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**TV VIOLENCE, CHILDREN,
AND THE PRESS: Eight Rationales
Inhibiting Public Policy Debates**

by

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INTRODUCTION



In contemporary political theory, the role of *public deliberation* (or *public discourse*, or *dialogue*) looms large. From numerous perspectives, among them republicanism, feminism, and communitarianism as well as more traditional political liberalism, theorists and public commentators have linked the values of democracy, equality, and community with the particular mechanism of public deliberation, the process by which the members of a community talk to each other in an effort to reconcile differences and make the decisions that affect us all.

The literature on public deliberation might be divided into the *celebratory* and the *skeptical*. The former stresses the virtues of public deliberation in forging consensus and community, and laments the paucity of public deliberation compared to earlier times or smaller settings. The latter sees public deliberation as a process that incorporates and indeed reinforces existing social disparities, such that those who are for one reason or another socially disadvantaged wind up being disadvantaged in the deliberative process as well. For the celebrants, public deliberation offers a way out of existing social ills, while for the skeptic public deliberation is as likely to be a manifestation of social pathologies as a way to transcend them.

What this debate frequently ignores, however, is the way in which public deliberation often goes awry not because some deliberators have more resources or more power than others, but because all too commonly good arguments do not, in practice, defeat bad ones. While it would be excessively skeptical to think that Gresham's Law operates in the marketplace of ideas, and that bad arguments invariably drive out good ones, it may be excessively sanguine to suppose that we live in the deliberative environment supposed by the rationalists of the Enlightenment, an environment in which sound arguments prevail just because of their inherent soundness. Rather, we appear to exist in a world in which various superficially appealing but deeply flawed arguments all too often carry the day in public debate.

The triumph of the fallacious is not only a concern to those who value good arguments for their own sake—it is much more a concern when decisions about major issues of public policy are held hostage to the deficiencies of public argumentative practice. And although there are few

issues of greater policy importance in the contemporary United States than the issue of violence, there may also be few issues whose discussion is more susceptible to all that is the worst, rather than all that is the best, about the process of public deliberation. When the topic of violence intersects with the topic of television, another on which people hold strong views, and one on which the press is hardly a disinterested observer, the risks of the failure of reason in the marketplace of ideas are magnified.

Into this problem comes Sissela Bok, applying the talents of the professional philosopher and the insights of the social critic to analyze current public policy debates in the press about television (itself a branch of the press), children, and violence. Although the depth of her concerns about televised violence is plain from this paper, she aims primarily not to make the case for one policy prescription or another. Rather, her goal is to expose some number of weak arguments whose dominance in current deliberation about the consequences of televised violence seems to her to be out of all proportion to their validity. This paper developed out of Bok's Fellowship at the Joan Shorenstein Barone Center on the Press, Politics and Public Policy, and exemplifies the intersection between the press and policymaking that is the focus of the Center's research agenda. After reading Bok's paper, the careful student of her analysis will be better equipped not only to understand and participate in debates about televised violence, but also better able to critique and contribute to the process of public deliberation in general.

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TV VIOLENCE, CHILDREN, AND THE PRESS: Eight Rationales Inhibiting Public Policy Debates

Spotlight on Television

Television violence and the development of our youth are not just another set of public policy problems. They go to the heart of our society's values. The best solutions lie with industry officials, parents, and educators, and I don't relish the prospect of Government action. But if immediate voluntary steps are not taken and deadlines established, Government should respond, and respond immediately.

Attorney General Janet Reno,
testifying before the Senate
Commerce Committee,
October 20, 1993.¹

No sooner had Attorney General Janet Reno spoken out about risks to America's children and adolescents from television violence, and in turn to the larger society, than the scoldings by press and television industry representatives began. Few commentators bothered to report with care on the actual bills under consideration at the Senate Commerce Committee meeting where Reno testified or on the research data on which she drew. The counterarguments focused, rather, either on the relative insignificance of risks from TV violence or on the overriding danger of government censorship regardless of any such risks.

