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THE REAL PROBLEM IS VIOLENCE, NOT VIOLENCE AND TELEVISION

*Todd Gitlin**

While I agree with a great deal of Professor Gerbner remarks,¹ I want to use the iceberg for a different purpose metaphorically. What I want to say, essentially, is that the issue of television and violence is a veil over a real iceberg. It is a kind of stage iceberg. It is a kind of flat that was built to conceal something which is deeply serious. And what is deeply serious, the real iceberg, is violence. I want to suggest, somewhat in the spirit of Marvin Kitman,² that the measure of the fact that we are having these discussions this year—that is, discussions about television and violence and not discussions about violence and what to do about it as a society—is a suggestion that, as a society, we are not prepared to take seriously violence in the real world and what might be done about it. Instead, we are having a surrogate discussion.

What annoys me about the fact that it is liberals who are having this discussion, is that it is liberals who have principally defaulted on the discussion about what to do about violent crime in the society. Conservatives, for twenty some-odd years, have let you know just what they want you to do. And you can hear it on their commercials. You do not have to see this year's commercials to know what they are going to sound like. They are going to sound like "clang," the slam of the penitentiary gate. That is a position. "Three strikes and you are out," or one of these kinds of strikes and you are out. Those are positions. We know what they are. Liberals for many years—and I speak here as someone who mostly agrees with them—have failed to make a serious proposal about what to do about violence. It is much easier, as various people have pointed out, to go before a press

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1. George Gerbner, *There is No Free Market in Television*, 22 HOFSTRA L. REV. 879 (1994).

2. Marvin Kitman, *Reducing Television Violence*, 22 HOFSTRA L. REV. 871 (1994).

conference and fulminate about images and campaign against *The Texas Chainsaw Massacre*. That does not take any expenditure. It certainly does not impose any new taxation on anyone or suggest that some money should be extracted from some part of the government in order to be applied elsewhere. It does not require that I threaten any interest except that of a few venal and deservedly culpable corporations. It is too easy.

If, in fact, the charges against media are accurate, if it is a reasonable practical social science assessment that, as Professor Donnerstein said earlier, perhaps five or ten percent of real world violence can be attributed to television violence,³ well then, I propose that we have five to ten percent of our discussion about violence be a discussion about television violence. I am interested in the other ninety to ninety-five percent. And what I want to suggest is that the reason we are having this relatively parochial conversation about the issue is because we are afraid to take seriously what has happened in the society to generate, for example, 38,000 gunshot deaths a year and to put these vast percentages of the youth population of the cities, especially the black population, in jail or on probation or parole.

There are two things in particular that ought to be part of a serious debate. One, of course, is the issue of guns. I find it more than amusing that Senator Hollings, the co-sponsor of the bill we were talking about this morning,⁴ is attached to the NRA and, in particular, voted against, the Brady Bill⁵ that would have, horror of horrors, provided for a five-day waiting period.⁶ My God, a five-day waiting period.

Canadians watch the same television we watch for the most part. Ninety percent of Canadians live within one hundred miles of the U.S. border. And while they have some of their own television, they watch a lot of our stuff. They like it for various reasons. And their crime rates, which have been rising in recent years,⁷ enough to cause

3. Edward Donnerstein, *Mass Media Violence: Thoughts on the Debate*, 22 HOFSTRA L. REV. 827 (1994).

4. S. 1383, 103d Cong., 1st Sess. (1993). For a further discussion of the Hollings Bill see Arthur Eisenberg, *The Hollings Bill: Unconstitutional Under the First Amendment*, 22 HOFSTRA L. REV. 793 (1994); Kathleen Peratis, *Banning Speech Does Not Cure Social Ills*, 22 HOFSTRA L. REV. 801 (1994); John Windhausen, *Congressional Interest in the Problem of Television and Violence*, 22 HOFSTRA L. REV. 783 (1994).

5. H.R. 1025, 103d Cong., 1st Sess. (1993).

6. *Id.*

7. *Surge in Violent Crime Reported*, Facts on File World News Digest, Apr. 9, 1992, available in LEXIS, Nexis Library. From 1981 to 1990, "the rate of violent crime had in-

a similar alarm among them, are simply not in our ballpark. The gun restrictions are one important reason.

I was in Ottawa last October where this was being debated. Some people in Ottawa were up in arms—quite upset. “Up in arms” is not the right image. They were down on arms because just then—this was in the middle of October—the metropolitan area of Ottawa had just had its fifth homicide of the year. Good God! There would be dancing in the streets in any American metropolis with such statistics!

Parenthetically, the same movies which I find loathsome, which place a pleasing cast upon violence—*The Terminator* sort, *Lethal Weapon*, all movies with titles which have something like “weapon” or “lethal” or “death” or “terminate” in them—the same movies are showing everywhere, everywhere in the world, without the same sort of homicidal consequence as in the United States. Plainly, the availability of guns is a factor. It is a considerable factor. To my mind, it is a vastly more important factor than television.

