

Speech by FCC Commissioner James H. Quello
Before the University Club of Michigan State University
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As a loyal alumnus of Michigan State, I was pleased to be invited here as the speaker for your prestigious University Club.

It's gratifying to see the progress and the physical and academic growth at Michigan State the past forty years. It is gratifying to come back as a graduate of a university instead of a college; to a big ten school instead of a warm-up school and, immodestly, to return as an outstanding alumnus awardee instead of an average student who spent more time working on the school paper than in the classroom.

(Incidentally, I do donate regularly to the MSU development fund not so much in appreciation for what the school did for me, but kinda in reparation for what I did to it.)

Actually, journalism (meaning print journalism) was my first interest and my first love. I had read and seen the early 30's version of "The Front Page" and I wanted to be a newspaper reporter.

In pursuit of that goal, I became editor of the Michigan State News in 1935 and also became a part time string man for the Detroit Times. I started in broadcasting at Michigan State when Bob Coleman, then the manager of station WKAR, wanted a campus news reporter. I was selected primarily because of my newspaper work (and Mr. Coleman's personal bias) and I considered radio merely an interesting sideline at that time. As you well know, radio and then TV developed into something more than a supplementary sideline medium.

And that's enough biographical data---you didn't come here to hear me dictate my autobiography as fascinating as it may be--to me.

I assume you came here to get a better insight into the functioning and current deliberations of the FCC.

As an approach I thought I would discuss a few of the most asked questions from other groups where I have recently appeared. They, no doubt, are among the questions uppermost in your minds too.

One of the most basic questions is "How do you define public interest?" First, the Congress fashioned the Communications Act of 1934 and required

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licensees to operate their stations in the public interest. The phrase was deliberately vague so that the Congress and FCC could apply broad interpretation and implementation to the many facets of broadcast regulation as it developed. I have asked experts at the FCC for definitions -- they varied according to individual philosophy and theory. I believe the late Walter Lippman defined it in good practical terms (with no legal authentication). He said "Public interest is what men would do if they thought clearly, decided rationally, and acted disinterestedly." This definition provides an objective which nobody is wise enough to attain, but does prescribe a goal worth striving for. Actually, the term "public interest" serves as a general overall guide -- it is subject to varied interpretation and it's a source of some uncertainty to the regulated industries. I once defined it, in perhaps oversimplistic terms, to Mr. John De Butts, Chairman of the Board of AT&T as it applied to the telephone industry: "The best service to the most people at the most reasonable cost."

Other questions invariably include: "What is the biggest problem for an FCC Commissioner? -- What is the regulatory power of the FCC?" The regulatory power of the FCC has been over estimated, challenged, debated and damned. Of course, the function and jurisdiction of the FCC as an independent regulatory agency has been defined and guided by the Constitution and by the Communications Act of Congress. The FCC was established as an "Arm of Congress."

William F. Buckley, Jr., interviewing FCC Chairman Wiley said, "I think it fair to say that Mr. Wiley and his distinguished colleagues wield greater economic power than all the courts put together." That is no doubt overstating FCC power -- although the impact and ramifications of some of our decisions are agonizing and awesome. However, the Senate and the House in the exercise of oversight authority make certain that all regulatory agencies maintain a becoming humility. The numerous inquiries from oversight and special study or investigatory committees are a regulatory fact of life. The questioning is ethical, intense and detailed. In fact, someone humorously said that someday a question would be included in an inquiry -- "Is there anything known only to you that could possibly be used to embarrass, discredit, or impeach you? Please state and remember you are under oath."

My good friend, Congressman John Dingell, gave me fair advance warning. When I was first nominated, he said "What do you want the damn job for? -- You will be beat up by Congress and overruled in the court." So we do get beat up by Congress from time to time, but most of our decisions are sustained in court although recently we have been reversed by the Washington Court of Appeals and the California Court of Appeals on several significant matters that we will now appeal to the Circuit Court en banc or to the Supreme Court. (Brief description of family viewing, newspaper cross ownership and pay cable court reversals.)

The biggest problem facing Commissioners? -- Well, one of them would be decision making. I'm not a lawyer so my approach to regulation and decision-making is more journalistic than legalistic ---my bottom line is the basic and difficult search for truth.

As I mentioned, some of the decisions are awesome. Arguments, pro and con, are equally persuasive. You listen, read, deliberate, soul search and agonize. You even wish you could flip a coin in some cases. First and foremost consideration is which action best serves overall public interest? In this case, what is the public interest? Where do reason and justice predominate? Which viewpoint or action scores the most points legally, ethically and morally?

Finally, it's "H" Hour and "D" Day -- the Commission votes. Promptly after the Commission vote, three things usually happen. First, the losing litigant or proponents immediately charge the Commission with not serving the public interest. (You haven't served their private interests or adopted their proposals. Hence, you are not serving public interest in their estimate). Your motives are frequently impugned and your judgment criticized.