- *The New York Times* editorialized against "Janet Reno's Heavy Hand," warning that although it is foolish to "try to stop a bullet like Schwarzenegger or swing off a mountain like Stallone, ... most foolish of all is Janet Reno's dangerous embrace of a very seductive form of censorship."²
- In *USA Today*, Michael Gartner, former president of NBC News, declared that television violence imitates real world violence, not the other way around, and that attempts to "mess around with anybody's views, opinions, thoughts, words" were far more dangerous than any effects of TV violence: "I know you don't like the fact that Beavis and Butthead play with matches, Ms. Reno. But you're playing with fire."³
- An editorial in the *Chicago Tribune* concluded that "Americans who think TV violence is dangerous have the simple option of turning it off, which is fine. What isn't

fine is for the government to take over a responsibility that ought to rest with free individuals."⁴

- TV industry representatives insisted that the amount of violence on television was exaggerated by politicians and critics and was nowhere near as linked to street violence as family breakdown and the erosion of values.⁵
- The Comedy Central cable network prepared a 30-second advertisement purporting to instruct "Dear Janet," about the difference between "real blood" and "stage blood" and claiming that those who "play with [the latter] on stage ... celebrate life and give people a rage to live."⁶

Why such immediate, summary, and often condescending dismissal in so many quarters? Why bypass Reno's call for *all* concerned — parents, educators, industry officials and, as a last resort, government — to come to grips with television violence as one of several interlocking factors linked to escalating youth violence? The press, after all, sees as part of its public responsibility to report in depth on similarly interlocking factors when it comes to, say, traffic injuries, drug addiction, or AIDS. Why, then, did so few newspapers bother, in covering Reno's testimony, to analyze diverging claims about the role of television violence in exacerbating youth violence?

It is not as if there were a dearth of data on which to base such reporting. By now, many hundreds of studies have concluded that exposure to television violence does affect a number of children for the worse, as have surveys of these studies.⁷ Two months before Reno's testimony, the American Psychological Association issued a major report on the research on violence involving children and young people.⁸ [See Box 1.] Its conclusions regarding the risks to children and to society from television violence are unequivocal.

Little reportorial initiative would have been needed to refer, in covering Reno's testimony, to the research surveyed in the A.P.A. report — research on which she expressly drew in preparing her remarks. Nor would it have been difficult to report on remaining disagreements among experts. These differences rarely concern the

possibility, now widely acknowledged, of harm to children from exposure to television violence. And the claims, advanced in the 1960's, that exposure to television violence could actually render viewers less aggressive through some form of catharsis, have since been discredited.¹⁰

EXCERPTS: "VIOLENCE AND YOUTH," AMERICAN PSYCHOLOGICAL ASSOCIATION⁹

There is absolutely no doubt that higher levels of viewing violence on television are correlated with increased acceptance of aggressive attitudes and increased aggressive behavior. /.../

Children's exposure to violence in the mass media, particularly at young ages, can have harmful lifelong consequences.

Aggressive habits learned early in life are the foundation for later behavior. Aggressive children who have trouble in school and in relating to peers tend to watch more television; the violence they see there, in turn, reinforces their tendency toward aggression, compounding their academic and social failure. These effects are both short-term and long-lasting: A longitudinal study of boys found a significant relation between exposure to television violence at 8 years of life and anti-social acts — including serious violent criminal offenses and spouse abuse — 22 years later.

In addition to increasing violent behaviors toward others, viewing violence on television changes attitudes and behaviors toward violence in significant ways. Even those who do not themselves increase their violent behaviors are significantly affected by their viewing of violence in three ways:

- Viewing violence increases fear of becoming a victim of violence, with a resultant increase in self-protective behaviors and increased mistrust of others;
- Viewing violence increases desensitization to violence, resulting in calloused attitudes toward violence directed at others and a decreased likelihood to take action on behalf of the victim when violence occurs (behavioral apathy); and
- Viewing violence increase viewers' appetites for becoming involved with violence or exposing themselves to violence.

