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Marvin Kitman

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REDUCING TELEVISION VIOLENCE

*Marvin Kitman**

I have been fascinated by the discussions so far, particularly by what Beth Bressan had to say.¹ She reminded me of one of television's early leading thinkers, Lawrence Welk, who was asked by a reporter, "Mr. Welk, what do you think of violence on T.V.?" "Violins," Mr. Welk said, "I've got twenty four violins in my orchestra. Sax, too."

Listening to Beth Bressan, I can truly see why she doubts and wonders what the debate is all about. I understand her also because the networks over the years have always been against meaningless violence. The trouble has been that, as far as they are concerned, there is practically none of this on television. To them, all they air is *meaningful* violence. What they mean by that is—if you do not know how to produce an interesting, involving story, you shoot somebody. As a matter of fact, this kind of thinking is based on the most profound philosophical system. Whenever a story drags, kill a person. This usually happens in an action adventure show in the first two and-a-half minutes. Every few minutes after that, when there is a lull in the action, another person is killed. The duller the show, the higher the death rate. A couple of seasons back on CBS, there was a show about life in small town in North Dakota, called *The Man Hunters*. Eight or nine people a night were killed. The show soon had to leave the air. The script writers realized everybody in town had been shot.

I can also understand why Congress is interested in the subject now. It is a lot easier to hold hearings on violence than writing laws banning guns, which, of course, would reduce the problem. I think that if guns were banned, the shooting amongst children would go down and we would not be here today.

Now, I would personally like to blame television for everything.

* Journalist and nationally syndicated television critic. Editor's note: This article was originally presented at a live Symposium on Television and Violence at the Hofstra University School of Law in April 8, 1994.

1. See Beth Bressan, *Television Networks: Taking Affirmative Action*, 22 HOFSTRA L. REV. 857 (1994).

As anybody who read my column knows, I blame it for everything, including the earthquake in Los Angeles. However, I also, being a profound thinker, wonder about other societies. They must have had an awful lot of violence on Yugoslavian television to create so much violence in that society. I am also a little suspicious of this whole idea that television is responsible for violence in society because that notion makes television seem like such a powerful educational tool. If it is such a tool—and so many people have said this—I cannot understand why there are not more killings occurring. Given the number of hours that Americans watch television, it always amazes me that our society is so relatively violence free. Beth Bressan talked about the kind of violence on CBS, and presumably the rest of networks, it is down to whatever number she gave. But actually, if you listen to television now, there is still more gun fire on television in the average night than the entire Mexican/American War of 1847.

Much has been discussed about the industry's valued efforts towards self-regulation. I am very impressed by everything Beth Bressan said and everything that the networks have been going along with. Just yesterday I noticed that they are in the market to employ a monitor of television. All the stories in the newspapers claim that they want potential monitors who are going to keep track of the amount of this nonexistent violence on television. They gave an address where you are supposed to send your resumes—Network Assessment, c/o Capital Cities, ABC, 77 West 66th Street, New York, New York, in case anybody is looking for a job. Having to watch all of this non-violence on television must be a very dangerous job. A person could turn out to be a homicidal maniac within weeks of taking this job.

At any rate, the big thing that the networks like CBS are doing are the warnings, i.e., the ratings system that warn people in advance. What the warnings say, what they say on the screen now, is: "the program you are about to see is filled with guns, shootings, murder, torture, rape and the latest perversions. If you do not want to see guns, shootings, rape, torture, kinkiness, and other disgusting things, please go away." Will they work? No. Basically it is just a sticker on the product, a warning that this show can be dangerous to somebody's health, not yours. Do the cigarette warnings work? Look at how many people are still smoking themselves to death. They can put a skull and cross bones and poison on the label and it would not work. The same thing happens with television. This is because warnings have an entirely different effect. These warnings will lead to

even more violence on television and more viewing of violence, because what they do is warn people that there is violence ahead. They do not have to sit through all of the boring dialogue and programs, hoping upon hope with their fingers crossed that there will be some violence. This tells them that right up front.

