

COMA 421

# MEDIA, ETHICS, AND THE LAW



Colin Kaepernick in 2012  
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## COURSE DESCRIPTION

This course asks what it means to be an ethical citizen, critic, and consumer amidst constantly evolving legal and media landscapes. In the course, students will explore issues of free expression and privacy, as well as an ethical responsibility that exceeds legality. Focusing on US culture and new media contexts, the class considers a wider range of historical and contemporary controversies to illuminate the complex interrelations between communication, media, law, and ethics.

## COURSE OBJECTIVES

- Establish a vocabulary for interpreting legal language and court cases
- Identify and analyze contemporary political issues and controversies
- Adopt multiple perspectives and theoretical frameworks
- Produce a research essay and accompanying public-facing criticism about a controversy, with intention to submit to a popular media outlet

## CLASS INFORMATION

Time: MWF 12:30-1:35 pm  
Location: Ingram 109

## REQUIRED MATERIALS

Articles and Book Chapter pdf's posted on Sakai; bring to class (printed or digital copy)

## INSTRUCTOR INFORMATION

Dr. Marnie Ritchie  
ritchiem@plu.edu  
Office: Ingram 129

## OFFICE HOURS

Wednesdays 2 - 5 pm in Ingram 129

Also available by appointment;  
email me

## NOTE

This is an upper division Communication course. As such, there is considerable writing and reading involved. Please come to my Office Hours if you need additional support.



“In the background you can see a Predator drone” Afghanistan, 2009  
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## ASSIGNMENTS

### *READINGS*

Readings should be done before class, and students should bring the readings to class in print or digitally.

### *ATTENDANCE*

Class attendance is required, and any student who misses more than six classes may receive an “E” for the course. Participation is essential in a class about contemporary cultural and political issues. I welcome any and all perspectives in class.

# ASSIGNMENTS (CONTINUED)

## *PARTICIPATION*

*200 points total*

### *Overall Class Participation (100 points)*

90-100 – Creative insights and questions, risked speaking in class on a regular basis, consistent evidence of preparedness, generous openness to other perspectives

80-89 – Adequate thought and effort in class participation, mostly reliable evidence of preparedness, curiosity concerning other perspectives

70-79 – Present in class but little participation, adequate preparedness, acknowledgment of differing opinions

60-69 – Absences from class that affected participation, visible unpreparedness, little acknowledgement of differing opinions

0-59 – Student interfered with peers' learning, disrespectful of class atmosphere, consistent and visible unpreparedness, consistent absences

### *Current Events (25 points)*

At the start of class, a student will present about a current event related to the reading for that day. These presentations should be 5-10 minutes in length. Do not summarize the reading. Use a contemporary example to illustrate concepts and extend the conversation. Students will sign up for these, on a "first come, first serve" basis. The open days are marked by an asterisk (\*) on the course schedule. Go with something you're interested in, i.e. games, copyright, music, etc. Teach us something we don't know.

### *Discussion Leadership (75 points)*

For this assignment, students will work in teams to teach one entire day of class. The reading will be assigned for those classes, because part of the assessment will be engagement and close reading with the text. Students will summarize the reading, engage the class in an interactive activity, and provide a list of 4-5 discussion questions to engage the class.

## *CASE STUDIES*

*60 points each, 300 points total*

There are five mini-essays that respond to prompts from Case Studies: the NFL and protest, #metoo and libel, Bin Laden's body and the press, drones and privacy/speech, and Big Data Baby. For each, students should answer the prompt in short essay format, 2-3 pages double-spaced. I invite you, in your responses, to make an argument that you want to make. You must, however, incorporate at least one concept from the course section in your response.



## ASSIGNMENTS (CONTINUED)

### *FINAL ASSIGNMENTS: PIECES OF CRITICISM*

*500 points total*

The final assignments for this course are pieces of criticism. By criticism, I mean a form of writing in which you support an original argument by intervening in a conversation. You will familiarize yourself with a recent controversy at the intersection of communication, law, media and ethics. You will then research this controversy and construct an original argument that intervenes in important public and academic conversations. What have others written about it? Who are the stakeholders? What are the questions of legality and ethicality involved? What do you believe should be done? How will you best convince others of this perspective?