The disagreements concern, rather, what proportion of children are affected by exposure to TV violence, in what ways, and to what extent; the degree to which other factors, such as witnessing violence in the home, contribute to the likelihood of children being adversely affected by exposure to TV violence; the degree to which such effects are temporary or lasting in nature; and the degree to which they are related to aggressive conduct and greater acceptance of violence later in life.

CHILDREN'S EXPOSURE TO TELEVISION VIOLENCE

Nearly 4 decades of research on television viewing and other media have documented the almost universal exposure of American children to high levels of media violence. Ninety-eight percent of American homes have at least one television, which is watched for an average of 28 hours by children between the ages of 2 and 11 and for 23 hours by teenagers. Children from low-income families are the heaviest watchers of television.

Before finishing grade school, the average child will already have watched, on the average, 8,000 murders and 100,000 acts of violence on TV.¹²

Children tend to watch equal quantities of daytime and prime time television programs and make up 6 percent of the viewing audience even after 10:30 p.m.¹³

Even two-year-olds in America are estimated to spend, on the average, 60 days a year in front of the TV set.¹⁴

The level of violence on commercial television has remained constant during nearly two decades. In prime time, there are five to six violent acts [on average] per hour; there are 20 to 25 violent acts per hour on Saturday morning children's programs. /.../ More graphic violence, sexual content, and mature themes are readily accessible in the 60 percent of homes in which cable television and VCRs are available.¹⁵

To document these controversies, reporters could have taken a second look at the proceedings of a landmark conference on television violence held in Beverly Hills in August 1993. This was the first time that scholars, politicians,

actors, and industry representatives met face to face to exchange views about the effects of television violence, the available research, and alternative policies to adopt. The brief press reports at the time conveyed but the starkest outlines of conflicting positions; but journalists referring to the C-SPAN transcript of portions of the proceedings would have had little difficulty in finding more substantive analyses and policy proposals.¹¹ Referring to them would also have helped underline Reno's special concern with the role of TV violence in the lives of children: a concern that takes on added significance in the light of the sheer amount of such violence that many young children witness. [See Box 2.]

Obstacles to Public Policy Debate

Not all press coverage of the debates about television violence, and about entertainment violence more generally, is as spotty as much of what followed Reno's testimony or the earlier conference. *Newsday*, for example, presented different viewpoints regarding the issues taken up by Reno during the week following her testimony; earlier, *The Boston Globe* provided front-page coverage to the August report on *Violence and Youth* by the American Psychological Association and has continued to cover related issues in depth.¹⁶ Anyone with the time and resources to do a literature search could turn up thoughtful, informative articles on TV violence in one newspaper or another over the past few years. Most readers, however, have no access to such diverse sources; many live in communities with very limited news coverage in the first place — let alone access to thorough discussions of the problems related to TV violence. As a result, it is far harder than it need otherwise be for informed public policy debates about these problems to get under way.

In spite of such barriers to informed policy debate, public concern about the role of TV violence in our society is rising. A Times Mirror Center survey reported, in March, 1993, that a majority of those interviewed in the survey indicated that they thought there was too much violence on TV and that this bothered them. An even greater majority (80 percent in 1993 as compared to 64 percent in 1983) felt that TV was harmful to society; and just 15 percent felt that TV was harmless in this respect.¹⁷ In December, 1993, *The Los Angeles Times* reported on a survey according to which "almost 4 out of 5 Americans believe violence in television programs directly contributes to the amount of

violence in society, and 54% say they would support government guidelines to limit the amount of mayhem on TV."¹⁸

The contrast between high levels of public concern and weak public policy debates is neither new nor uniquely attributable to inadequate press coverage. Past commissions and panels of experts, even when appointed in the wake of great public concern about violence in society and on TV, have been short on policy proposals. They have tended, after careful research and documentation, to bring forth only the feeblest suggestions for dealing with the risks that they have so amply documented.

