

# Introduction: The Future of Information<sup>1</sup>

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THE REASON FOR CONVENING this symposium on “the future of information” is not obscure. Everyone in this hall has lived through a revolution in the delivery, creation, and use of information. I will give you one example from my own career in journalism. When I was a reporter for the *New York Times* in the state capital bureau in Albany, New York, during the 1970s, one of the bureau’s jobs was to make sure that the legal affairs reporter back in New York City received the decisions being handed down in Albany by the New York Court of Appeals. Needless to say, the decisions were not on line, and there was no such thing as a fax machine. So whenever the court issued decisions, we would arrange for the packet of opinions to be placed on a Greyhound bus, which would then travel the 150 miles down the New York State Thruway to the Port Authority bus terminal in Manhattan. From there, it was only a short walk to the paper’s office in Times Square, where, late that afternoon or perhaps the next day, the reporter responsible for writing about the decision would get his hands on it. Now, by contrast, it goes without saying that even at the stodgy United States Supreme Court, opinions are posted on an official Web site within minutes, available for the world to read and dissect in real time.

That’s just one example, and a rather trivial one, of how the world has changed—trivial because its focus is only on how the *delivery* of information has changed—not on the more profound questions of how information is created, manipulated, used, and owned in this new information age. The topic is rich and multi-faceted. This symposium will explore it—not from all possible angles, but from several pertinent ones. Our first two presentations focus on different aspects of journalism. It’s

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<sup>1</sup>Read 9 November 2007.

an understatement to say that the new information environment presents both enormous challenges and enormous opportunities for the business of news.

One obvious question is, who is a journalist? The answer is not so obvious. One version of the reporter's shield law that Congress is now considering, to protect journalists from having to betray their confidential sources, takes a crack at an answer in a section of the bill entitled "covered person": "The term 'covered person' means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public"—if it stopped right there, the bill could be defining almost anyone with a laptop and an opinion, but here is the key phrase: "for a substantial portion of the person's livelihood or for substantial financial gain." OK—so you have to be making a living at it, kind of. Many people wonder if it will be possible in the not-too-distant future to make a living, or a corporate profit, at journalism as it was once almost universally understood. *We're All Journalists Now* is the title of one recently published book.<sup>2</sup> *American Carnival: Journalism Under Siege in an Age of New Media* is another title.<sup>3</sup> You get the drift. At the very least, we are seeing a rapid breakdown of old patterns of media dominance, a decentralization, a blurring of the line between reporter and reported upon, an environment in which every minute brings a new deadline.

Our first two speakers will enlighten us on the implications of the ways in which we are now disseminating and receiving the news. Bill Kovach is one of the most esteemed and experienced of American journalists. Former Washington bureau chief of the *New York Times*, former editor of the *Atlanta Constitution*, former head of the Nieman Fellowship program at Harvard, he has received many honors and is often turned to by senior members of the profession as the voice of authority on questions of journalistic ethics. He is founding chairman of the Committee of Concerned Journalists and is currently affiliated with the Pew Research Center in Washington as senior counselor to the Project for Excellence in Journalism.

Mark Thompson, currently chief executive of the BBC (I am condensing his many titles there) is a longtime leader of broadcast journal-

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<sup>2</sup>Scott E. Gant, *We're All Journalists Now: The Transformation of the Press and Reshaping of the Law in the Internet Age* (Free Press, 2007).

<sup>3</sup>Neil Henry, *American Carnival: Journalism Under Siege in an Age of New Media* (University of California Press, 2007).

ism in Britain and is responsible for plotting the BBC's future in the digital age, a project noted for its innovation and creativity.

Next, to present another facet of the new information world, I am very pleased to introduce Matt Stoller, who lives his life on the Web as a blogger and organizer for progressive causes. I have known Matt for quite a few years, and I can tell you that he is a visionary thinker about the power of the Web to motivate, energize, inform, and bring about change. His current site is called Open Left. I have learned a lot from Matt, and I know you will too.<sup>4</sup>

And now we get to the question: who owns all this stuff? What does the new information age mean to authors—excuse me, content producers? Who wins and who loses, and why does it matter? Jane Ginsburg, the Morton Janklow Professor of Literacy and Artistic Property Law at Columbia Law School, is a leading authority on intellectual property, both domestically and internationally. As our final speaker, she is in a perfect position to enlighten us on “the author's place in the future of copyright.”

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<sup>4</sup>This paper was not available for publication.