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**VIOLENCE** PANEL: ROUND TABLE DISCUSSION: **VIOLENCE** IN THE MEDIA \*

\* Transcript of the roundtable discussion given on March 9, 1995, at the Kansas Journal of Law & Public Policy Symposium entitled, "The Impact of the Mass Media Revolution."

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**TEXT:**

[\*39] **Mr. Gusewelle:**

We are joined this afternoon by two new participants in the discussion. I am pleased to introduce Eleanor Acheson, who is currently assistant U.S. Attorney General for Policy Development in the Department of Justice. She graduated from Wellesley College and received her law degree from the National Law Center at George Washington University. Before her appointment to national service, she was active as an attorney in many pro bono services representing women and minorities. She served on several committees of the Boston Bar Association and has been deeply concerned with issues of achieving representation for the under-represented in our society. She brings a different perspective to this discussion than we have had in the morning session. She is now responsible for helping to define and implement new policies regarding crime, welfare reform, access to justice, and media **violence**.

The other participant, Dr. John Murray, is Director of the School of Family Studies and Human Services at Kansas State University. For thirty years, he has been researching, teaching, and writing about issues of children, youth, and families. His publications

are many. Among them, as standards in the field of interest, are **Television and Youth: Twenty-Five Years of Research and Controversy**<sup>n1</sup> and *Big World, Small Screen: The Role of **Television** in American Society*.<sup>n2</sup> In the late 1960s and early 1970s, Dr. Murray served as research coordinator for the Surgeon General's Scientific Advisory Committee on **Television** and Social Behavior at the National Institute of Mental Health resulting in the first Surgeon General's report on **television** and **violence**.

You have already met the other participants in the discussion. They are Mr. David Kopel, Professor Okianer Dark, and Professor John Wright. Welcome to you all.

I would like to address a question to Mr. Kopel. I, like you, am a bit troubled by the shotgun nature of the term "the media" because the media are many faced. They range from, I suppose, pornographic magazines to *War and Peace*. The printed word being a medium of mass communication, it would be well for the [\*40] media to restrain themselves in giving details of violent crime. I am curious to know how sensible guidelines would be drawn.

You said specifically that car-jackings had been celebrated greatly in the press. We have not had so many car-jackings in the Kansas City area, but we had a rash of bump-and-robbs where people bumped a car from behind. When the victim of the bumping got out to investigate and to speak to the other driver, the bumpee was robbed. *The Kansas City Star* reported each of these. It seems that one of the functions of the news is to provide people with information that will be of use in the conduct of their own lives. It seemed to me that by warning people that this could happen to them and by suggesting how they respond to it as a potential victim, we were giving people useful information. How do you avoid these issues?

**Mr. Kopel:**

I think you can make two steps. I think that you are right that the media often do provide useful information. What you want to do is provide useful information to the good folks, while not providing useful information to the criminals.

First of all, I suggest that when there is an assassination of a movie star or a presidential candidate, the media could voluntarily report every detail they currently report about it, with the exception that they would not say the criminal's name. Obviously the name would not be a secret. The criminal would be prosecuted and his name is a matter of public record, but he would not get the immense publicity value. For example, a person shoots President Reagan on one day, and the next day he is the third most famous person in the United States. The media should just leave out the person's name.

Second of all, in terms of reporting crimes in a way so that it does not become a facilitator to crimes, so that criminals learn new techniques, the media should go ahead and report novel crimes in the media's home area. But if there are novel types of crime appearing in distant geographic locations, there might be something to be said for not necessarily reporting in detail so that the local criminals do not get new ideas.

**Professor Wright:**

I think that is an interesting idea just to suppress the gratification, if any, that you imagine that a person gets from a violent crime. On the other hand, look at what the

media do when they do not know the name. They give a nickname, they invent a name, or they can call him the "X" killer. Then the individual gets just as much gratification by revealing selectively to a few others, or just by knowing in his heart that he is the "X" killer. So I think that you really cannot expect a miracle from that particular bullet because it will not solve the problem.

**Mr. Gusewelle:**

In the real world, is it conceivable that we would have reported the assassination of John Kennedy without naming Lee Harvey Oswald? Is that imaginable even?

**Mr. Kopel:**

I think it is. Not in the short term, not tomorrow, but the media has moved pretty dramatically in the last forty years for how it treats people of color. It would have been inconceivable in 1955 that you would have **television** shows like you do in 1995, where you have mixed-race married couples leading normal, happy lives. You might as well have suggested that you brainwash children with communist propaganda. That would have been the theory back in 1955. The paradigm has shifted.

I do not have any hope for it happening tomorrow, but perhaps in the long run. As for the assassin who we now know as the Reagan assassin, maybe the media could even be a little more restrained and not give him some neat nickname like the "Zebra Killer" or whatever.

**Professor Wright:**

Or Deepthroat . . . .

**Mr. Kopel:**

Right. He is going to be in prison anyway, and he will know who did it. I do not think it is going to stop every single assassination, but if it saves one life, is it worth it? Yes, it is, as long as you do not pay some other cost in terms of reduced freedom or something else. I do not think it is really important for most people to know the person's actual name. I think they would be interested in knowing that Reagan's assassin is a drifter from Colorado. But in terms of knowing that his name was John Hinckley versus Ed Smith, I do not think it matters to most folks.

**Mr. Gusewelle:**

Because she has not been heard from, I would like to ask Ms. Acheson to what degree, in your experience and judgment and in your research, do you think the media are responsible for the pandemic of **violence**?

**Ms. Acheson:**

Well, it goes to the heart of a lot of criticism that has been aimed at the Attorney General for her outspokenness on this subject. First of all, I should say that many people ask why the Department of Justice is involved with this issue. Many people think that if it has to do with **violence**, it must involve violations of law or something that the Department of Justice has jurisdiction over. In fact, as you heard from the Commissioner of the FCC yesterday, the FCC is the only federal agency with

jurisdiction over [\*41] the airwaves and jurisdiction over the content of the airwaves, if you are talking about **television violence**.

Second of all, the Justice Department is thought to be, if anything, as a player in this thing, the defender of complete freedom under the First Amendment. Therefore, why is the Attorney General weighing in, apparently to some, on the other side?

Third of all, we are obviously not any kind of scientific body at all. Therefore, we do not purport to reach our own conclusions based on data or statistics or any primary resource about whether or not **violence** in the media causes, resonates, or correlates with other things to cause **violence** on the street. I think, as Professor Wright said earlier, we do rely very much on the accumulated body of first-rate studies.