There is a slippage that takes place when the subject of television violence takes place. It is the moment at which we switch from discussions of the causes of aggression to discussion of the causes of violence. It is rarely noted at that moment in the conversation that aggression is not bodily dangerous violence. If we had a society full of young people who were quick to resort to fist fights, I could live with that. I am sure most of us could. That is not the problem. That is not the sort of behavior that is precipitated, as many experimental studies have pointed out, by television watching. It is not that behavior that is the problem. The problem is that people have the means with which to convert aggression into violence, often lethally incapacitating.

The second enormous absence in this discussion is inequality. It is true—and I think it was Professor Gerbner who first pointed this out—people who watch television the most are the people who are most dependent on it, the people who are most likely to be alone, the people who are most powerless in the society as a whole; that means, disproportionately, the old—who do not have the energy to commit a lot of violence and do not have the hopes that something might come of it—and, the young, in particular, young people who are the most poor, which means disproportionately people of color in the city.

creased 52% . . . Sexual assaults had increased 144%. Nonsexual assaults had increased 57%.” *Id.*

Now, whether it is true that what animates them and agitates them about television is the images of mayhem on television or whether, on the other hand, as I suspect, what animates them is that television is a nonstop reminder of what other people have that they do not—namely, the whole glittering panoply of consumer goods that middle-class America assumes to be its birthright. I do not know what it is about television that is most pernicious. There are many things. But neither does anyone else know.

I would not take it as established that what is most agitating and crime-inducing about television is gun-play. It seems to be perfectly reasonable—since there are many studies that have established this in the past—that one important reason crime becomes a way of life, is that in a relatively wild society, crime is an illegitimate means by which some people attain what other people attain by legitimate means. That is, if you cannot get money by earning it, then you get it by mugging or robbing a convenience store. I am not saying that is where all, or even most, violent crime comes from. But I think it is an important element in the story.

Those, it seems to me, are the central issues that ought to be under discussion.

Having said all that, I very quickly want to hop, skip and jump out of the, I think, disingenuous self-defense offered by the television networks. The television networks do not care about the quality of what they do. Possibly my only difference with George Gerbner in this regard is that he distinguishes sharply between the creative people, so-called, and the executives.⁸ I tend to think that line is far more blurred and a lot of the people in the industry—at least the people I interviewed in 1981 when I was researching a book about the industry—were not exactly champing at the bit to write enduring work. They were champing at the bit to make a lot of money.

Wherever it is that we draw the line in the industry, I certainly do not want to defend the industry. I think, in fact, to say that the state should regulate it in some ways takes us, as a democratic public, off the hook. That seems to be the way we like to approach a lot of our pathologies and discontents. We want the state to reach out and stop something, while we presumably do not have to get up from our couches. I like dissent. I like the vitality of democratic combat. I think it is perfectly reasonable for people who loathe what they see

8. See Gerbner, *supra* note 1, at 882.

on television to conduct all kinds of campaigns, write letters, picket, humiliate people who deserve to be humiliated—anyone attached to an Amy Fisher television movie is a perfectly good subject for good old-fashioned civil disobedient behavior—and I am for that. Very much so.

But I am also—like Peggy Charren and other people who have contributed to this discussion—of the mind that Gresham's Law, the law that bad money drives out good money,⁹ or, in other words, that the grotesque drives out the less grotesque, is something that constantly should be put to the test. And the way to put it to the test is for the society as a whole to undertake seriously an obligation to make available a different world than is available through commercial television. The world that is different from what is going to be on commercial television is always going to be disturbing and unusual, by definition. We have now lived with television long enough that what we see on it as our daily diet has become normal. We now have kids graduating from Harvard who think that they should write like what they see on television. They think that is a high order of achievement. It has become that. The only way to fight this process is for the society to make a commitment to underwrite culture which is not subjected to the crude preferences of the market.

In that sense, television should be like forms of transportation which could not exist without subsidy, just as the railroads would not have existed in America without land subsidy, just as we would not have an airline industry without subsidy, just as we would not have public schools without subsidy, just as we would not have streets without subsidies, sewers and the rest of it. Even though at any given moment many people may feel we can live without a high quality of culture, I think that if we are serious rather than simply rhetorical, if we are serious about a society that despises violence and mediocrity, we should subsidize it. That we have only one public television network increasingly reliant on commercials, that we spend as little on the subsidy of work of worth, by far less per population than any other industrial society, is a crying scandal.

Finally, I am interested in the discussion about violence and television not because I think that the real scariness of the world and the real ways that we are living in America are going to be seriously addressed if we take some of the violence out of television, but be-

9. Geoffrey P. Miller, *Public Choice at the Dawn of the Special Interest State: The Story of Butter and Margarine*, 77 CALIF. L. REV. 83, 97 n.70 (1989).

cause, we can look through the violence on television issue as a sort of lens, through which to see the larger waste and the larger incapacities of our society.