

**CENTER** *for* **JUDICIAL ACCOUNTABILITY, INC. \***

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April 16, 2007

Dean Michael X. Delli Carpini  
Annenberg School for Communication  
University of Pennsylvania  
3620 Walnut Street  
Philadelphia, Pennsylvania 19104-6620

RE: Building a “Culture of Collaboration” between Academia & Activists –  
Specifically at the University of Pennsylvania’s Annenberg School for  
Communication & at Harvard University’s Shorenstein Center on the  
Press, Politics and Public Policy

Dear Dean Delli Carpini:

Thank you for your April 6<sup>th</sup> e-mail – the first and thus far the only response to my April 4<sup>th</sup> letter to President Calhoun.

Although you say you “know very little about this particular issue” – presumably meaning CJA’s public interest lawsuit against The New York Times for journalistic fraud – I believe you are under a misimpression. The issue raised by my April 4<sup>th</sup> letter to President Calhoun – as likewise by my comment at the January 14<sup>th</sup> Media Scholars’ Policy Research Review – was the willful failure of scholars and academic institutes with an expertise in media, media law, and the First Amendment to engage in “any dialog, any input, any thought” with us about three law review articles propounding recommendations for media reform and accountability or about our lawsuit implementing those recommendations. Such is antithetical to the “culture of collaboration” about which President Calhoun spoke at the January 11<sup>th</sup> Media Policy Research Pre-Conference and which you echoed by your January 14<sup>th</sup> presentation at the Media Scholars’ Policy Research Review.

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\* The **Center for Judicial Accountability, Inc.** (CJA) is a national, non-partisan, non-profit citizens’ organization dedicated to ensuring that the processes of judicial selection and discipline are effective and meaningful – a goal which cannot be achieved without honest scholarship and a press discharging its First Amendment responsibilities.

You do not say that you read any of my extensive correspondence with these scholars and academic institutes, posted on our website, [www.judgewatch.org](http://www.judgewatch.org), accessible *via* our “[Suing The New York Times](#)” webpage. Did you? And do you believe that this correspondence could simply be ignored – without any response whatever, as virtually all of it was, or that to the limited extent there were responses, these were appropriate?

While I appreciate that you turned to several communication law professors for help, you do not indicate whether the reason they were familiar with the lawsuit was because they were among the professors to whom I had written. If so, what explanation did they give for not responding to my correspondence? Why were they unwilling to share with me the opinions they shared with you, namely, that “they did not find enough merit in it nor chance of success”. Did they not feel that we – the activists – would benefit from their insight – and adjust our strategy accordingly? Wouldn’t this have been an appropriate partnering? Likewise, was it not apparent from my correspondence that CJA has powerful “in-the-trenches” experience and expertise from which these professors might also benefit, including by reassessing their opinions? Isn’t this, too, an appropriate partnering?

In your January 14<sup>th</sup> presentation, you identified that scholars “collect, analyze, and archive data”. What data did these communication law professors collect and analyze pertaining to our lawsuit? Wouldn’t such collection and analysis have compelled their interaction with us? And what about the other scholarly function you identified of “summariz[ing] and transl[ate] existing research”. Have these scholars written on the three law review articles on which our lawsuit draws or familiarized themselves with the scholarship of others pertaining to the recommendations of these articles that our lawsuit implements?

I have many questions for the communication law professors about the factual and legal bases for the opinions they expressed to you. First and foremost, their views of the recommendations of the three law review articles and of how our lawsuit has interpreted and applied them. Additionally, whether they examined the record of the lawsuit, fully posted on our website. Did they not see that [The Times](#) and the lower court judge were unable to confront the facts, law, and constitutional arguments which we presented – including with respect to our journalistic fraud cause of action? Such record empirically establishes the “merit” of the lawsuit and its guaranteed “success” in any appellate process adhering to fundamental adjudicative standards.