So what is the Attorney General doing in this? What conclusions have we drawn? As a sort of social proposition, we have drawn the conclusion that **violence** in **television** and other electronic media certainly does encourage and foster additional **violence** or violent behavior. That seems to be demonstrated. What should the Attorney General do about it? As I said before, we do not have jurisdiction to force anybody to do anything, and we do not want to have that jurisdiction. One of the messages that the Attorney General has put across from the beginning of her involvement with this debate is that she is not calling for legislation and that she is not calling for regulation or enforcement by the FCC or anybody else. She has been asked to do so on many occasions. There are a lot of legislators, including our own former Appropriations Chairman, Senator Hollings, who were very keen on her supporting a number of pieces of legislation, including his legislation for the establishment of so-called "safe harbors." She has tried to be very clear that that is not what she is calling for. She has tried to be very clear that she is not in any way laboring under the illusion that what happens on **television** is anything like the kind of a problem that is happening on the street and involving, to their terminal detriment in too many occasions, a lot of Americans of different classes, races, income groups, and educational achievement. She understands that her responsibility is primarily to deal with that kind of **violence**.

Having said all that, I would like to sum up what her interest and what the President's interest in all of this is. Their interests are well-illustrated by a story told to me by a fellow at a conference like this. He is on the board of NBC; he is a practicing lawyer in New York City; and he does a lot of corporate representation, including the representation of many newspapers and **television** and radio stations. He used to go to board meetings at NBC and complain about the reporting of exit polling. He did this for years before they almost effectively stopped doing it. Everybody said to him, "But the First Amendment, the First Amendment, the First Amendment, the First Amendment." It seems to me, as far as the bad stuff that is on **television**, that he summed it up by turning to the head of NBC and saying to him, "Look, the First Amendment allows you to do it. It doesn't make you do it."

What the President and the Attorney General have really tried to call for is far more comprehensive, responsible behavior by the electronic media, the **television** people, the network people, the cable people, and the movie people because they have all of the power in this whole deal. Now that balance of power is changing, and as Professor Wright also said, there is quite a movement afoot in the land to change the balance of power by educating people about what is on the media and by getting them to be alert to it. There is also interest in advocacy groups in providing material that says, "If you are a Methodist who lives in Nebraska and you raise sheep dogs, then that relates

to issues that you are interested in watching on **television**. But if you do not want to see anything about certain other topics, you can find out what programs you do not want to be watching." Virtually every church group, every interest group, and every political group is now advising their members and their contributors about what is on **television** that is bad for them, or probably not consistent with their interests, and what is on **television** that is good for them. All of that is great. It seems to me that it is really terrific.

So there is a beginning of a power shift here, because that affects the market, that affects how people watch **television**, and that affects what they put on **television**. But still, there is a massive amount of power and control in the hands of the people who own the outlets, who write the programs, and who direct the shows. All that the Attorney General and the President are trying to do, and we saw it most recently in the *State of the Union Address*, is to call on them to be more responsible and attentive to what they do put on **television**, and to essentially educate themselves about what it is they are doing. I think all of them are doing a better job at that and are getting to be part of the solution. Let them remain totally free [\*42] to be part of the problem, but to balance it out at the very least by being part of the solution. We see the beginning of that, too. There is a massive amount of public service announcements on **television**. With respect to program content, there are advisories, there are ratings, and there are viewer discretion comments. You see a lot more put out by the broadcasters about what a program is really about, what a movie is about, and what a show is about. You see all these public service announcements, such as *The More You Know* on NBC, which really came out in response to Senator Simon's pressure for **television** to be more responsible. Now everybody else is trying to do better public service announcements that are consistent about drugs, consistent about **violence**, consistent about guns, and consistent about all sorts of things that kids can get involved with and get them into trouble. There are irrefutable data that these combinations of things take kids into crime and into **violence**.

This last year we have seen on PBS, and also on the broadcast channels and on some of the cable channels, a lot of hour-long programs on youth and **violence** that you never would have seen a couple of years ago. People like Peter Jennings have really led the way in long programs and popular programs. The programs have been aimed at the popular viewing audience and have concerned such topics such as AIDS and HIV and other sexually transmitted diseases. So **television** can be tremendously informative and valuable in addressing social problems. Many of us have said, "Gee, you seem to be exacerbating this problem," and we are trying to get them to use the same vast power to ameliorate them.

There is something else we have talked about doing. Given that the cost of getting on the air is decreasing instead of increasing and given the multiplicity of channels and the ways we have to communicate, we should think seriously about getting the private sector involved with using **television** much more aggressively to educate. People who are at home, or are confined because of physical disability, can get their high school equivalency and can go to college on **television**. There can be serious job training available on **television** at home so that people can learn how to type, so that they can learn how to use computers at home, so that they can learn light industrial and other kinds of manufacturing skills. Education could happen in the home for people who are responsible for young children or elderly people. Education could happen not just in the home, but in other places where large numbers of people could be taught. A lot of this is done usually by video, but almost everything is going to be

able to be a means of visual communication. It provides a tremendous resource for the good.

That is an overview on the Department of Justice's perspective. I realize that it goes way beyond the answer to your question, but it shows where the Department of Justice stands.

**Professor Murray:**

That adds new dimension to the concept of TV dinners.

**Ms. Acheson:**

Right, exactly.

**Mr. Gusewelle:**

Dr. Murray is in the peculiar position of a man participating in a panel discussion on the very subject about which he will deliver his keynote lecture at the conclusion of the panel discussion, but I would like to ask him, just in condensed form, to fold in some of his core ideas, so we can have that to work with.

**Professor Murray:**

John Wright has already spoken to that issue, but we will talk later about the evidence for and against these issues. Let us, for the moment, assume that we have a fair body of information that suggests **television violence** does lead to increases in aggressive behavior or changes in attitudes and values about aggression.

As we came in, someone was handing out a leaflet that I wrote, an opinion piece about **television violence**. I will stand by that for now, but let us ask for a moment, what can be done? We can discuss that in more detail later, but in my view there are three principles that deal with the issue of media **violence**. Mostly I am thinking about **television violence**, but the same applies to film **violence**. Really what we are dealing with here is **television** broadcast, cable, or video **violence**. The first level is at the family or personal level; the second level is at the community, institutional, or educational structure level; and the third level is a policy, regulatory, or voluntary approach.

The first level, the personal or family level, revolves around educating parents about these issues, what social scientists know or feel is a reasonable interpretation of the risks involved, and what the consequences are of watching "X" amount of **violence**. We do know that there is a fair amount of **violence** on **television**. Over the past twenty-five years, the studies that have done content analyses of **television** show that on average there are five violent acts committed during every hour of prime time **television** and twenty to twenty-five violent acts during every hour of Saturday morning children's programming.

