

Reject Orwellian Calls for Broadcast 'Fairness'

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By John Thune

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From its birth, our nation has put a high value on independent thought and freedom of speech. Our Founding Fathers themselves saw their lot as conscientious insurrectionists seeking freedoms they believed were inalienable rights. They understood the importance of permitting freedom of conscience whether it be in the religious, political, or social sphere. Today we continue to fight to preserve these freedoms both here at home and in many dark corners around the world.

Unfortunately, some in Washington DC are reviving an old idea that the government can, and should, regulate the reporting of news, information and ideas. If we take them at their word, they are doing it in the name of "fairness." But if we look deeper, we may see motives not nearly so noble.

For over 150 years our nation understood that freedom of speech was best achieved by keeping the government out of the business of regulating "fairness." Eventually though, a few at the Federal Communications Commission (FCC) thought they could do a better job than the system set up by the framers of the Constitution and took fairness-promotion into their own hands. In a 1949 report entitled Report of Editorializing by Broadcast Licensees, federal bureaucrats at the FCC set forth the "[Fairness Doctrine](#)" which would govern the use of public airwaves for 30 years. This doctrine, which was promoted by the FCC and never approved by Congress, required broadcast licensees to present "controversial issues" of public importance in an equal and balanced manner.

Rather than promote fairness though, the Fairness Doctrine created a chilling effect among broadcasters when it came to reporting controversial topics. In order to avoid the lash of federal bureaucrats, many broadcasters opted for silence. In the name of promoting "fairness," the FCC squelched free speech and public debate.

In 1985, President Reagan exposed the true effects of the Fairness Doctrine and argued that it should be repealed. The Reagan administration noted the "explosive growth in the number and types of information sources." In 1987, the FCC finally repealed the Fairness Doctrine. The FCC determined that the policy had the opposite of its intended effect. The FCC concluded that the Fairness Doctrine "restricts the journalistic freedom of broadcasters ... (and) actually inhibits the presentation of controversial issues of public importance to the detriment of the public and the degradation of the editorial prerogative of broadcast journalists."

Since 1987 we have seen even greater growth in how we get news and information including the rise of talk radio, internet news sites, and blogs, yet some critics on the left are calling for the reinstatement of the Fairness Doctrine. The efforts of these critics, who

are especially offended by the success of conservative talk radio, should be rejected. Our support for freedom of conscience and freedom of speech means that we must support the rights granted to even those with whom we disagree. Giving power to a few to regulate fairness in the media is a recipe for disaster on the scale that George Orwell so aptly envisioned.

I for one will strongly oppose any efforts to bring back the Fairness Doctrine or other policies similar to it. I have introduced legislation that would prohibit the FCC from reinstating these policies, which is a good first step. I know the hair stands up on the back of my neck when I hear government officials offering to regulate the news media and talk radio to ensure fairness. I think most Americans have the same reaction. That is why I will do my part to ensure speech remains free and that Americans can continue to debate the issues of the day through our diverse forms of media in a free and open manner.

Mr. Thune is a Republican Senator from South Dakota.