

Journalists' rights to political expression- Part A

(This case was prepared by University of Georgia journalism student Megan Ernst for JOUR 5170, Advanced Studies in Journalism, based on secondary sources cited below.)

In the summer of 1989, the Supreme Court decided a controversial case that dealt with abortion – *Webster v. Reproductive Health Services*. In this case, the Supreme Court ruled that the Missouri state legislature did not violate the constitution with their law restricting abortions. The statute's preamble read: "the life of each human being begins at conception," and the law included the following restrictions: public employees and facilities could not assist in or perform abortions unnecessary to save the mother's life, encouragement or counseling suggesting abortions was prohibited, and physicians were to perform viability tests on women seeking abortions after their 19th week of pregnancy.

Vicky Hendley, a Florida resident, sent a letter of protest to each of her 160 state legislators, encouraging them not to follow Missouri's example. She included a small copper coat hanger in the letter, "to make sure that the letters weren't just looked at by an aide and thrown away." Hendley completed her letters at home, and didn't identify herself by her occupation. However, Hendley was an education writer for the *Vero Beach Press-Journal*.

Discussion:

Should Hendley have refrained from sending the letters just because she is a journalist?

Did she take the proper steps to distance herself from her profession when she did send the letters?

Do journalists have to stifle their personal free speech in order to do their job?

How does Hendley's public opinion as a citizen affect her and her paper's claim to objectivity?

Journalists' rights to political expression- Part B

A *Pensacola News-Journal* reporter saw the coat hanger on a legislators desk and decided to write a story about Hendley and her letters. He called her for an interview. In the article, Hendley was identified as a reporter for the *Press-Journal*.

Hendley was surprised that her political statement got so much public attention. "That's what citizens should do," she said, "write to their legislators." She said she was acting as a citizen, acting separately from her role at the paper. Hendley's editors found out about the story and were furious.

Discussion:

Should Hendley have agreed to do the interview and identified herself as a journalist?

Once the News-Journal reporter discovered Hendley was a journalists, should his coverage of the event have changed?

What are Hendley's editors thinking?

What should they do?

Journalists' rights to political expression- Conclusion

Hendley's editors fired her. "My former employer didn't think it was ethical for me to talk to another reporter," she said, but maintained that she did not violate the company's conflict of interest policy because education was her beat, not abortion. "If it was a school issue and I wrote a letter to school board members, I think that there would have been a conflict of interest because I deal with these people on a professional basis."

Richard Wagner, the Managing Editor of the Vero Beach Press-Journal, said Hendley crossed the line when she became a news source. "It's very difficult to separate your profession from your political life when you grant interviews to other news organizations," he said. Political activity, he said, stops being personal business when it calls the newspaper's objectivity into question.

Discussion:

So, where do we draw the line?

Should journalists be allowed to publicly express their political opinion?

What if it doesn't directly interfere with their beat?

How can political expression by reporters affect the credibility of a news source?

How can we as journalists stay politically engaged without violating these fault lines of objectivity?

Sources:

<http://journalism.indiana.edu/resources/ethics/covering-politics/freedom-of-political-expression/>

http://www.oyez.org/cases/1980-1989/1988/1988_88_605