So, starting with that base, you want to talk to parents about that and give them some helps and hints and ways of dealing with that right in their home. There are things that any parent can do. We have already talked about co-viewing, which is sitting down and watching **television** with your youngster. You talk about the **violence** that they see on **television**, and you talk about how it is faked. Very young children need to know that the **violence** is make-believe. You discuss what

would happen if you ever did something like that and how people would be hurt. There are various books, [\*43] pamphlets, and programs offered by churches, schools, and libraries that get parents involved in thinking about that and dealing directly with children watching **television**.

The second level, the community and educational level, would focus on building into the educational establishment a reason for thinking about critical viewing skills. It would incorporate the critical viewing skills of programs into the regular curriculum from kindergarten through high school or college. There are courses and outlines already developed. There are some packaged programs that deal with those very effectively. They have been in process for the past ten or fifteen years, so some of them are really quite sophisticated and useful.

Getting these programs into the school system is a little more difficult because schools will say, "We have got so much in the school system. This is just another add-on. Do we really need to deal with this issue?" I would say that it is more than just an add-on. Through critical viewing skills, it is a way of getting students to think about how to budget their life and their time and how to use a very important component of their information-gathering existence: the **television**. Schools spend a lot of time teaching about newspapers, and how to read a newspaper, and what it means to have a story that is above the fold and below the fold. Our children are getting educational newspapers weekly. A lot of time is spent teaching them how to read and understand newspapers. Why not pay the same sort of attention to **television**, which takes up a far greater proportion of a first grader's time than *The Kansas City Star*, I am sorry to say.

Then the third level is the policy, regulatory, or voluntary approach. We have several examples of successful and not so successful policies that have already been implemented. The Children's **Television** Act of 1990 is one example of a successful start.<sup>n3</sup> Whether it gets fully implemented or whether it leads to significant changes remains to be seen. But, the Children's **Television** Act of 1990 actually started as the Children's **Television** Act of 1983, 1984, 1985, 1986, and 1987. The Act was allowed to pass into law without a presidential signature when President Bush allowed the bill to sit on his desk for ten days while Congress was in session. As you can see, this was a very sensitive issue that had bipartisan support and caused some problems because it was a re-regulation of the **television** industry in the area of children's programming. The Children's **Television** Act of 1990 reinstates some limits on advertising on Saturday morning and children's afternoon programming. It calls for the FCC to review a station's commitment to educational programming for children at the time of each station's license renewal. We have already heard that when that Act went into effect in 1991, the first stations coming up for license renewal submitted interesting selections of programs that they proposed would meet the broad educational objectives of the Act. Eight stations in Ohio and Michigan had their licenses impounded while they went back to think about what they were submitting in the children's broadcasting area. They had submitted *Teenage Mutant Ninja Turtles*, and the explanation for that was that the show teaches children the value of working together. They submitted *The Jetsons* because it teaches children about what life is going to be like in the twenty-first century.

If the Act were to be taken seriously, it would require a little more fiddling from the FCC. The fiddling that is being considered is putting some quantitative requirements on educational programming. Right now the Act simply says, "Tell us what good things you have done for children in the educational area." Most **television** stations,

as John Wright and others have said, have stopped using *The Jetsons*. But, they have used a lot of public service announcements (PSAs). Those are easy to drop in, such as a short, noncontroversial piece such as: "Eat spinach." They are small segments. On the Weather Channel, for example, a *Weather History Quiz* suddenly falls into that category of educational programming for children. That is not what the congressional framers of the Act had originally envisioned. It was thought that the Act would actually produce some new **television** series for children that were both entertaining and educational. Now the FCC is still pondering whether they are going to come back and put some quantitative and time restraint limits on children's broadcasting. One proposal that is floating around is that every station must broadcast an hour per day of educational programming for children, and that hour should be during the three o'clock to five o'clock time slot. The FCC can do that. They cannot get into content regulation, but they can get into broad service regulation.

So there is that kind of regulatory activity that might be contemplated. Other kinds of regulatory activity take us farther afield. Let me give a little background as to why they would go farther afield. People often ask, "Why does Saturday morning **television** have twenty-five acts of **violence** per hour as opposed to five in prime time? What is going on?" Well, everyone knows [\*44] what is going on -- it is cartoon **violence**. It is fast animation, fastpaced programming. The reason that there are so many violent encounters during that time period is because advertisers are supporting the program. This is the "corn flake" theory of **violence** on **television**. It is not a terribly flaky theory. The reason there is so much **violence** on **television** is advertising. Saturday morning is as violent as it is because of corporate sponsorship of programming. The link between these two is that advertisers justifiably want the highest rating and the largest possible audience they can have for the program in which they advertise, in order to get a return on their investment. Given that, when they talk about "child audience," they are not talking about three year olds, six year olds, or eight year olds, they are talking about the whole child audience. For broadcasters, the whole child audience ranges in age from one and a half to twelve years of age. Now think for a moment what kind of programming would appeal to a two year old and would also appeal to a twelve year old. The only thing that will hold the attention of a two year old and a twelve year old is fast action.

*Sesame Street* is a good example of a program that is designed to hold attention to the screen and was built from the beginning on the principles of keeping maximum attention to the screen by keeping the pace lively. That has been a criticism of *Sesame Street* from time to time as well, whatever the merits of that are, which I do not think are much. *Sesame Street* and other programs twiddle with the pace and the scene changes, the cuts, the pans, and the zooms. This keeps things moving along and keeps children's attention, because you want to have them looking at the program in order to learn something. That same principle applies to Saturday morning programming in general. If you want to have a two year old and a twelve year old both looking at the screen so they do not miss the commercial that sneaks in every few minutes or so, you have to have a very fast-paced program. The easiest way to have a fast-paced program is to have a chase scene or a fight scene. So most of the fast-paced animation on Saturday morning is violent animation. Hence, Saturday morning looks the way it does -- twenty to thirty violent acts per hour.

How would you change that? You can make appeals to reduce the level of **violence** on Saturday morning. There have been times when that has been successful. But another way to reduce the level is to break the connection between advertising and programming by suggesting, for example, that all advertising be



removed from children's programming. Under that scenario, corporations would move from advertising for corporate income to sponsorship in its traditional sense. Advertisers could move to underwriting Saturday morning programming, while advertising the fact that they are doing so on adult programming to enhance their corporate image. Remove their advertising, solving what I call the "Snickers and sneakers" problem of selling fast food, sugar cereals, snacks, and very expensive shoes. That may sound like a radical move, but legislation could be introduced that would do that. Canada produced that kind of legislation and removed all advertising on programs directed to anyone under thirteen years of age. That legislation survived a Supreme Court challenge in Canada.