The long essay assignment will be triaged: topic selection (with me), outline (100 points), peer review (25 points), and final draft (250 points).

You will also convert the long essay into a short piece of criticism (100 points) that would fit within an appropriate media outlet, i.e. a law blog, the magazine *Media Ethics*, the Establishment, etc. You will have the opportunity to present these short essays to your peers at the end of the year (25 points).



“watching over you,” modified by M. Ritchie  
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# GRADING

## Grade Breakdown:

Participation:	200 points
Case Studies:	300 points
Final Criticisms:	500 points
Point total:	1,000 points

## Explanation of Assessment:

- A** work is exemplary. It goes above and beyond expectations for assignments.
- B** work exceeds expectations for assignments.
- C** work meets expectations.
- D** work meets most expectations but falls short on some.
- E** work does not meet expectations for assigned work.

Please wait 24 hours before speaking with me about any graded assignments.  
Any grade complaints must be submitted within seven days of receiving the grade in writing.



# COURSE POLICIES

## *SELF-CARE*

Your personal well-being is essential to your performance in college. I understand that students fall behind in work, because you adjust to new responsibilities and unexpected life events. I ask that you come speak with me earlier rather than later about any felt-inability to complete assignments or any event for which you might need additional resources beyond class. I encourage you to contact the Center for Student Success, which can connect you to resources on campus like the Counseling Center, Health Center, Campus Ministry, and Center for Gender Equity. The main hub of the CSS is located on the first floor of the Mortvedt Library building. You can contact them by email ([success@plu.edu](mailto:success@plu.edu)) or phone (253-535-8870).

## *ASSIGNMENTS*

Assignments should be completed when they are due, according to the course schedule. Written work, unless otherwise specified, should be in Times New Roman, 12-pt font, double-spaced format.

## *ADD/DROP*

You are responsible for understanding the policies and procedures about add/drops, academic renewal, and similar topics found at <https://www.plu.edu/registrar/curriculum-management/>.

## *ACADEMIC INTEGRITY*

All graded work must be the original work of the student claiming credit for it, with proper credit given to outside sources via citations. Students who use unoriginal work or permit another student to use their work will receive a grade of “E” for the course. Students who are uncertain as to what constitutes plagiarism should consult with me. For more information, please see PLU’s statement on Academic Integrity: [www.plu.edu/academics/integ.html](http://www.plu.edu/academics/integ.html).

## *LAPTOPS*

I allow laptops in class, and I put considerable trust in students that you use them responsibly.

## *ACCOMMODATIONS*

Students with medically recognized and documented disabilities and who are in need of special accommodation have an obligation to notify the University of their needs. Students in need of accommodation should contact the Office of Disability Support Services (x7206). If you need course adaptations or accommodations because of a disability, if you have emergency medical information, or if you need special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible. The Office of Disability Support Services website contains more information: <https://www.plu.edu/dss/>.



## COURSE POLICIES

### *TITLE IX*

I am a mandatory reporter under Title IX. This means that if you disclose sexual misconduct, sexual harassment, or sexual assault to me related to the Pacific Lutheran University community, I must report it to Campus Safety, Students Rights and Responsibilities, Human Resources, and/or a member of the University Dispute Resolution Committee. If you would like to confidentially submit a disclosure, meaning one that does not activate Mandatory Reporting, you can do so via the following resources:

Advocacy Services in Center for Gender Equity (<https://www.plu.edu/genderequity/advocacy-services/> or 253-538-6304)

PLU Health Center (<http://www.plu.edu/health-center/> or 253-535-7337),

PLU Counseling Center (<https://www.plu.edu/counseling/> or 253-535-7206)

PLU University Pastor (<https://www.plu.edu/campus-ministry/staff/> or 253-535-7464)

### *“ALL GENDER” BATHROOMS*

There are numerous “all gender” bathrooms throughout the PLU campus available to students. There is one in Ingram Hall, located in the west hallway. More information on locations is available here: <https://www.plu.edu/gender-equity/resources/trans-and-gender-nonconforming-resources/all-gender-restrooms/>.

