

Law and Policy Division – Teaching Ideas Competition

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Media law in pop culture and multimedia

Most students are traditionally apprehensive of the media law course, which has a deserved reputation as a tough one that deals with mysterious legal theory as opposed to the heavily skills-based journalism curriculum. I've tried to show how the legal concepts they are learning will directly relate to their work in editorial journalism, public relations and photography (the three "tracks" of our journalism major).

Incorporating multimedia examples from pop culture helps illustrate legal principles in a way students often find more approachable. A little laughter helps one grasp a difficult concept. And, in many cases, an example will help them better understand how these principles directly relate to their work as student journalists and, eventually, as professionals.

I have amassed a selection of videos and other multimedia tools to illustrate key legal concepts we study in Mass Media Law. They are shown during the class and discussed; they often introduce a concept more clearly than a lecture can, and a lively discussion follows in which legal principles are explored and debated. Among the staples:

Controversial speech

A recurring controversy, flag desecration, is illustrated with a video of a scene from "The West Wing" where Penn and Teller, playing themselves, burn a U.S. flag during a White House party. It opens a logical and sometimes heated (sorry!) discussion: Is this illegal? Why or why not? Why do the White House aides nearly have heart attacks as they watch the presentation? If you disagree with the current law, what is your recourse?

<https://www.youtube.com/watch?v=NymRecFWgAs>

Sometimes, emotional response occurs when students view coverage of the dedication of a statute commemorating the sprinters who were berated for their respectful protest during the 1968 Olympics. This has the added value of being a story about college students close to their own age, who met with Dr. Martin Luther King Jr. to plan their symbol-laden statement, which was much more than raised gloved fists.

<http://www.mercurynewsphoto.com/story/unveil/index.html>

Intellectual Property

Study of copyright and trademark law lends itself well to multimedia examples.

Weird Al's "Don't Download this Song" video opens the class. This is an excellent springboard for discussion of *MGM v Grokster*. Interestingly, while students usually are familiar with Weird Al (and appreciate his appearance in Mass Media Law class) they have not usually seen this video and their reaction tends to range from puzzlement to astonishment to amusement. In a recent showing, however, one student started singing along with Weird Al.

<https://www.youtube.com/watch?v=zGM8PT1eAvY>

(The video is also available for purchase on his site – weirdal.com)

The *Campbell v Acuff-Rose* Fair Use case is underscored via audio by playing significant excerpts of both Orbison's "Oh, Pretty Woman" and 2 Live Crew's "Pretty Woman" (the clean version, I always assure them). Both tunes are available in MP3 format via Amazon and/or iTunes.

Another strong visual image helps provoke discussion of fair use: the Obama "hope" image, which was the subject of a copyright infringement case and always provokes a lively discussion of fair use and the concept of building on existing ideas.

Discussion of trademark may be illustrated not only by visuals but also audio examples. Students are drawn into a guessing game to identify the roar of the MGM lion, the startup chords for Windows, signature musical lines from TV shows (such as ESPN or CNN), and even Homer Simpson's "do'h." It's an eye-opener to them that these are creations are legally protected.

Here are a few, although I have collected many others:

<http://mashable.com/2010/10/18/classic-tech-sounds/>

A Word from Prof. Colbert

Two videos from the popular *The Colbert Report* – no longer on TV, but fortunately still online – help provoke discussion of other concepts in media law. The students are typically pleased to learn from one of their pop icons.

Video of his interview with Daniel Ellsberg opens discussion about protecting sources; it also dovetails back to earlier discussion of the Pentagon Papers case. Ellsberg has also publicly commented on more recent leakers, notably Edward Snowden, and how their circumstances differ; so newer events are easily brought into the discussion.

<http://www.colbertnation.com/the-colbert-report-videos/75774/september-21-2006/daniel-ellsberg>

This video of Colbert's "The Word" illustrates the role of the FCC in regulating broadcast content. It always provokes a laugh from the class, but also frames good discussion of the FCC and our expectations of media content.

<http://thecolbertreport.cc.com/videos/zcqswd/the-word---f--k>

To further spoof a spoof, this Move On take on Colbert called "Stop the Falsiness" illustrates parody – as well as the difficulty some people have in recognizing parody. As a bonus, this video also raises discussion of copyright issues, because Viacom sued to stop its distribution, claiming it went beyond Fair Use.

<https://www.youtube.com/watch?v=sNHqX27hlz8>

The objective, in each case, is to help students relate to sometimes thorny issues of media law. These can introduce difficult concepts, and they can also illustrate how legal rulings are implemented and, especially, how they protect people who create for a living (such as writers and photographers and designers). Because many of these are familiar characters, students instantly relate to them, even if they are seeing or hearing something new, or regarding it in a new way. Further, use of multimedia is a good way to help communicate information to visual learners and audio learners.

Finally, to wrap up a great session of Media Law, consider calling on Rev. Billy's orchestra singing the First Amendment:

https://www.youtube.com/watch?v=S2mUzC_4QX4

(Other versions are also available).