Thus, for example, the National Commission on the Causes and Prevention of Violence, appointed by President Lyndon B. Johnson in 1968, commissioned a report on the mass media and violence. After a thorough review of the evidence available at the time, the authors of this report concluded that it was probable that mass media portrayals of violence were one factor that "must be considered in attempts to explain the many forms of violence that mark American society today," and that television violence in particular had the greatest potential for short and long term effects on audiences.¹⁹ The "television world of violence," the authors maintained, is neither an accurate reflection of the real world of violence as experienced by adult and teenage Americans, nor what the majority of adult and teenage Americans want; and it is dominated by norms for violence which are inconsistent with those espoused by these citizens.²⁰ Yet the report's primary recommendation for how to deal with this problem was only that the mass media create a publicly sponsored and supported "Center for Media Studies" to conduct further research about the matter.

A quarter of a century later, in the spring of 1993, a panel of experts issued a report on violence for the National Academy of Sciences. The panel had commissioned yet another study of the evidence to date of the role of TV violence, this time with much more extensive experience and research on which to base their conclusions. The authors of that study had concluded that "exposure to television violence resulted in increased aggressive behavior, both contemporaneously and over time."²¹ Yet the panel mentions no policy suggestions regarding exposure to TV violence in its report; nor does it even include the need for further research about such exposure in its list of recommendations.²²

By the fall of 1993, however, the climate of debate may have shifted more decisively than in

the past. It has been influenced by congressional hearings in 1992 and 1993 by Senator Paul Simon of Illinois, Congressman Edward Markey of Massachusetts, and others, and in turn by testimony such as that by Attorney General Reno. Ever more striking evidence of escalating violence on the part of and victimizing young people has also led to a new determination to inquire into all the factors that might possibly play a role in this slaughter of the young. [See Box 3.] It is becoming harder to ignore television

VIOLENT CRIME AND THE YOUNG

Arrests for violent crimes per 100,000 youths age 10-17 went from 215.9 in 1970 to 430.6 in 1990.²³

The rates of gun-related deaths among 15-19-year-olds, which had been rising gradually through the late 1960's, kept on doing so during the 1970's and early 1980's; then doubled from 1985 to 1990.²⁴

For black teenage males, the firearm homicide rate nearly tripled in that period, to 105.3 deaths per 100,000. Rates among white teenage boys also rose, though less rapidly, in that period, largely in the Hispanic community.²⁵

Homicide is the second leading cause of death of all persons 15-24 (auto crashes are the first) and the leading cause among African American youth.²⁶

In 1992 the U.S. Surgeon General cited violence as the leading cause of injury to women ages 15 to 44.²⁷

Every school day: 100,000 students carry guns to school, 6,250 teachers are threatened with injury, 260 are assaulted.

13 percent of all incidents involving guns in schools occur in preschool and elementary schools.²⁸

violence as one potential factor, linked not only to the ravages of youth violence but to the still larger toll taken by violence in American society more generally — a toll that is increasingly seen as constituting a public health crisis of epidemic proportions.²⁹

Eight Rationales

The heightened awareness of the risks associated with TV violence may yet recede, as so

often in the past, after a sputtering but inconclusive debate. If there is to be a more serious and informed public policy debate about these risks, the press will have a crucial role to play. It will need to do a better job of providing the necessary background and analysis; but to do so, it will have to guard against overquick acceptance of certain commonplace but stunted lines of reasoning that help short-circuit debate. Often called **rationales**, these lines of reasoning serve a double function: they offer simplistic **reasons** for not entering into serious debate about a subject, and thus provide **rationalizations** for ignoring or shielding ongoing practices from outside scrutiny and interference.³⁰ When it comes to violence on and off the TV screen, the following rationales are especially common:

I. America has always been a violent nation and always will be: violence is as American as cherry pie.

II. Why focus the policy debate on TV violence when there are other more important factors that contribute to violence?

III. How can you definitively pinpoint, and thus prove, the link between viewing TV violence and acts of real-life violence?