As long ago as 1978, the Federal Trade Commission studied the effect advertising has on children and proposed removing all advertising from **television** for children under the age of six, or maybe eight. They came to the conclusion that any advertising to children under the age of six, maybe under the age of eight, but certainly under the age of four, was per se false and misleading. Young children lack the ability to weigh competing claims and make informed judgments. The FTC proposed that idea in a staff report, but then pulled it from the final report because they believed that a ban was impractical. The FTC wondered how children's **television** on Saturday morning would be supported if all advertising were removed. But, in principle all children's advertising should be removed because it violates regulations against false and misleading advertising. So that is one regulatory activity.

There are a couple of other regulatory activities that probably will take place. One, the "**violence** chip" will be in place by the end of the year. The v-chip is a simple requirement that the FCC could handle without too much difficulty. We already have the legislation from 1991 that required **television** sets to carry closed-caption decoding ability for the hearing impaired. All the new **television** sets manufactured have to carry decoding ability. According to the equipment manufacturers' estimates, it would take about ten cents more to make the chip that is already in new **television** sets capable of carrying information on decoding **violence**. Whether that will work, of course, depends upon whether anyone pays attention to it. The v-chip would allow the **television** set to recognize an electronic signal transmitted with the program. The broadcaster or producer inserts the signal that indicates the level of **violence** in the program. Parents could just program their **television** set to block any program that has **violence**. That gives parents a little more control. But, we have to remember that we live in an age where, if you wander around people's homes, you will find that most of them have VCRs that blink "12:00" because most people cannot program their VCRs. It is another matter whether the v-chip will be an effective way to program the **television**.

We are moving forward processes for conducting annual analyses of the level of **violence** on **television**. One group, funded by cable broadcasters, is Mediascope, a non-profit organization working with the cable **television** industry, to do content analyses of the level of **violence** on this year's programming and subsequent years' programming on cable systems. Another group at the University of California at Los Angeles has been funded by the four broadcast networks: ABC, CBS, NBC, and FOX, to do a similar content analysis. We are still about six months to a year away from their reports, because this is a very complicated issue, and it is the [\*45] first time that they have undertaken this type of analysis. But what we will get from these reports is a feeling for what kinds of **violence** are out there at what times of the day and in what form.

**Mr. Gusewelle:**

I do not mean this to sound defensive, but the term "**violence** in the media" uses "media" as an inclusive term. When I hear the discussion, it sounds to me as if the great opportunities of the future lie in broadcasting, and the great sins of the present lie in broadcasting, particularly broadcasting entertainment. Does that mean that the print people's hands are clean, or does that mean that they are irrelevant now in influencing human behavior?

**Professor Murray:**

That is partly my bias. I do not study newspapers; I study **television**. I think that it is true of the field that the concern has been about **television**. As a matter of fact, this whole concern has been about the impact of **television** on children at a very early age, and it does not flow over into concerns about newspapers. But certainly, adults are affected in the same way as children by media **violence**.

**Mr. Kopel:**

I think that the printed press, like the **television** broadcast evening news programs, gives people a grossly distorted understanding of the crime situation in this country. It makes people think that the crime rate is higher than it actually is. It leads people into panic. *The Denver Post* essentially caused the national glue sniffing panic back in the 1950s with a sensationalized, inaccurate story about how it was a great problem. The only reason that it then became a problem was because people began to sniff glue after the report. I think that kind of reporting leads to all sorts of terrible policy decisions. The way the media jumped into the drug panic of the late 1980s is another example.

I do not think there is any serious research which suggests that serious daily newspapers, such as *The Kansas City Star*, *The New York Times*, and *The Denver Post* have any effect in causing criminal **violence**. I think that they often hamper an appropriate response to the criminal **violence** problems. I do not, however, see this kind of imitation going on in the printed media partly because the folks who are modern criminals tend to be subliterate people who are not daily newspaper readers.

**Mr. Gusewelle:**

I sense that Professor Dark has a response to that comment.

**Professor Dark:**

No. I was listening to hear who is the criminal. But I agree, generally, that things get overstated, particularly with regard to who is the criminal. Certainly the African-American community has taken, as have a lot of communities of color, some serious hits because of the constant portrayal that every black man is out to commit a crime. For example, a person like my husband, even in his suit, cannot walk down a street without a white woman pulling her purse closer to her body because she thinks he is going to jump her any minute. That kind of thing suggests the impact that I think is coming from **television**.

**Mr. Gusewelle:**

The newspaper industry is capable, though, of what you have described as "words that wound." When I was a young man, a couple of antiquities ago, at *The Kansas City Star*, you could find phrases in our newspaper such as "silk-shirted Italian bandit." Large African-American men were routinely referred to as "strapping negroes." Of course, that was at a time when there was no minority representation at all on the staff of the paper. We are very conscious now of not only words that wound, but also words that might wound. There is a zeal about this that tends sometimes to become excessive. At my newspaper, a list of terms was circulated to journalists. It consisted mainly of words that no journalist could have used without being fired. Some of the terms were so arcane that I could not understand their meanings. We were admonished never to use the phrase "Dutch treat," on the grounds that it would be offensive to people of Dutch extraction by suggesting that Dutch people are stingy. Now that's absurd. At what point does sensitivity become some kind of craziness?

**Professor Wright:**

My father was fired from the Civil Rights Commission of Tucson, Arizona. During an interview, he was asked "Do minorities have equal employment opportunities in Tucson? For example, could a dishwasher in a restaurant get a job in City Hall?" Without thinking, my father said, "He wouldn't have a Chinaman's chance." It is hard to be a white liberal.

[\*46] **Professor Dark:**

Of course, part of the problem is that it is hard to be an American and not have a whole catalog of words that wound at our disposal. We and our children are constantly fed those words from the very beginning. So how do we become educated or sensitized, so that we slow down our thought processes and think about what we say?

I can think of words for which I can find no value, or reason, for their existence. For example, the word "nigger." How is that word used; what is it meant for? What is the purpose, the design, behind it? That is really the point about these words. What are you trying to accomplish when you use the words? If your point is to degrade, or oppress, and basically communicate that one is not a member of the community, then that is one type of language. If your point is to talk about the way these words communicate the attitudes of people at a particular time and to chart progress, then that seems to me a little different.

But it is not the word itself that creates the problem, but it is what is behind the use of the word. It is our context. We have to think about the particular context in which the word is used and the historical context for the word, and then we make a decision whether or not the word belongs in the category of words that wound. But what happens now with the First Amendment is that we do not even get a chance to have that evaluation, because the answer is, "Do not touch it." I am saying, "Slow down, and sometimes touch it." Maybe we can figure out whether there is a safe line.

