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The Fairness Doctrine – 'Requiescat in Pace'

Former FCC Commissioner, Broadcast Veteran Explains His Opposition

By James H. Quello – *Broadcasting & Cable*, 9/10/2007

Rep. Ed Markey (D-Mass.), media-savvy subcommittee chairman of the House Communications Committee, used the Latin phrase for "let it rest in peace" a few years ago reflecting his attitude toward reinstating the Fairness Doctrine – he was the keynote speaker at the Media Institute luncheon in Washington, D.C.

At the reception before that lunch, I pleaded, "Chairman Ed, please give me a private few minutes to explain my vote against the Fairness Doctrine. Believe me, I had to really explain it to House Commerce Committee chairman John Dingell (D-Mich.), my longtime hometown friend."

First, you should know that as a veteran broadcaster in Detroit, I lived comfortably with the Fairness Doctrine. It made sense to present all viewpoints of a controversial issue of public importance with its all partisan appeal. As a news-oriented broadcaster, I approved the principle of the fairness doctrine and never bothered to voice any opposition. However, even back then, I really thought editorial programming should be determined by independent journalistic decision complying with the First Amendment, rather than by a government mandate subject to possible subliminal political influence. Nevertheless, I went along without complaint.

A rude comeuppance changed my mind. Years ago, fluoridation of water became a controversial issue of public importance in Detroit. It was to be decided by city ballot. It was a big issue, so I personally called the president of the national and local dental, health and medical associations seeking expert opinions. All agreed that fluoridation of water was definitely a public dental and health benefit. It certainly was not a communist or socialist plot to poison the water. I wanted our audience to benefit from expert medical and dental advice, so I programmed the editorials in the key morning drive time (on a very dominant radio station at the time).

The next day, a board member called me stating that he had an anti-big government friend who disagreed with our editorial advocacy and demanded time to respond under the Fairness Doctrine.

It struck me as perverse that if we advocated a public benefit determined by responsible professional experts, we would be required to negate it with unprofessional editorials against the best interests of the public. Nevertheless, we complied with the Federal Communications Commission's Fairness Doctrine requirements and broadcast contrary editorials at key morning drive time.

That same day, I was called by an annoyed dean of dentistry at the University of Michigan, exclaiming, "Mr. Quello, we had the greatest respect for your station, but what are you doing granting key broadcast time to a misinformed idiot? It is preposterous to state that fluoridation is a communist plot to poison the water. The caller is apparently against any government action favoring the public or possibly a friend of a very few dentist extremists believing that government or public imposed fluoridation would harm private dental profits."

I replied, "Didn't you hear our editorial positively advocating fluoridation? The government FCC rules require us to provide response time under a Fairness Doctrine."

The dean responded: "No, I did not hear your positive editorials. If contrary opinion is a government requirement, it would be better if you didn't editorialize at all. If you editorialize for a good public cause, you are required to respond with a bad— preposterous!"

I next received a call from the dean of dentistry from the University of Detroit, where I lectured communications students every Friday. "Jim, what the hell did you have in mind running the editorial opposing fluoridation? You are certainly not serving the public interest. Etc., etc."

I also received numerous calls from city officials and newspapers friends questioning my judgment or sanity.

Justice triumphed. The referendum was overwhelmingly approved.

However, our station discontinued editorializing on controversial issues. I told the news staff that the so-called Fairness Doctrine actually resulted in the government-intrusion doctrine. For example, if you editorialized positively for God, country and motherhood, you

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would have to provide editorial doctrine time for Satan, treason and bastardy. Preposterous! No thank you.

Overall, more important ~ today there is much less reason than ever for reinstating the so-called Fairness Doctrine. Now the public has access to a super abundance of views, information and political-opinion exchanges. The Internet has made available an unprecedented proliferation of political news and ideological opinions. Anyone can now be an editorial writer by starting a blog that can be read by millions with an Internet connection. According to figures in trade publications, there are millions of political blogs, podcasts and blog-based radio operations providing every variety of political and ideological analysis.

Also note the information and public interchange available through e-mail and sophisticated cell phones.

Then let's not forget the super numerous arrays of information, news and political opinion available on cable, satellite, TV, radio, newspapers, magazines, newsletters, periodicals, etc.

The Fairness Doctrine? Requiescat in pace.

Author Information

Quello, 93, was an FCC commissioner for 23 1/2 years and broadcaster for 27 years. He is the chairman and founder of the Quello Telecommunications Center for Management and Law at Michigan State University and is an independent consultant for Washington law firm Willey Rein LLP.

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WOLVES HAVE TO
DIE?



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Don't Bring Back the Fairness Doctrine

By James H. Quello

As a veteran broadcaster in Detroit, I once lived comfortably with the Fairness Doctrine. It made sense to present all viewpoints of a controversial issue of public importance.

A rude comeuppance changed my mind. Years ago, fluoridation of water became a controversial issue of public importance. It was to be decided by city ballot. This was a big issue, so I personally called the president of the national and local dental, health and medical associations, seeking expert opinions. All agreed that fluoridation of water was definitely a public dental and health benefit. It certainly was not a Communist plot to poison the water. I wanted our audience to benefit from expert medical and dental advice, so I programmed the editorials in the key morning drive time.

Next day, a board member called me, stating he had an

anti-big-government friend who disagreed with our editorial and demanded time to respond.

It struck me as perverse that if we advocated a public benefit determined by experts that we would be required to negate it with unprofessional editorials against the best interests of the public. But we complied with the Fairness Doctrine requirements and aired contrary editorial replies in morning drive time.

That same day, I was called by an annoyed dean of dentistry at the University of Michigan exclaiming "Mr. Quello, we had the greatest respect for your station, but what are you doing granting key broadcast time to a misinformed idiot? It is preposterous to state fluoridation is a Communist plot to poison the water."

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Justice triumphed. The referendum was overwhelmingly approved.

However, our station discontinued editorializing on controversial issues. I told the news staff that the Fairness

Doctrine actually resulted in the "government intrusion doctrine." For example, if you editorialized positively for God, country and motherhood, you would have to provide response time for Satan, treason and bastards. No thank you.

Quello, 93, was an FCC commissioner for 23½ years, and a broadcaster for 27. A full version of this Airtime is available at broadcastingcable.com.

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