

Late Supreme Court Justice Antonin Scalia put it bluntly. The Constitution is “not a living document,” he told a crowd at Southern Methodist University in 2013. “It’s dead, dead, dead”<sup>1</sup>. But, as much as Scalia would like to think otherwise, the Constitution didn’t die after its last signatory set down his quill, or even long after its last contributor lay cold in his grave.

“Congress shall make no law...abridging the freedom of speech”<sup>2</sup>. And so the stage was set, its players cast. The media, the show’s lead actress, was to reprise her role as a watchdog in the show of American politics. And whether she did so in the days of the printing press and newsprint demanding a magnifying glass, or in the days of Twitter and BuzzFeed and iEverything, her job is still the same.

Although our Founding Fathers were intrinsically incapable of predicting the way in which the media would infiltrate nearly every aspect of our lives, their words are very much alive. Even as news grows increasingly informal, reaching the eyes of readers from 140-character blips rather than heavily-edited, lengthy articles, it must hold fast to the freedom of the press and separation from government that it deserves.

And the freedoms of the press “do not end at the schoolhouse gate,” as the Supreme Court states in their 1969 *Tinker* decision<sup>3</sup>. New Voices USA, a project of the Student Press Law Center, is advocating for state legislation that would give student journalists clearer rights to report information of public concern— free of unwarranted censorship from school officials, as long as libelous material is not involved<sup>4</sup>. This legislation, which has gained traction in Maryland, Illinois, and New Jersey, among other states, is the crucial next step in extending the separation of the media and government beyond the Capital, and into the classroom.

How can student journalists be expected to learn with an education wanting of the freedoms they’ll have as professionals? How can they be expected to believe their government teachers who say that the Constitution is alive and well, when it doesn’t apply to the words they write?

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<sup>1</sup> Glueck, Katie. "Scalia: The Constitution Is 'dead'" *Politico*. N.p., 29 Jan. 2013. Web. 23 Feb. 2016.

<sup>2</sup> "First Amendment." *LII / Legal Information Institute*. N.p., n.d. Web. 23 Feb. 2016.

<sup>3</sup> "Tinker v. Des Moines Independent Community School Dist." *Cornell University LII / Legal Information Institute*. N.p., n.d. Web. 23 Feb. 2016.

<sup>4</sup> Peters, Jonathan. "How a New Campaign Is Trying to Strengthen the Rights of Student Journalists." *Columbia Journalism Review*. N.p., 19 Feb. 2016. Web. 23 Feb. 2016.

Sometimes, though, the media goes too far. In search of profits, views, and clicks, sensationalized headlines grace front pages and Facebook News Feeds alike. Some would argue that this is when the government should take steps toward censorship. But its only action should be to correct any misinformation with statements from its press secretary, or address any issues of libel in the courts. If it stoops any further, the results could be disastrous.

The minute a journalist, whether 17-years-old or 60, signs on to a publication, he joins the ranks of institutional watchdogs. And whether he's watching out for Watergate or county school board missteps, he has the right to keep his eyes open. For, it is when his eyes close that the government shirks its vulnerability, and begins to test the boundaries of its condition.

## Works Cited

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