**Ms. Acheson:**

Can I go back to your question? I think there are a lot of different thoughts here and all of them are really fascinating. I thought I would throw in a few thoughts of my own.

You asked about the print media. I think it is interesting that we are talking about electronic media, **television** mostly. News programs and political debate shows are sometimes advertised on the edge of **violence**. For example, John McLaughlin carries on with his conservative line-up and his liberal line-up. As hard as those people go at personally attacking each other, they are very, very careful. Because of the way that they police those programs, you will rarely hear words that wound. They are extremely careful, much more so than the print media.

I think newspapers have been much more aggressive in both editorial policy and reporting policy, in not being "politically correct." For example, Don Feder is an editorialist for *The Boston Herald*, and the way he writes is hatemongering. In my view, that is editorial policy. The editorialist not only personally believes what he writes, but he really believes it with a vengeance and comes at it using all the words that wound. I do not think that it should be banned, but I see much more of that in print than I do in any kind of electronic news media.

Another thought that has struck me since I have been in Washington is that the electronic media, particularly CNN, have much more comprehensive and accurate information about what is going on than the print medium. I am staggered that good, hardworking reporters will go with a story about something because they have to and because it is happening. If it is not in their paper, that is a bad thing, even if it has an inaccurate set of facts about what happened. I think that the reporters are in good faith and that they think they have the correct facts. It is an interesting allocation of sources. The better and more comprehensive news gathering seems somehow to have gone to the electronic media. And, I do think that errors in the print media result in serious public confusion about some things. As Mr. Kopel said, it is true that crime is in fact going down in the United States, significantly with respect to a lot of major crimes. Yet, you certainly would not think that unless you happened to be on a mailing list for crime information. The crime rate is a good example of popular misconception.

I do think that we are in a far more serious drug situation than anybody has appropriately reported. The worst failing of the last administrations, both Republican and Democrat, has been an inability to deal with the drug issue in this country. The other factor which has to do with crime that I think a lot of the print and electronic media are focusing on now is that it is certainly very good that crime is dropping, but there are many communities in the country for which it is not dropping. For those communities, the crime rate is rising and they are becoming completely entrapped in the whole crime experience. There are communities which contribute almost 100% of the malefactors of their own community. The African-American community in this country, particularly the low income part of it, is almost entirely entrapped in a cycle of crime that is perpetrated by African-Americans on African-Americans. African-Americans perpetrate almost all the crime that they perpetrate on African-Americans, not on white people. This is rarely known and is creating closed communities. The same is true of Asian communities in this country as that community becomes bigger.

It is interesting how much more effective all media could be, particularly the print media, in communicating the real facts and the real stories than they have been in recent years.

**Professor Wright:**

First of all, I will respond with a psychologist's perspective on print versus electronic media. You have spelled out very nicely the point of view of the generator of media. From the point of view, however, of a psychologist's understanding of how children process that information, it is very clear that the harder children are working to process information, the less vulnerable they are to casual presumptive messages that assume values, that slide ideas into their heads without much critical thought. In fact, it is easier [\*47] to process electronic media's messages than print media's messages, and we all know that. It is not a big factor, but it is enough to make an impact if you are comparing print news with broadcast news. It is the broadcast news that can slip assumptions into your consciousness more effectively. I do not know what that means about the quality of the news, but I am saying that even if the messages are equal, electronic news may impact children more heavily than print news.

Second of all, some of our studies started with the same idea that John Murray offered to you about action and **violence**. Broadcasters have to have chases and fast movement, some kind of excitement, to grab the tremendously wide audience range that they need to make broadcasting to children commercially profitable. Action and **violence** become the rule that is passed on to the scriptwriters and the producers as myth. The belief is that if you ever depart from that myth, you will lose audience.

Like all myths, that is partly true, but I, along with other researchers, have sought to unscramble the myth by testing different types of shows on children. We make high action-low **violence**, low action-high **violence**, high-high, low-low shows, all with the same content. We take broadcast materials and re-edit them to make pure cases for the test audiences of the shows. Our results show that high action beats low action whether the show is violent or not.

Fast movement, such as a benign race with highly uncertain outcomes and a big prize at stake, or such as a school bus teetering on a guard rail for twenty minutes while good-minded people struggle to save the occupants, is just as gripping and just as likely to hold an audience, including a child audience, as any amount of mayhem. The broadcasters can do this. They have shown over and over that they can do it with great skill and great talent and, given a little funding, remarkably well. But what grants did the Children's Educational **Television** Act of 1990 appropriate to pilot programs for children, to enable producers with experimental ideas to get a chance? Congress is quite aware of the dangers and remembers what happened to the National Endowment for the Arts. Congress very cautiously gave two million dollars to the National Endowment for Children's **Television** for pilot programs for children. That will fund perhaps two pilots and that is the total appropriation. So, we have a long way to go on the policy and regulatory side.

Thirdly, I would like to talk about persuasion and our ability to change what happens by changing sponsorship. I would like to point out the four areas in which the casual behavior in fictional programs, especially non-violent sitcoms, has been influenced by citizens' groups.

The first area is drugs. By and large, all children's programming and a very large percentage of prime time programming have been cleared of casual drug use. It is no longer funny to put your nose down to a straw on a strip of powder on a piece of glass. It is no longer necessary to the plots. It hardly happens unless it is the focus of a documentary or it is the very explicit dramatic focus of the program. We have won a major victory by persuading producers not to show routine drug use.

Second, we have won the battle on seatbelts, just by a bunch of people getting together and saying, "It is indeed macho to put on a seatbelt. It is macho and it is smart and it is manly and it is also feminine and smart and savvy and charming to put on a seatbelt." These people do not make a fuss over it. Virtually all of the law enforcement heroes and the detective heroes put on seatbelts routinely without talking about it. That is a major turnaround in the last five years, and it was done entirely by pressure from citizens.

We have won two areas, but we have lost the third and fourth areas. We cannot get producers to show safe sex or married sex. We have not yet won on safe, respectable sex, and we have not won on guns.

**Ms. Acheson:**

We have won on cigarettes.

**Professor Wright:**

We have won on cigarettes, but that was with the aid of regulation, including industry self-regulation. We have not won on guns. Guns are still the phallic playthings of people that add glamour to their character, especially males who lack enough masculinity on their own to do it without supportive hardware. That is the psychologist's view of it. It may not be right.

To turn finally to John Murray's point about using corporate underwriting rather than advertisements, it seems to me a bold, reasonable, and possible proposal. If you look very carefully at the corporate sponsors and their reactions to threatened boycotts and to citizen complaints about violent programming, you will find that they are appalled at the **violence**. The corporate sponsors are quite willing to say, "I don't like the **violence**, but it is necessary. I have to buy so many eyeballs."