Second, the losing litigants or proponents damn you in Congress, in the press and among friends and organizations sympathetic to their cause or viewpoints.

Third, the FCC decision is appealed in court -- the third is a perfectly legal and ethical recourse. Just spare us the first two steps -- chances are, we have suffered enough making the initial decision.

Perhaps, the most asked question within the past month has been "What is your evaluation of the TV dramatization of 'Roots' "? --which drew the largest audience in television history.

I had the privilege of meeting Author Alex Haley last week in Detroit when he broke the attendance record at the Detroit AdCraft Club. I was a guest at the speaker's table -- and was interviewed after the speech by Advertising Age and a local reporter on my reaction to the TV version of "Roots". My personal reaction to Alex Haley was most favorable. He impresses me as a thoughtful, sensitive scholar and gentleman. As he says "I'm not mad at anyone." His thoroughly researched book is factual, not melodramatic in approach -- not true for the TV version.

First, I believe ABC is to be congratulated for programming vision and showmanship in presenting "Roots". It was a phenomenal ratings and TV programming success with profound social impact.

I found it fascinating, educational, over-melodramatic, historically distorted, inspirational, sometimes inflammatory, but overall thought-provoking, and thoroughly worthwhile.

It provided blacks with a strong, proud though humble, heritage. It inspired many other Americans to carefully reflect and to trace their ancestry and heritage.

In my neighborhood it had white viewers visibly cheering the Black as the "good guys" in this drama.

However, I must agree with many critics that the book, "Roots", lost considerable historical authenticity in its sensationalized TV version---replete with all the melodramatic trimmings of violence, sex, vice and racial strife.

Stanley Williford, a Black editor of the Los Angeles Times, wrote and I quote: "ABC's TV version vulgarized a tale that the passage of time will surely confirm as a masterwork."

Whites generally were relentlessly depicted as lustful, evil villains. Abe Lincolns, or decent whites advocating the cause of racial justice, were too conspicuously absent. It defied the reasoning that there is a "good and bad" of all nationalities and races---or that no one race or nationality has a monopoly on all the virtue.

It might be propitious to recall that man's inhumanity to man knew no racial boundaries--particularly in the harsh, brutal era of the 18th and 19th centuries. During that period, free born Englishmen were being hanged for stealing a few shillings, Irish children died by the thousands of malnutrition and exposure, and Russians and Poles suffered their own form of slavery living under Czars or feudal monarchs. Then, too, history shows that Black Africans in the 18th and 19th centuries were mostly captured and sold by other Blacks.

Even in our current 20th century, white man's inhumanity to white man was brutally documented in Hitler's Germany where an estimated six million Jews were methodically murdered in the "final solution" without even the opportunity of survival as slaves!

As a first generation Italian-American, I rankle at the injustice of any discrimination due to nationality, race or religion. However, like many other first or second generation Americans, I don't feel any personal guilt for the slavery depicted in "Roots" although I was appalled by the injustice of the times. I have only traced my "roots" to my Italian peasant grandparents--sturdy, poor mountain folks who were undergoing their own version of hell on earth--Italian style. My parents, too, were born in Italy. They and their parents like millions of other emigrants suffered their own kind of feudal sub-servitude and discrimination. Oppression and lack of food and opportunity drove them to leave their native lands for refuge in America. They came to "the land of the free" in steerage as third class citizens. They were escaping their own form of feudal discrimination and tyranny like millions of other immigrants from Ireland, Germany, Poland, Russia, Armenia, and other foreign lands.

It should be said that their anticipation of arriving in a country "conceived in liberty and dedicated to the proposition that all men are created equal" did not have the same ironic hollow ring as it did for the black slaves who preceded them under much worse conditions.

Although I personally don't have any guilt feelings for the slavery of the past, I do believe that years of discrimination and deprivation in the post-slavery years required our society to provide special "catch up" for Blacks in education and employment opportunity.

The civil rights legislation of the early 60's (spearheaded by a predominately white Congress and white Presidents) and the resulting affirmative action programs, are providing opportunities. There is still more to be done--a continuing need for a little extra inducement. But we will know we have finally arrived as a completely free nation when all racial and nationality roadblocks have been removed and everyone can compete and progress according to his or her own ability and dedication without further need to seek special consideration. We are not there yet--but we have made progress and I believe and hope the millennium will arrive before the turn of the century.

Because here and today, as proud and fascinated as we may be in our heritage and old roots--the roots that really count are the mutual ones we have today deep in America.

We are all now firmly rooted in America. Let's work together in unity and decency to have our roots nourish a great and better tree of life for our children and grandchildren.