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## Editor's Note

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Welcome to the third and final Issue of the sixty-third Volume of the *Federal Communications Law Journal*, the nation's premier communications law journal and the official journal of the Federal Communications Bar Association. The *Journal* staff is excited to present the Articles and Notes included in this Issue.

The Issue begins with a speech given by Dean Erwin Chemerinsky on the Roberts Court and freedom of speech. His speech was delivered in December 2010 as part of the FCBA's Distinguished Speaker Series, and we are excited to publish an edited version of the speech in the *Journal*. Dean Chemerinsky gives his perspective on the Supreme Court's decisions over the past couple years, including in the case, *Citizens United v. Federal Election Commission*. In highlighting the most important speech-related cases of the Roberts Court, Dean Chemerinsky gives his view of the direction in which the Court can be expected to head in the years to come.

Next, Barbara Cherry, professor of telecommunications at Indiana University – Bloomington, offers additional insight on the *Citizens United* Supreme Court case. Professor Cherry notes the Court's radical departure in that case from its approach to political speech in the past. She ties this into a discussion of the FCC's classification of broadband Internet access services as an information service, and draws comparisons between the decisions of the Court and the FCC and the impact of the two on the free speech rights of corporations.

In the following Article, T. Randolph Beard, George S. Ford, Lawrence J. Spiwak, and Michael Stern provide a policy analysis of the additional 500MHz of spectrum promised by the *National Broadband Plan*, and the effect of the allocation of that spectrum. Through their analysis, the Authors focus on incumbent-exclusion rules and provide potentially counterintuitive predictions as to the impact of such rules on prices and consumer welfare in the United States.

In the next Article, Jonathan Peters, attorney and Ph.D. candidate, discusses WikiLeaks and the issue of whether or not WikiLeaks would be able to claim a federal reporters' privilege if compelled to disclose a source. Mr. Peters provides an analysis of WikiLeaks, comparing the site to definitions of journalism and investigative reporting, and also discusses the congressional attempts at passing a federal shield law, before concluding that WikiLeaks would not qualify for such a privilege.

The Issue then turns to our Notes, written by third-year members of the *Journal* staff. The first Note is by Jessica Bauml and focuses on Internet censorship in China, and the response to such censorship by U.S.-based Internet Content Providers. She provides analysis of Internet freedom in China and offers a view of how such freedom is likely to progress going forward. Next, Caridad Austin discusses the issue of diversity in the media and the necessary steps to including more minorities in the audiences. She calls for more regulation from the FCC in order to better meet the needs of the communities served by broadcasters.

Finally, the issue concludes with a Book Review by Enrique Armijo, communications and media law attorney, of Lee Bollinger's book: *Uninhibited, Robust, and Wide-Open: A Free Press for a New Century*. The book discusses the need for reconceptualizing free press, and Mr. Armijo points out aspects of Mr. Bollinger's argument that would seem to overlook the influences of context and history on media law.

The Editorial Board would like to thank all of the authors for their contributions and cooperation throughout the editing process. We would also like to thank the Federal Communications Bar Association for its continued support and guidance throughout the production of this Volume of the *Journal*. Finally, we would like to thank the editors and staff of the *Journal* who worked diligently over this past year to produce Volume 63, and without whom the *Journal's* continued success would simply not be possible.

The *Journal* is committed to providing its readership with wide-reaching coverage of interesting and important communications topics, and we sincerely appreciate the continued support of contributors and readers alike. We welcome any questions or comments you might have about this Issue, this Volume, or our future issues, and they can be sent to [fclj@indiana.edu](mailto:fclj@indiana.edu). Submissions for consideration in our next Volume should be sent to [fcljsae@indiana.edu](mailto:fcljsae@indiana.edu). Finally, this Issue and past issues can be accessed at <http://law.indiana.edu/fclj>.

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