Corporate sponsors are the biggest subscribers to the myth that **violence** is necessary to get people to watch a program, but they [\*48] can be persuaded otherwise. The ad agencies are much tougher to crack. If I have to point the finger at somebody in the chain who is doing the worst in attempting to control **violence** in the media for children, it is the ad agencies. So, passing the ad agencies by and going directly to corporate sponsors is a strategy which is beginning to pay off. A group called Children Now is quietly inviting the chief executive officers, presidents, and boards of directors of the ten top corporate **television** sponsors of violent programming to a meeting to talk about controlling **violence**. They are not inviting the ad agencies. It is an experiment; we will see how it works. I think it is a marvelous idea. Think about combining that with the idea of corporate underwriting. Corporate underwriting can be done directly with the corporation. We can bypass the ad agencies and maybe they will learn something from it. They are pretty sensitive to bottom line changes.

**Mr. Kopel:**

The seatbelt issue is an illustration of the laws of unintended consequences. Research suggests that mandatory seatbelt laws do increase seatbelt use, but they actually worsen auto safety because a small percentage of the population, who have become convinced to use the seatbelt, feel safer and thus they drive more recklessly. Unquestionably, you are better off in an accident if you have a seatbelt on, but it has

been found that for some people, encouraging them to buckle up encourages them to drive more recklessly. They feel immune to injury and then they endanger everybody else.

I think the proposal for corporate sponsorship of the children's programs might even be taken, at least theoretically, a step further towards the evening news and perhaps even newspaper news sections. Obviously, the evening news programs and mass circulation newspapers are reaching for a broad spectrum, even more so than cartoon programs that have to reach kids from ages two to twelve. Furthermore, we know that both newspapers and **television** broadcast news misinform people in the pursuit of the sensational and the unusual.

I used to be an environmental law prosecutor. All that most people know about the environment is what they hear from the media, but the media overemphasize a lot of environmental threats, such as hazardous waste sites and radiation, because these issues make the ratings fly off the roof because people are so freaked out about them. By the consensus view of the EPA's environmental scientists and most other scientists, those issues are at best at the mid level of the spectrum of actual environmental risks we face and actually, probably towards the lower end.

Crime reporting in small-town newspapers actually tends to be more accurate than newspapers like *The New York Times*, *The Washington Times*, or *The Denver Post*, because small-town newspapers report just about every crime that happens in the city beyond parking violations, so you get an accurate picture. In New York City or Los Angeles, they cannot put every murder in the newspaper because they would not have room for anything else. So what you get is, like Professor Dark was saying, an inaccurate view of crime. For example, if two black men shoot each other in a bar on the bad side of town, that does not make the news, at least as a major story on the evening news. If a white woman shoots her husband after he has been domestically abusing her in their own home, that does not make the news as a major story either. But if two black teenagers kill somebody during a robbery in a parking lot, that is going to lead the evening news. It results in people thinking that black on white predatory crime on strangers is a much larger share of the violent crime problem than it really is.

This is especially where the print media could do better. They do have the daily deadlines, but they also have some time to pull back and work on perspective pieces and more thoroughly investigate the beats that they are covering. Too much of the way the print media run things is driven by the panic of the year. Crack was a major problem in New York City and it developed into a significant problem in other urban areas, but it was not a nation-wide problem. Crack was presented as an immense, national, coast-to-coast crisis in 1987. Furthermore, in 1991, Harris Wofford beat Dick Thornburgh in a Pennsylvania special Senate election, running on the issue of health care. Then suddenly, we were in the midst of a tremendous health care crisis, and we had to do something. It almost did not matter what we did. The health care crisis had not existed the year before and now seems to have gone away. In 1993, as Ms. Acheson points out, we were actually a little safer than we were in 1992 based on the Criminal Justice statistics. But the media replaced the health care crisis with the crime crisis. One study showed that the number of homicide stories on the network evening news tripled from 1992 to 1993. So, everybody became scared as if suddenly crime was getting worse. In fact, unless you were a Branch Davidian, you were a little bit safer the first year of the Clinton Administration than in the last year of the Bush Administration.

These panics make it so hard in the long run for people to sit down and come up with intelligent policy. Part of the reason that you have the panic is because you have to sell newspapers and you have to sell advertising space on the evening news. The **television** news is not going to get many viewers if it runs a story that says, "Radiation risk is virtually nil for all population." People are not going to buy a newspaper if it runs a story that says there was not much crime going on in the city today, except there was one case of a predatory homicide in our city of 500,000. If news programs and newspapers talk about why you should wear seatbelts, people are not going to watch that either. To what extent can the argument for taking away commercial sponsorship of children's programs be extended to other forms of programming?

[\*49] **Professor Murray:**

The answer to the question "Why focus on children?" is that that is a special population and it is one that has been ill-served by the **television** industry, with the exception of public broadcasting and of cable -- very limited exceptions of cable. The hope is to diversify programming.

The only way that you are going to get diversity in children's programming is to reduce some of the economic pressures on particular kinds of program format. For the myths or the assumptions under which people are operating at the moment, either you debunk the myths or you provide some alternative programming. I do not know how the industry would respond to removing all advertising. I think it is probably not going to work. But, I do think we can make some concerted efforts to enhance entertaining educational programming, and diversifying the program formats available to children, either by going directly to the advertiser-sponsor or by moving in a direction of eliminating or controlling some of the advertising pressure on children's programming.

Of course, I do not think it will work for newspapers because in **television** entertainment it is clear that whether it is direct sponsorship or direct advertising the sponsor would have some influence over the content of the entertainment that the sponsor would care to purchase.

Surely at that level, they decide whether they want to be on there or not, but the sponsors have very little input in the programming, except in special circumstances where there is a lot of discussion ahead of time about the content of the program. The question is whether you want your product to be associated with that content or not. There have been a few cases of sponsor control.

The only other direct influence that sponsors or advertisers have is that they certainly provide an opportunity for an action scene every thirteen-and-a-half minutes. What I mean is that you know that an advertisement is coming up during a program because the drama rises just before the commercial break. It is always fun to look at a program that has had commercials edited out. You know exactly where commercials would have been.

**Mr. Gusewelle:**

On the subject of words that wound and hate columns and the value of a clean heart, I cannot imagine our newspaper, *The Kansas City Star*, running a column with the kind of content you describe: a hate column.



I will tell you how sensitive we are to that issue. I wrote a column several years ago. I am the father of two daughters. I want everything the world can give them in the way of opportunity. I want nothing to be closed to them. I do not consider myself a sexist; I am married to a woman who is a colleague and friend.