IV. Television programs reflect existing violence in the "real world." It would be unrealistic and a disservice to viewers as well as to society to attempt to wipe violence off the screen.

V. People can't even agree on how to define "violence." How, then, can they go on to discuss what to do about it?

VI. It is too late to take action against violence on television, considering the plethora of video channels by which entertainment violence will soon be available in homes.

VII. It should be up to parents, not to the television industry, to monitor the programs that their children watch.

VIII. Any public policy to decrease TV violence constitutes censorship and represents an intolerable interference with free speech.

All eight of the rationales bring out points worth making. They represent natural forms of hesitation and caution with respect to a cluster of problems many have come to think intractable. But all eight are taken too far when used to dismiss or foreshorten debate about television violence. All fall especially short when used to set aside questions of how to deal with the risks that such violence poses to **children**.

I. America always has been and always will be a violent nation: violence is as American as cherry pie.

H. Rap Brown's metaphor has entered the vernacular. Many take it to be an accurate comment, looking at America's present levels of violence against the background of a history of slavery, frontier violence, labor strife, racial conflict, crime, and warfare domestic and international. While this claim offers a **reason** for taking America's history of violence into account in debates concerning all forms of contemporary violence, however, it cannot suffice for setting aside the debates themselves. When it is used to support such a conclusion, it becomes a falsely fatalistic **rationalization**. Just as "slavery is as American as cherry pie" might have seemed to some all too accurate a characterization of American society in 1850, it would have been similarly inadequate as a reason for believing that slavery could not be overcome.

The rationale invoking perennial American patterns of violence, when used thus, helps deflect inquiry into explanations for present levels of violence and into contributing factors and possible remedies. Historical references alone cannot account for the unprecedented sharp rise in recent years in child and adolescent violence. [See Box 3.] Nor can they account, more generally, for what a French researcher calls "the very special case of the United States" when it comes to homicide: the fact that its homicide rate is now between four and ten times higher than other industrialized nations, with correspondingly disproportional levels of rape, child abuse, and every other form of violence³¹. In 1962, America's homicide rate had come down to 4.5 per 100,000 from 6.9 per 100,000 in 1946, following the downward patterns of other industrializing nations; it then began a prolonged upward move to reach 9.4 per 100,000 in 1972.³² Cresting in the early 1980's, then resuming its climb after a downward turn, the homicide rate was over 10 per 100,000 in the United States in 1991, compared to 2 in England, 1.8 in Germany and 1.2 in Japan.

The power of this rationale and of the fatalism that it supports may help to explain why the high levels of violence which now mark daily life in America have, so far, generated nothing like the determination to bring about change engendered by the Vietnam War. Even though more Americans died of gunshot wounds alone during 1986 and 1987 (or any other two years in the past decade) than in the eight and a half years of that war, this domestic bloodshed has not

begun to provoke the amount of political engagement and public policy debate devoted to that war.

The rationale, finally, is singularly inappropriate when it comes to television violence, which is, precisely, not as perennially American as cherry pie. It is only four and a half decades since a few American households acquired their first television sets. By now, 98 percent of American households have television, and many have several sets in different rooms. Television is a presence in children's lives from infancy on, consuming more hours each year than school. The amount and forms of violence to be found on television programs have also mounted to levels that few could have predicted in the early 1950's.

A fatalistic rationale about our nation's imperviousness to change with respect to violence may be a natural first reaction to the sense of the intractable nature of the problem.³³ It may result, too, from a sense that we simply do not know enough at present to be able to devise adequate policies in response. But as in the case of slavery, such a rationale serves also as a **rationalization** for doing nothing — as an excuse by those who won't be bothered and a shield for those in the weapons, entertainment, and other industries with vested interests in the **status quo**.