### *SUPPORT FOR UNDOCUMENTED STUDENTS*

If you are undocumented, PLU offers you a number of resources through the Diversity Center: <https://www.plu.edu/undocumented-students/>. You should never feel that you have to disclose your status to anyone, especially if this disclosure puts you at risk.

### *CITATIONAL ETHICS*

I am indebted to Joanne Lisosky for her considerable insights about teaching media law.

# COURSE SCHEDULE (1)

Note: The schedule is subject to change.

Date	Topic	Readings	Assignments
W 09/05	Introduction to Ethical Perspectives: Good Society Exercise	---	---
<b>ETHICS &gt; THE LAW</b>			
F 09/07	Ethics and the Law	Friedrich Nietzsche, “‘Guilt,’ ‘Bad Conscience,’ and Related Matters,” from <i>Genealogy of Morals</i>	---
M 09/10	First Amendment Theories	---	---
W 9/12	Feminist Media Ethics	Linda Steiner, “Feminist Ethics and Global Media,” from <i>The Handbook of Global Communication and Media Ethics</i>	---
F 09/14	Ambivalence / Discussion of Final Assignment	Wendy Brown, “Tolerance as a Discourse of Depoliticization,” from <i>Regulating Aversion</i>	---
<b>FREEDOM AND JUSTICE</b>			
M 09/17	The Justice System*	Angela Davis, “Abolition Democracy,” from <i>Abolition Democracy</i>	<b>Case Study 1 (NFL Protest) Assigned</b>
W 09/19	Protest and Assembly*	Watch: ESPN, “Nate Boyer on Suggesting Colin Kaepernick Kneel” (6 mins)	---
F 09/21	Academic Expression* <b>(Discussion Leaders)</b>	John K. Wilson, “The Myth of Political Correctness,” from <i>The Myth of Political Correctness</i>  Listen: “Campus Speech,” Unmuzzled Podcast (36 mins)	---
M 09/24	The Right to Privacy*	---	<b>Assignment Due: Case Study 1</b>
W 09/26	#metoo and Libel*	Joanne Sweeney, “Can You Be Sued for Sharing Your #metoo Story?”; Noah Feldman, “Trump Said Libel Laws Should Change”	<b>Case Study 2 (#metoo and Libel) Assigned</b>
F 09/28	Regulating Speech*	Judith Butler, “Burning Acts, Injurious Speech,” from <i>Excitable Speech</i>	<b>Assignment Due: Topic Selection</b>
M 10/01	Ecologies of Harassment <b>(Discussion Leaders)</b>	Whitney Phillips, “The Lulz Are Dead, Long Live the Lulz” and “Where Do We Go From Here,” from <i>This is Why We Can't Have Nice Things</i>	

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# COURSE SCHEDULE (2)