But, I often write about myself, and in a column that I meant to be perfectly innocent, I said that I have reached the age where I hardly know anyone in the room, I cannot smoke in the office anymore, I have to write on a computer, and about the only reason for going in to work is to hang around the water fountain and hope for a little sexual harassment.<sup>n4</sup> That was written with a clean heart, but I had the bad luck for that column to come out about ten days before the Clarence Thomas hearings began. I was hauled before a committee of my much younger peers, all of whom thought I was evil to the core.

We are sensitive to these issues. I made a bit of a joke about "Dutch treat," but we are very careful about these issues. As a newspaper, we have sensitivity training and diversity seminars. Some people like them and some people do not, but they draw our attention to these issues and make us think about what we say and how we say it.

#### **Ms. Acheson:**

On that subject, I was trying to make a point about the Feder piece. I am not a great believer in political correctness. Right now in Washington there is a big hoopla going on because a school has banned *The Adventures of Huckleberry Finn*. The students, including some African-American students, are up in arms, saying that this is absurd. I consider such a ban totally absurd. I consider a lot of the heightened sensitivity totally absurd because of all of the phrases that people use. I try to be sensitive all the time, but the term "off the reservation" was a big part of my vocabulary until a couple of years ago when it was pointed out to me that it is very offensive to Native Americans. I still inadvertently say the term a lot of the time. The kind of column that Mr. Gusewelle discussed strikes me as insignificant. There are plenty of people who get excited about it, but what I was talking about was hate columns, not editorial viewpoints. There are columnists around who write hate columns, on both extremes, but it is easier to have it fall under the "words that wound" extreme on the conservative side. I think the [\*50] First Amendment certainly protects them, but it is both interesting and discouraging that there is still a market for it. I believe that when they were going to pull *Designing Women* off the air, there was a huge popular outburst and viewers said, "Don't take it off the air." Even though it did not have the best ratings, it was very popular among a certain group of people, so it was extended for another season.

That is one simplistic example. I do think that cable and broadcasters understand that they are on the losing side of this. More and more people are interested in this issue and more and more people are going to find out what is on **television**. They are going to make choices and have increasingly easy technological means to make choices. Cable and broadcasters are going to lose out.

I wanted to raise something that I think is interesting. I have not done that much thinking about it or work on it, but it is a very interesting story about how Canada got to its current situation with respect to broadcasting. What does it mean that the Canadians are now blocking U.S. programs from Canadian **television** and aggressively regulating the video versions of movies that go into Canada? It is obvious that they have a much more rigid and regulative system, and they are

regulating effectively and aggressively. They have a "voluntary" agreement among all the broadcasters, but it was done with the hot breath of the government on their necks to do it. It initially concerned **violence** and now reaches other things such as sex, the presentation of insular minorities, and women's issues. It is highly regulated; they are very sensitive about this. There was the incident of the young couple in Canada that had just gotten married and were arrested for killing the younger sister of the wife. It was a horrible thing. *Hard Copy* could not wait to get there; they were renting jets and so forth. It was a horrible story of intentional and premeditated **violence**. That was the first exercise of blocking American news programs because the Canadian news broadcasting industry had decided that they were simply not going to broadcast news of the investigation. Of course, around Buffalo, the American press was wildly broadcasting the investigation.

Now Canadians are blocking increasing numbers of programs. Other countries refuse to show the *Mighty Morphin Power Rangers* and other programs on their national **television**. Has anybody thought about what this means? Clearly, it does not have any impact on our rights, but what does it mean for what the industry does?

**Professor Wright:**

Do not forget that over half the population of Canada can get U.S. programming, despite the blocking. Many people in Canada have access to a satellite dish. So the blocking is not all that effective.

**Ms. Acheson:**

Maybe it means nothing. It elevates us as a "bad actor" from the perspective of countries that have very different definitions of rights than we do.

**Professor Murray:**

I lived in Australia from 1973 to 1979, and even then the topic of discussion was American **television** programming, for several reasons. One was the high level of **violence** on American programs that were being exported and purchased largely by the commercial broadcasters in Australia, as opposed to the government stations, the equivalent to the Public Broadcasting System. The questions then were about the level of **violence** and the cultural impact of American programming on Australian culture. The government moved to produce quotas on non-native produced programming, requiring that 25% of all prime time programming had to be of Australian origin. Canada has done that, I think, not only for **television**, but for radio stations and music played on radio stations.

It is hard to separate national culture from economic or social domination of American products. That is what is behind the GATT arguments about films. The French are always at the forefront of that because they are most concerned about American cultural products.

Having said that, I think the United States is known worldwide as being the biggest exporter of violent entertainment. We have heard some discussions that **violence** sells. It is the one format that is easily exported to other languages and other cultures, whereas comedy does not travel as well because you usually have to understand the culture to understand their humor. **Violence**, shooting, kicking, and maiming seem to be a universal language. For example, Arnold Schwarzenegger has made his millions not from domestic release of his films, but rather from the gross

receipts from all over the world. Indeed, the receipts from domestic release are miniscule.

**Professor Wright:**

In some parts of central Africa, the Schwarzenegger films are only in English. You cannot get Schwarzenegger films with subtitles or dubbed dialogue in Swahili or any language that is locally known, but they are still successful. There is very little language of importance in a Schwarzenegger film.

**Mr. Gusewelle:**

I would like to invite some questions from the floor to infuse new energy into the discussion.

**Question:**

I have a comment regarding corporate sponsorship. That does interest me, partly because I am not sure how it works. [\*51] Without the possibility of selling *Power Rangers* through commercials, does it cause less programming for children?

**Professor Murray:**

There are two issues to that. There are examples of corporate sponsorship or underwriting that have been quite legendary. Sears, for example, has underwritten *Mister Rogers' Neighborhood* on public broadcasting for about twenty-three or twenty-five years. To some extent, CBS underwrote *Captain Kangaroo* for twenty-five years until the show was bounced in 1984.

Would it lead to more or less children's programming? I do not know quite the answer to that. I do know that *He-Man Masters of the Universe* is the classic example of corporate ownership, not just sponsorship, of a program. Mattel Toys produced *He-Man Masters of the Universe*. It created the toy and then contracted to create the program to go with the toy. That was actually the start. Around that era, there were a few other similar toys, such as *G.I. Joe*, but *He-Man Masters of the Universe* is perhaps the best example of the worst kind of cooperation between the advertiser and the program producer. Mattel Toys sponsored and helped underwrite the actual production of the program, and then sponsored its distribution by making it available to the networks and independent stations who would buy on syndication at a very low cost. In some cases, it was almost free. Mattel also provided profit sharing incentives by giving a kickback to a station for all *He-Man Masters of the Universe* toys sold within its broadcast region.

