidential message to me, use my OSU e-mail address at the top of the syllabus.

**ASSIGNMENTS:**

Your course grade will be calculated as follows:

Quizzes .....	150 points
Research Paper .....	250 points
<u>Exams .....</u>	<u>800 points</u>
	1,200 points

Point Scale: (A) 1,200 – 1,080 / (B) 1,079 – 960 / (C) 959 – 840 / (D) 839 – 720 / (F) 719 – 0

**Quizzes:** You must come to class prepared. If you have not thoroughly read the material, you will not be able to fully participate in the class discussion and fully understand the material upon which you will be tested. To encourage your preparation, you will be given quizzes. Most quizzes will be based upon the **Reading Guides** provided on the course home page and will be given during the first five minutes of class. However, some quizzes will focus on material presented in the lecture and will be given near the end of class.

The quizzes can include true/false, multiple-choice and short-answer questions. The quizzes are **CLOSED BOOK / OPEN NOTES**. This means that during the quiz you may use typed or hand-written notes that answer the reading guide, but the online readings themselves may *not* be used during the quiz. Notes may *not* be shared during the quiz. *Cheating will not be tolerated.*

Your *three lowest* quiz grades will be dropped automatically at the end of the semester. Quizzes missed because of any absence or tardiness will be counted as zeroes. See **Attendance**. You are responsible for keeping track of your quiz average. Your course average for the quizzes will be multiplied as a percentage against 150 points to determine your points for that category.

**Research Paper:** This is a five- to six-page paper in which you research and write about an act of censorship that you choose from a list of topics. Only one student will be allowed per topic.

You should review the list of topics on the course home page and **submit to me your top three choices via e-mail by 4 p.m., Jan. 11. (First come, first served!) I will assign the topics on Jan. 14.** The paper will be done in two stages. A separate sheet of instructions will be given to you.

**Exams: Jan. 28; Feb. 20, March 26 and April 28**

Exams will require you to: (1) identify definitions, tests, theories, doctrines, standards and examples; (2) apply to hypothetical situations what we have covered in class; and (3) explain analytically the topics being studied. The format may include multiple-choice, true/false and short-answer questions. The Final Exam may include essay questions based on the entire semester. **Rules** governing the classroom environment and activities during the exam are posted on the course home page under “Exam Etiquette.” Please read them. You are expected to abide by them.

**Makeup exams** may be given because of university- or military-required activities, but only if I am notified prior to the exam time. Makeup exams may also be given in the case of proven emergencies that prevent you from taking the scheduled exam, but only if I am notified immediately. Examples of such an emergency would a death in your immediate family, your own hospitalization or a traffic accident on the

way to the exam. Oversleeping, confusing the date of the exam, or visits by out-of-town friends are not emergencies.

Documentation must be presented to me before a makeup exam will be scheduled. I reserve the right to check the authenticity of all documentation and the right to reject bogus documentation.

**Final exam** schedules are available about eight months in advance of finals week. Therefore, you are expected to take the final exam for this course on the date and time scheduled by the university. If you have travel plans – even to go overseas or for a wedding – that conflict with the final exam, you have the option of changing your plans or taking the course in another semester. But you will not be able to take a makeup final exam because of those travel plans.

If you are **tardy for an exam**, you will be allowed to take it only if no one else has completed it and left the room. You will have only the remaining regular time allotted for the exam.

Students taking exams at the **Testing Center** are responsible for scheduling their exams and must start their exams at the same times on the same days scheduled for the rest of the class. If a scheduling conflict arises, contact me immediately.

**Bonus Project:** The purpose of this course is to better equip you to make reasoned decisions when confronted by censorship. To that end, this project will help hone your ability to express yourself in such situations. You can earn *up to 50 bonus points* by writing a letter to your state legislators and a newspaper regarding a speech restriction being considered by the state Legislature. I will provide the list of bills to choose from and a separate sheet of instructions.

#### **ACADEMIC INTEGRITY**

While you are strongly encouraged to study with classmates, this does not mean copying someone else's answers during an exam or quiz. If your anxiety about this course is such that you feel pressured to cheat, please come see me instead so we can discuss what you don't understand and explore ways to improve your study habits. Cheating will NOT be tolerated. PLAGIARISM on the research paper WILL NOT BE TOLERATED. Plagiarism is defined as using the ideas or writings of someone else as your own.

**You are expected to abide by the following university statement:** "I will respect OSU's commitment to academic integrity and uphold the values of honesty and responsibility that preserve our academic community." *OSU's policy regarding academic integrity applies equally to the student whose exam or quiz answers are being copied.* Under the policy, students "must take reasonable care the examination answers are not seen by others." For example, during exams in this class, you should turn over your bubble-sheet after you have completed the multiple-choice questions. You also should keep your quiz answers covered.