I would, therefore, appreciate your providing me with the names of the several communication law professors you consulted. Until the foregoing questions are answered by them, preferably by direct dialog with us, I also ask that you reconsider your “genuine sense that the issue is NOT one of academics being unwilling to partner with the activist community”. Certainly, if the opinions they stated to you are in good faith, the professors should be more than willing to engage with us directly, rather than with you – and especially as you admit to knowing very little because you are “neither a communication lawyer nor a specialist in this area”. Indeed, I do not understand the basis of your surmise that academia had made a “more reasoned and informed decision that [the lawsuit] was not an approach they felt was likely to be fruitful” when you have NOT indicated that they gave you ANY “reason[ing]” or other information to substantiate their bald opinions that they “did not find enough merit in [the lawsuit] nor chance of success”.

Finally, I note from your impressive faculty profile on the University of Pennsylvania's website that your expertise is in political science and that your academic research:

“explores the role of the citizen in American politics, with particular emphasis on the impact of the mass media on public opinion, political knowledge and political participation.”

If you read the verified complaint in the lawsuit you know that it chronicles how The Times deliberately crushes the “role of the citizen in American politics” by knowingly false and misleading reporting and editorializing, perpetuating systemic governmental corruption involving the processes of judicial selection and discipline and constituting election-rigging for the complicit public officers. Did you read the verified complaint and review its annexed exhibits? If so, why have you not embraced such comprehensive, summarizing document and the mountain of primary source documentary evidence on which it rests for purposes of your scholarship? Certainly, from the first side of the double-sided handout I gave you when we spoke together at the conclusion of the January 14<sup>th</sup> Media Scholars' Policy Research Review – the same handout to which I referred in my audience comment and to which my April 4<sup>th</sup> letter to President Calhoun refers and quotes – you would have seen that it not only highlighted the political dimension of our Times lawsuit, involving its election-rigging, but the election-rigging of other media – including blogs – cumulatively resulting in the non-competitive 2006 electoral races for New York's highest public offices and the skewing and subverting of the 2008 presidential race. Where is the scholarship about what has been happening?

My correspondence with the “big-name institutions of media scholarship and training”: Project for Excellence in Journalism, Shorenstein Center on the Press, Politics and Public Policy at Harvard University, Nieman Foundation for Journalism at Harvard University, and Columbia University Graduate School of Journalism – each cited in the handout and in my letter to President Calhoun – as well as my correspondence with other entities of research and pedagogy, all posted on our website<sup>1</sup> – describe a situation of media misfeasance catastrophic to our democracy, the rule of law, and citizenship. Yet all have either ignored my entreaties for scholarship and public discourse or engaged in dishonest pretenses. This includes scholarship by political scientists.

Consequently, I take this opportunity to expressly request that you lead the way in bringing into scholarship and public discourse CJA's goldmine of primary source documentary evidence, such as posted on our webpages “Elections 2006: Informing the Voters” and “Press Suppression”, each establishing a reality of press performance diametrically opposite to that touted by the media and the institutes of media scholarship and teaching. To that end, please advise how we can most effectively build a “culture of collaboration” with you and the other scholars at the Annenberg School for Communication and at its related centers and projects, including the Annenberg Public Policy Center and the Institute for Public Service.

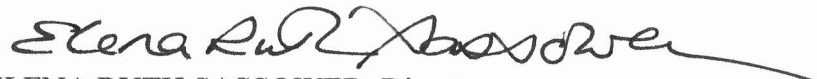
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<sup>1</sup> These include Syracuse University's Institute for the Study of the Judiciary, Politics, and the Media and New York Law School's Program in Law and Journalism.

Finally, inasmuch as the Shorenstein Center website indicates that you are among the current recipients of Carnegie-Knight Research Grants, I request that you make known to the other grant recipients that the primary source documents on CJA "Elections 2006: Informing the Voters" and "Press Suppression" webpages would benefit many of their projects. Indeed, since you are a former Shorenstein Fellow, I would appreciate if you would similarly so-apprise the current Shorenstein Fellows, whose research would also benefit from such documentary evidence. Perhaps, too, you would serve as liaison for us to the Shorenstein Center, to whose director and faculty we directed correspondence seeking scholarship, to which they have not responded.

Thank you.

Yours for a quality judiciary,  
responsible journalism,  
& evidence-based scholarship,

A handwritten signature in black ink, reading "Elena Ruth Sassower". The signature is written in a cursive style and extends to the right with a long, thin tail.

ELENA RUTH SASSOWER, Director  
Center for Judicial Accountability, Inc. (CJA)