That did two things to inflame the whole debate about this issue. It linked production and content with selling and advertising in a way that had never been done before. It linked the distribution in ways that had never been seen before. It meant that *He-Man Masters of the Universe* and similar programs would within a few years wipe out children's **television**. It would all be what had become known as PLCs, program-length commercials, because they were hyping their own product. You cannot play with the toy without watching the program; you cannot watch the program without playing with the toy. Go out and buy lots of toys.

At the same time, they made PLCs available so cheaply that no station in its right mind would buy anything else, when they could have PLCs for free to fill their whole

children's schedule. The FCC did step in and reinstitute prohibitions against host selling, so that *He-Man Masters of the Universe* commercials could not be played on the *He-Man Masters of the Universe* program. *G.I. Joe* commercials, however, could be played on the *He-Man Masters of the Universe* program, and vice versa.

It would be a worthwhile development if corporate sponsorship would lead to the demise of these kinds of programs. I believe we could push that a little bit further and make it a much more visible opportunity, particularly if it is coupled with an FCC regulation on quantifiable quotas on educational programming for children.

**Professor Wright:**

I have to add a sidelight to that. Bob Dole, our senior Senator in Kansas, is under the mistaken impression that the same kind of host selling is involved when a person buys a Big Bird puppet, and some of the money goes to the Children's **Television** Workshop. Big Bird is a hero to children because of his educational accomplishments and his vast appeal. The money generated by the sale of Big Bird toys replaces taxpayer money and foundation money that is used to support the production at CTW. That is quite different from a host selling a sixty minute commercial.

**Question:**

Could Mr. Kopel comment on the deterrent effect on crime when the media widely disseminates information about the lawful use of firearms in self-defense against crime?

**Mr. Kopel:**

There is at least anecdotal evidence that intense media saturation of self-defense stories, such as the Bernhard Goetz subway shootings in 1984, sometimes lead to short-term drops in crime. In 1966 in Orlando, police set up a program to train women in armed self-defense because there was a rape epidemic in the city. Rape and assault plunged the next year in the city. Researchers are still not entirely sure whether that was a statistical variation. Maybe it was because criminals were actually getting chased away by armed women, or maybe it was the fact that this program was getting so intensely publicized it may have simply frightened some criminals into going to a different jurisdiction.

What constitutes hate speech is very much influenced by people's ideological blinders. In 1955, if *The Kansas City Star* or *The Denver Post* had said that folks in Congress are acting like a bunch of addled housewives, that would not have seemed like any kind of slur. Now nobody would say that. Thanks to Professor Dark and other folks, they would correctly recognize that women are as smart as men. One of Don Feder's great flaws, even though I think he is sometimes right on the issues, is that he comes in with his presumption that nobody who disagrees with him could possibly have an honest motive. The only reason you could disagree with Don Feder is not because you disagree with him on the facts, because he is right on the facts. So only through malice or your desire to communize America or turn everybody into homosexuals, could you possibly disagree with what he is saying.

I think the media have gone a long way in not attacking blacks and women and gays. It is great that they have done that, but there is some room to go. One place is on the abortion issue. Like 99% of the people in the media, I am very strongly pro-choice,

but I think the pro-life faction frequently gets covered as anti-sex kooks. I do not deny that this is part of the pro-life faction, but it is hardly the whole story.

[\*52] I think there is also some room for improvement on the coverage of the gun issue. Today's lead editorial in *The Kansas City Star* is about whether Missouri voters should be allowed to vote on whether to have a concealed weapon permit law in the state. I agree with the conclusion of the article. I do not think that it is the kind of thing that should be sent before the voters. I think it is the legislature's job to make a decision one way or the other, but the way this article is written does not allow for anybody who disagrees with *The Star's* position, which is against concealed weapons in general, to have any legitimacy. They want the government to "reimpose sanity" against lawmakers who "care more about the opinions and cash contributions of the gun lobby than they do about the best welfare of the citizenry." <sup>n5</sup>

My dad was in the Colorado Legislature for twenty-two years. I know there are a lot of legislators who do not care about things one way or the other, but there are some legislators in Missouri who sincerely think that this is something that is going to enhance public safety, rather than because they are getting paid off by the gun lobby. The conclusion that it amounts to "deliberate warfare on ourselves" is an argument that is not particularly well-supported, but there is no recognition that the people who favor this law believe that it will improve public safety, because the only people who will get the permits will be licensed trained citizens who will use weapons for protection. Whether or not this is factually true or not, it is a sincerely held view and this editorial does not even bother to raise it to dismiss it. It simply says that the people who disagree with this are getting paid off by the gun lobby and are deliberately visiting warfare on us. That is hate speech against gun owners and people who believe in the right to keep and bear arms. The newspapers need to do a better job on all kinds of divisive issues of strongly advocating their point of view, because that is what an editorial page is for and why newspapers are supposed to be opinion leaders. But at the same time, they must do it in a way that recognizes that people who disagree with them are doing so for good motives, rather than because they are evil, malicious, communist, or because their brains are connected to Don Feder's.

**Mr. Gusewelle:**

That kind of care may have been less necessary when there was a great multiplicity of voices and when there were three newspapers in Kansas City. When there is one, there is a special responsibility to examine the issue in some balance.

**Mr. Kopel:**

I think in Washington it is okay that *The Washington Post* thinks that all Republicans are fascists and *The Washington Times* thinks all Democrats are communists. You know what you are paying for.

**Mr. Gusewelle:**

I want to thank the members of the panel for their insights and their years of experience that they have brought to the discussion and for their willingness to be a part of the discussion. Thank you all very much.

**Legal Topics:**

For related research and practice materials, see the following legal topics:  
Communications LawBroadcastingLicensingRenewals &  
RevocationsRenewalsConstitutional LawBill of RightsFundamental FreedomsFreedom  
of SpeechFree PressGeneral OverviewTortsStrict LiabilityHarm Caused by  
AnimalsGeneral Overview

**FOOTNOTES:**

[n1](#) JOHN P. MURRAY, **TELEVISION** AND YOUTH: TWENTY-FIVE YEARS OF RESEARCH AND CONTROVERSY (1980).

[n2](#) ALETHA C. HUSTON ET AL., BIG WORLD, SMALL SCREEN: THE ROLE OF **TELEVISION** IN AMERICAN SOCIETY (1991).

[n3](#) Children's **Television** Act of 1990, [47 U.S.C. §§ 303a](#), 303b, 394 (Supp. IV 1992).

[n4](#) Charles W. Gusewelle, *Looking for Harassment in all the Wrong Places*, K.C. STAR, Apr. 8, 1991, at E1.

[n5](#) *Still a Bad Idea*, K.C. STAR, Mar. 10, 1995, at C6.