II. Why focus the policy debate on TV violence when there are other more important factors that contribute to violence?

This is a natural first reaction to expressions of concern about the role of TV violence in American society, especially for anyone convinced that TV violence is dwarfed by some one other causal factor such as poverty, family breakdown, the availability of firearms, or substance abuse. Why not begin with what is truly important, rather than waste time and energy on the contents of TV programming? Perhaps TV violence is even a scapegoat, "much easier to attack," in the words of the director Michael Mann, "than the imponderables of why there's so much violence in this culture."³⁴

Such questions are valuable insofar as they caution against undue stress on the one factor of TV violence alone, or, indeed, on any one other factor by itself.³⁵ There is clearly reason to address the role of each and every factor that may contribute to violence. To concentrate only on TV violence, in an effort to understand violence in America more generally, would be not only mistaken but dangerous, in that it

would allow neglect of other, often more direct causes of violence.

But this second rationale is itself mistaken, and indeed dangerous, when it is used to block any concern with TV violence (or with any other risk factor such as family breakdown or firearm availability) until all other factors linked to societal violence have been adequately dealt with. We do not usually address complex, multidimensional human problems in this manner. Take heart disease: few critics maintain that, just because a number of risk factors such as smoking or heredity or cholesterol contribute to the prevalence of this disease, there is reason not to focus on any one of them. On the contrary, research and inquiry have to continue regarding each one, including those of lesser magnitude.

In the past few years, scholars, advocates, physicians, and government officials working to address problems of violence have increasingly come to view them, too, from a public health perspective, as has long been the case with heart disease, cancer, and other major causes of death and disability. It is a perspective that allows the most wide-ranging and integrated exploration of the incidence of different forms of violence, of possible risk factors, and of approaches to prevention.³⁶ Such a public health perspective serves as a refreshing antidote to any urge either to address complex problems in terms of only one risk factor or to dismiss concern with any one factor on the grounds that it is not the only one or even the most significant one. In the absence of such a differentiated perspective, it will remain tempting to counter concerns about entertainment violence by conjuring up improbable one-dimensional scenarios — as in Sam Donaldson asking whether people “watch movies, then grab their guns to go out to do mayhem.”³⁷

Even if there were no TV violence, this would obviously not wipe out the problem of violence in the U.S. The same can be said for poverty, drug addiction, the proliferation of firearms, and each of the other risk factors. As Dr. Deborah Prothrow-Stith puts it, “It’s not an either or. It’s not guns or media or parents or poverty.”³⁸ All contribute to the problem of violence in America. And yet television serves in a unique way to acculturate Americans to violence. Children learn by imitation; and television provides ample models of persons who seem to personify the power, the brutality, and, too often, the imputed glamor of violence. To mention but one set of societal changes that have been

attributed in part to acculturation, including television modeling: the rate of arrests for serious crime (such as murder, rape, robbery and aggravated assault) by children under fifteen had increased by 11,000 percent between 1950, when TV was in its infancy, and 1979; since then it has shot up still further.³⁹

So long as a focus on entertainment violence is not seen as the only one needed, moreover, the claim that it represents “an easy way out” and is therefore undesirable is beside the point. Why *not* work at the easier as well as at the harder aspects of the problem? It will doubtless be easier to reduce the harmful effects of TV violence on young children than to affect the consequences, say, of family breakdown or domestic violence. Far fewer persons are required to bring about changes in television programming than to reduce poverty, addiction, and other social ills that burden many families in America. It is urgent to work to alleviate all of these ills; but there is no reason to delay bringing about change in television programming until this work has been carried out.

The second rationale serves a useful purpose, then, insofar as it warns against a unique focus on any one factor such as that of television violence. But it functions as a **rationalization** as soon as it is used, instead, to ignore the risks from TV violence or to draw attention away from it; and, as with the first rationale, it can, thus used, help to prolong silence and inaction with respect to the problem of TV violence as well as to shield those who have the most to gain from such programming.

III. How can you definitively pinpoint, and thus prove, the link between viewing TV violence and acts of real-life violence?

This question challenges the assumption that exposure to television violence constitutes a risk factor in the first place. It is a challenge familiar from the debates concerning the risks associated with tobacco smoking. Representatives of the tobacco industry hold that since, in their opinion, there has been no conclusive proof of a causal link between tobacco and lung cancer, there is no reason to take action against smoking, nor any moral reason for curtailing sales efforts at home and abroad. [See Box 4 for an example of such claims.]