WITNESSING			
W 10/03	FOIA	---	<b>Assignment Due: Case Study 2</b>
F 10/05	Free Press and Fair Trial*	Marjorie Cohn and David Dow, “The Simpson Legacy,” from <i>Cameras in the Courtroom</i>	<b>Case Study 3 (Bin Laden Body Photo) Assigned</b>
M 10/08	<b>No Class: Senate Debate</b>	Please still read: Kelly Oliver, “The Necessity and Impossibility of Witnessing,” from <i>Witnessing</i>	
W 10/10	Death and Journalism <b>(Discussion Leaders)</b>	Barbie Zelizer, “Why Images of Impending Death Make Sense in the News,” from <i>About to Die</i>	---
F 10/12	Social Media Ethics* / Discussion: How to Research	“The Times Issues Social Media Guidelines for the Newsroom,” <i>NYT</i> ; Aja Romano, “The ‘Controversy’ Over Journalist Sarah Jeong Joining the New York Times”	---
M 10/15	Habeas Corpus*	Amanda L. Tyler, “Habeas Corpus Today,” from <i>Habeas Corpus in Wartime</i>	<b>Assignment Due: Case Study 3</b>
W 10/17	Virtual Reality and Drone Policy*	Nabiha Syed, “Privacy Concerns”; Watch: Nonny de la Peña, “The Future of News?”	<b>Case Study 4 (Drones and Privacy/Speech) Assigned</b>
F 10/19	<b>No Class: Fall Break</b>	---	---
M 10/22	Digital Privacy at the Border* <b>(Discussion Leaders)</b>	Rachel Hall, “Transparency Effects,” from <i>The Transparent Traveler</i> ; Olivia Solon, “US Border Agents are Doing ‘Digital Strip Searches’”	
W 10/24	Faking, Remixing, Copying* / Discussion: How to Outline	Matt Carlson, “The Reality of a Fake Image”	---
F 10/26	Objectivity <b>(Discussion Leaders)</b>	Michael Ryan, “Journalistic Ethics, Objectivity, Existential Journalism, Standpoint Epistemology, and Public Journalism”	---

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# COURSE SCHEDULE (3)

OWNERSHIP AND CONSUMPTION			
M 10/29	Broadcast Regulation and Ownership: On the FCC	Deborah L. Jaramillo, "The Federal Communications Commission," from <i>The Television Code</i>	<b>Assignment Due: Case Study 4</b>
W 10/31	Obscenity and Censorship	Matthew Bernstein, "Introduction," and Ruth Vasey, "Beyond Sex and Violence," from <i>Controlling Hollywood</i>	---
F 11/02	Big Data* / Homecoming Alums Visiting Class	Andrew Guthrie Ferguson, "Big Data's Watchful Eye," from <i>The Rise of Big Data Policing</i> ; Marc Andrejevic, "The Work that Affective Economics Does"	<b>Case Study 5 (Big Data Baby) Assigned</b>
M 11/05	Ethics of Algorithms <b>(Discussion Leaders)</b>	Safiya Umoja Noble, "Searching for Black Girls" and "Searching for Protections from Search Engines," from <i>Algorithms of Oppression</i>	---
W 11/07	<b>No Class: Professor at Conference (available by email)</b>	---	---
F 11/09	<b>No Class: Professor at Conference (available by email)</b>	---	<b>Assignment Due: Case Study 5 (email to me by end of day)</b>
M 11/12	Commercial Speech* <b>(Discussion Leaders)</b>	Rebekah L. Fox and Ann E. Burnette, "Reframing Corporations as Individuals"	---
W 11/14	Automation	Heather Suzanne Woods, "Asking More of Siri and Alexa"	---
F 11/16	Rating One Another	In-Class Viewing of "Nosedive," <i>Black Mirror</i>	<b>Assignment Due: Outline of Final Long Essay</b>
M 11/19	<b>Workshop: Writing Criticisms</b>	---	---
W-F 11/21- 11/23	<b>No Class: Thanksgiving Break</b>	---	---

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# COURSE SCHEDULE (4)

<b>COURSE WRAP-UP</b>			
M 11/26	<b>Workshop: Writing for Popular Audiences</b>	---	---
W 11/28	<b>Peer Review</b>	---	<b>Bring Draft of Long Essay to Class</b>
F 11/30	<b>Peer Review</b>	---	<b>Bring Draft of Long Essay to Class</b>
M 12/03	<b>Peer Review</b>	---	<b>Bring First Draft of Short Essay to Class</b>
W 12/05	<b>Class Presentations of Short Essays</b>	---	---
F 12/07	<b>Class Presentations of Short Essays</b>	---	<p><b>Long Final Essay Due over email: Monday, 12/10, by end of the day</b></p> <p><b>Short Final Essay Due over email: Wednesday, 12/12, by end of the day</b></p>