The trouble, once again, with warnings: they are on in the first three seconds or so of a program. What if you miss that? Obviously the solution is this: if there is a program that is dangerous to people, then the broadcaster ought to use a visual device to signal viewers. It could be something in the corner of the screen. Why not have a traffic light with three colors, i.e., red, yellow and green? Now, if a program ahead is to be violent and if somebody is being warned to stay away, the red light should be flashing. If it is safe for children and anybody else, a green light could be used. Finally, if you have to make up your own mind, a yellow light. As the material changes, so the light on the screen will change. This is a visual device. Television is a visual medium. Sorry to be so constructive.

Representative Edward J. Markey is proposing a "V chip" that parents can insert in the set themselves which will block out violence electronically.² He is saying this to the American people, eighty-seven percent of whom do not know how to use their video cassette recorders yet!

Others are suggesting the networks count the number of acts of violence. Perhaps this might mean that each network would get, for example, eight killings a night. By saving them up, they can do a new movie of the week on the St. Valentine's Day Massacre of 1932. But then, public television would not be able to put on *The Civil War* by Ken Burns which had nine hundred thousand killed, or three percent of the nation's population at the time. Therefore, this could not be done without putting PBS out of the drama business permanently.

I do not want to seem overly pessimistic about all these things being done by CBS and Congress, but I have a six point program for reforming television that would reduce violence without violating the television industry's constitutional right to show as many killings as it wants. In order to make this program work, I would first chain industry executives to their desk and make them watch television. They read books for entertainment. They go to cocktail parties where they

2. H.R. 2888, 103d Cong., 1st Sess. (1993).

deplore the amount of violence in society. Making them watch television might violate the cruel and unusual punishment provision of the Constitution; however, it will be very educational. They have no idea how bad television is. They only make the stuff, they do not have to watch it, too.

But I digress. Here are my proposals for reducing television violence. First of all, *reduce the crime level on the local news*, which has not yet been mentioned here. The average eleven o'clock news show, at least the one on my television set, starts off with a murder in Bedford-Stuyvesant, somebody being hacked to death in Maspeth, a shooting in New Jersey, a body found in the Bronx. There might be a rape or two on Long Island, and in between a few clips of World War III. That last part is a joke.

Still, I cannot say for a fact that my local eleven o'clock news show would interrupt the local crime body count to report the end of the world. Why not—and this is a suggestion—why not show the grisly stuff at say, the end of the news, after the people who have to get up for work the next day have turned in. I am afraid to go out of the house the next morning after seeing the news. There are those who say they are impinging on civil liberties once you start curtailing the public's inalienable rights to know about every murder, shooting or hostage-taking in your town. Of course, where there is a dearth in your community, they will tell you about the killings in the next town or the next market.

Of course, you might be violating the rights of the perpetrators. Television makes very ordinary and desperate people into local television stars. For fifteen minutes everybody knows who they are, which for some sad individuals may be worth all those years in jail. My solution would be to eliminate the reporting of these events on the local news shows at five o'clock, six o'clock and eleven o'clock. However, public television would be required to show them. Why? Because public television is an under-utilized resource. Can you imagine any crazed gunman calling *The McNeil/Lehrer News Hour* and saying, "If you don't get Big Bird over here, I'm going to kill these hostages?"

Another way to satisfy the public's need to know all about the day's violence would be to present it in a non-inflammatory manner. If the commercial and television news shows insist on telling us the bad news, they can do it in print, in a flat factual way. For example, a slide on *Eyewitness News* can read, "ANOTHER HIGH SCHOOL SHOOTING TOOK PLACE TODAY." Or, "THE FOLLOWING

PEOPLE WERE MURDERED IN THE CITY DURING THE LAST 24 HOURS.” Then, the list of the names would run on the screen. Are the gruesome details really necessary? Television news shows are a headline news service anyway. They seldom explain why gas prices are still so high or why government officials have not been indicted or anything much for that matter.