**OSU Statement:** Oklahoma State University is committed to the maintenance of the highest standards of integrity and ethical conduct of its members. This level of ethical behavior and integrity will be maintained in this course. Participating in a behavior that violates academic integrity (e.g., unauthorized collaboration on homework or assignments, plagiarism, multiple submissions of the same assignment, cheating on examinations, fabricating information, helping another person cheat, having unauthorized advance access to examinations, altering or destroying the work of others, and fraudulently altering academic records) will result in your being sanctioned. Violations may subject you to disciplinary action including the following: receiving a failing grade on an assignment, examination or course, receiving a notation of a violation of academic integrity on your transcript, and being suspended from the University. You have the right to appeal the charge. Contact the Office of Academic Affairs, 101 Whitehurst, 405-744-5627, <<http://osu.okstate.edu/acadaffr/aa/academicintegrity.htm>>.

**ATTENDANCE:**

This course will be a combination of lecture and discussion. The class periods are designed to highlight and explain the issues to be extracted from the readings. We will frequently apply the law to hypothetical situations, just as you will be expected to do on the exams. Therefore, your attendance is necessary if you are to do your best in this course. Students who frequently miss class will hurt their quiz average and find themselves lost on exams. Neither of us wants that to happen.

By automatically dropping your three lowest quiz grades, I am giving you **three “personal days,”** just as you might receive on a job. In other words, you are being given three excused absences for the semester. These are the only excused absences you will receive during the semester. Use these days wisely. Save them for when you really need them. Before deciding to skip class because you just don’t feel like attending, consider whether it’s possible that you will be ill or need to attend a funeral or go to a job interview later in the semester. Remember: quizzes missed due to more than three absences will be counted as zeroes – regardless of the reason.

**Exceptions** to this policy are made for students **REQUIRED** by either the university or military to miss more than three classes. In this situation, the student’s first three required absences will count as the three lowest quiz grades to be dropped. Only the required absences in excess of three will be excused. For a student to qualify for this exception, *I must be notified in writing by the appropriate university or military official prior to the required absence.* Required means more than your participation in student organizations or university activities or even a university job on campus. Required means your scholarship or course grade is jeopardized if you do not participate in a university-mandated activity. An example would be a field trip required in another class.

**DAILY SCHEDULE**

Complete all readings prior to the start of class.

Caution: Simply printing a copy for later reading will not suffice because in some instances the study guide questions are best answered by clicking through links embedded in the online reading.

<u>Date</u>	<u>Subject</u>	<u>Readings</u>
1/7	Censors Have Dirty Minds <i>YouTube: Unnecessary Censorship (3:23 min.)</i>	
<b>1/9</b>	<b>Class Will NOT Meet: Research which censorship paper topic you want</b>	
1/11	Defining Censorship, Its Root Causes and Consequences <i>Hierarchy of Competence</i> <i>Third-Person Effect</i> <i>Morel Orel video (12 min.)</i> <i>What determines if protest is a form of censorship?</i>	Funk & Wagnalls New World Encyclopedia; Columbia Encyclopedia; Overview of Censorship
1/14	<b>PAPER TOPICS ASSIGNED</b> Philosophical Arguments Against Censorship	Philosophies on Censorship; Funk & Wagnalls New World Encyclopedia
1/16-18	Joel Feinberg’s Offense Principle <i>Penn &amp; Teller on Profanity</i>	Dirty Words and the Offense Principle