The second point would be to *stop glorifying the violence*. The message from television should be that when you do something bad, get lost. You will be thrown in jail and ignored until you get your fair trial, et cetera. I would not have a single picture on television of the alleged worm who allegedly took a hostage, stabbed a schoolmate or shot a president. Maybe, when he got out of prison after paying his debt to society, if he was going to devote his life to working in a leper colony or otherwise serving mankind, I would finally give him a little publicity on television. No interviews with Barbara Walters, like the one she did with Mark David Chapman, or multi-part reports on *Inside Edition*, like the one David Berkowitz got. No paying of hundreds of thousands of dollars to convicted felons or their spouses as in the case of Mary Jo Buttafuoco. And no more making a star out of the likes of Amy Fisher in movies-of-the-week. The networks will not stop until every serial killer gets his own mini-series or special. The television movie, oddly in this society, is its biggest award; it should not be squandered on the lowlifes.

This would create a problem for television. The industry would have to hire real writers, not those computers that crank out “headline of the week” scripts. The vacuum could be filled with movies that glorify the real heroes in society, the ones who save lives, who work in a university, laboratory, courthouse or hospital. There is no such thing as a boring story, only boring writers who cannot make it come alive without killings or bombings.

The third plan is to *show the real effects of violence*. There is no way to totally eliminate violence from television, nor is it desirable. I would not be able to see *King Lear* with my other favorite violent show, *MacBeth*, and *Richard III*, or the final scene of *Hamlet*, which plays like *The Untouchables* in Denmark. What the networks should be required to do is to show the impact of violence. Violence on television never seems to hurt. A bullet to the head leaves a neat little hole in the center of the forehead, brains are never splattered. My plan calls for actually increasing the showing of violence in the beginning—not a cleaned up version, but the real impact of violence—all the details until you puke. Television should say, “Kids,

this is what really happens when you play with guns. Get real.”

Plan four, *enforce the law*. Forget about all the new laws they are talking about to curb television violence that may or may not violate the constitutional freedom to show violence. Simply use the existing laws to address grievances. The Communications Act of 1934 grants licenses for the use of the public air waves in the public interests.³ This means that broadcasters should have to prove that the public is actually better off watching all this violence. To fulfill the requirements of the licenses, the industry should have to say: “The public does not have enough violence, we need to be more aggressive. Shooting each other is a part of the American tradition and history. We have to keep the pot boiling and show more murders and gore, otherwise we cannot compete with the Japanese.”

Point five, *establish the Unfairness Doctrine*. Under the Fairness Doctrine, television is required to present both sides of controversial, political issues, or any other issue.⁴ But television routinely shows that the way to resolve disputes, misunderstandings and other differences of opinion is through violent action. Whether or not this is the best way to resolve disputes is open to question. Some think it is better to talk it out rather than to shoot it out.

So let the networks run—and by “networks,” I mean cable, et cetera—their programs that advocate and glorify make-believe violence, if they must, but they should give equal time to programs against violence. For every hour of violent programming or a two hour movie of the week exploiting violence, the networks should be required to give equal time to drama showing different ways of dealing with life’s conflicts. *I’ll Fly Away*, and others that promote non-violent values are good examples. There could even be a violence meter buzzer, like the twenty-four second shot clock in professional basketball games, in the corner of the screen keeping score of equal time requirements and adding some excitement to the corner of the screen.

Lastly, we come to my final solution to the violence problem. Did you ever hear criticism of violence on radio? Was there ever a congressional hearing or a panel at a law school about there being too much violence on radio? I think the final solution is *running all the violence on radio*. Think about it.

3. 47 U.S.C. § 309(a) (1990).

4. Fairness Doctrine, 102 F.C.C.2d 143 (1985).