<b>1/21</b>	<b>Martin Luther King Jr. Holiday</b>	
1/23	Corporate Censorship <i>Cartoon Wars I (22 min.)</i>	Corporate Censorship: Parts I, II; SLAPP Happy; Anti-SLAPP Resource Center
1/25	Danish Cartoons <i>Cartoon Wars II (22 min.)</i>	Danish Cartoons; NewsHour: Journalists Debate The Publishing of Offensive Cartoons
<b>1/28</b>	<b>FIRST EXAM</b>	
1/30	First Amendment <i>SPLC F.A. Test</i>	Freedom of Press; Freedom of Speech; First Amendment Theories
2/1	Prior Restraint	<i>Near v. Minn.</i>
2/4	Government Regulation of Political Speech	OU Law Center: Sedition Act of 1798; Alien and Sedition Acts: Defining American Freedom; Funk & Wagnalls: Espionage Act of 1917; <i>Schenck v. U.S.</i> ; <i>Abrams v. U.S.</i>
2/6	Smith Act of 1940; Abstract Advocacy Doctrine	Smith Act of 1940; About the Smith Act Trials; <i>Brandenburg v. Ohio</i>
2/8	Dissent Post-9/11 <i>Poetic License (24 min.)</i> <i>Freedom Sings</i>	Freedom Under Fire: Dissent in Post-9/11 America; Is protest music dead?; A Brief History of Banned Music
2/11	Dissent and the Iraq War	Media & Iraq: War Coverage Analysis; <i>Frazier v. Boomsma</i> ; Oklahoma Statute
2/13	Public Forums / Time, Place and Manner Restrictions <i>Some Assembly Required (23 min.)</i>	Freedom Forum: What is the public forum doctrine? Freedom Forum: Case Summaries
2/15	Funeral Protest Laws	Funeral Protests; Oklahoma Statute; <i>McQueary v. Stumbo</i>
2/18	Flag Burning as Protest	<i>Texas v. Johnson</i> ; Implementing a Flag-Desecration Amendment; Oklahoma's Statutes
<b>2/20</b>	<b>SECOND EXAM</b>	
2/22	"Free Speech Zones" on College Campuses	<i>Papish v. Univ. of Mo. Curators</i> ; SPLC Guide to Campus "Free Speech Zones"
2/25	OSU's Policies Regarding Expression	Conduct Rights and Obligations of Student Organizations: B8-12; Extracurricular Use of University Facilities, Areas or Media for the Purpose of Expression Handout: Abbie Hoffman visits OSU

2/27	Fighting Words	<i>UWM Post, Inc. v. Bd. of Regents</i>
2/29	Hate Speech Codes	Speech Codes Issues; U.S. Dept. of Education Letter to Universities; Spotlight on Speech Codes: The State of Free Speech on Our Nation's Campuses
3/3	Hate Speech Codes at OSU	FIRE's Speech Code Rating System; OSU Policy on Racial Harassment; FIRE's Rating of OSU Policies
3/5	High School Censorship	<i>Tinker v. Des Moines Sch. Dist.</i> ; First Amendment & Public School Students; Knight Foundation Survey
3/7	High School Censorship	<i>Morse v. Frederick</i>
3/10	Banning Books in School	<i>Board of Educ. v. Pico</i>
3/12-14	Banning Books <i>Oklahoma Books on Trial</i>	ALA's Challenged and Banned Books; Banned Books Online
<b>3/17-21</b>	<b>SPRING BREAK</b>	
<b>3/24</b>	<b>FIRST STAGE OF PAPER DUE</b> Banning Books <i>Oklahoma Books on Trial</i>	ALA's Challenged and Banned Books; Banned Books Online
<b>3/26</b>	<b>THIRD EXAM</b>	
3/28	Indecency v. Obscenity	First Amendment Center: Overview on Pornography & Obscenity; Adult Entertainment and the Secondary-effects Doctrine;
3/31	Bowdler & Comstock	<i>Clean Flicks v. Soderbergh</i>
4/2	Tin Drum <i>Banned in Oklahoma (31 min.)</i>	<i>State of Okla. v. Blockbusters Video</i>
4/4	<i>Pacifica</i> and 7 Dirty Words <i>Carlin Monologue</i> <i>Monty Python</i> <i>F**K - A Documentary (90 min.)</i>	More Than Seven Dirty Words; <i>FCC v. Pacifica Found.</i>
<b>4/7</b>	<b>Work on Paper or Bonus Project: Class will <i>not</i> meet</b>	
<b>4/9</b>	<b>BONUS PROJECT DUE</b> <i>Pacifica</i> and 7 Dirty Words <i>F**K - A Documentary</i>	More Than Seven Dirty Words; <i>FCC v. Pacifica Found.</i>
4/11	FCC and Indecent Broadcasts <i>F**K - A Documentary</i>	FCC FAQ; FCC Guidelines on Broadcasting Indecency; FCC Indecency Rules Dealt Serious Blow

4/14-16	Censoring Television <i>Smothered (92 min.)</i>	New Worlds to Censor; TV Parental Guidelines; Smothers Brothers
4/18, 21, 23	Censoring Films <i>This Film Is Not Yet Rated (98 min.)</i>	<i>Joseph Burstyn, Inc. v. Wilson</i> ; Movie Ratings
<b>4/25</b>	<b>PAPERS DUE AT START OF CLASS</b> Video Game Censorship	ESRB Game Ratings; Why Courts Have Struck Down
<b>4/28</b>	<b>FINAL EXAM (2 – 3:50 p.m.)</b>	

No two groups of students are the same. Some take a particular interest in certain topics, or world and/or local events may necessitate discussions not listed in the syllabus. Therefore, I reserve the right to make changes in the syllabus to fit the needs of the class and to allow for the unscheduled arrival of guest speakers, etc.