Media representatives similarly claim that until conclusive proof can be produced that TV violence causes harm to viewers and indirect harm to third parties, there is no reason to consider public policy measures to reduce the

**SMOKING AND DISEASE:
A DISCLAIMER**

Sworn testimony with Andrew Tisch, chairman and chief executive of Lorillard Tobacco Company, taken by Stanley Rosenblatt, an attorney representing a group of flight attendants in a class-action lawsuit against leading cigarette makers:⁴⁰

Q. As far as you're concerned, Mr. Tisch, as the chairman and chief executive officer of Lorillard, this warning on the package which says that smoking causes lung cancer, heart disease and emphysema is inaccurate? You don't believe that is true?

A. That's correct.

Q. Because if you believed it were true, in good conscience you wouldn't sell this to Americans, would you, or foreigners for that matter?

A. That's correct.

harm linked with exposure of children to violent programs.

Once more, such arguments serve a double purpose. They function as **reasons**, first of all, to examine with scrupulous care the evidence held to support claims that TV violence harms children, desensitizing many of them to violence and rendering them more fearful and distrustful of others, and that exposure to such violence is correlated with increased aggressive behavior. It is clearly the case that more needs to be done to scrutinize different research designs, sampling methods, and possible biases of studies supporting such claims, and to ask about the steps of reasoning leading from particular research findings to conclusions.

But the arguments also serve as **rationalizations** as soon as they are used to dismiss existing research and to disparage public concern as alarmist until conclusive proof has been achieved. To ask for some demonstrable pinpointing of just when and how TV violence affects individual children for the worse before debating public policy sets a dangerously high threshold for what is to count as adequate justification in such debates. It would require knowledge about the physical and psychological development of individuals so detailed as to be unattainable. We may never be able to trace, retrospectively, the specific moments at which and reasons for which TV violence contributed

to a particular child's desensitization with respect to violence or provided believable models for aggressive conduct. The same is true when it comes to the links between tobacco smoking and cancer, between drunk driving and automobile accidents, and many other risk factors presenting public health hazards. Yet our inability to carry out such pinpointing has not stood in the way of discussing and promoting efforts to curtail cigarette smoking and drunk driving; it is not clear, therefore, why it should block such efforts when it comes to TV violence.⁴¹

An approach to causation more commonly used in considering how to counter public health hazards is that of probabilistic causation. It is not necessary that a factor, such as the cigarette smoking that is thought to play a causal role with respect to lung cancer, produce that effect in all or even most cases, nor that it be the only or the greatest cause of that effect, but only that it "increases the incidence of the effect for a population and increases the likelihood of the effect in an individual case."⁴² Using the same approach for TV violence, the link between such violence and the incidence of violent acts in real life need not be individually pinpointed — something that would be as hard to do for TV violence as for cigarette smoking, considering the years that it takes for the most serious effects to come to evidence.

An important question that a public policy debate has to take up concerns, therefore, the levels of certainty regarding causative factors and the amounts and kinds of victimization that would count as posing risks large enough for debating forceful and concerted responses. How certain must we be of risks to large numbers of people before discussing what action to take?

While it will always be difficult to produce specific numbers of persons who have been victimized by any one of the risk factors at stake in America's exceptional levels of violence, different approximate estimates have been made. Brandon S. Centerwall, a Washington, D.C. psychiatrist, has concluded from large-scale epidemiological studies of homicide in America and abroad, that "if, hypothetically, television technology had never been developed, ... [v]iolent crime would be half of what it now is."⁴³ If so, there would be 10,000 fewer homicides today, he suggests, 70,000 fewer rapes, and 700,000 fewer injurious assaults. Others have estimated that television programs may contribute incrementally to ten percent of violent crime.⁴⁴ Clearly, however, even a lower estimate — say five percent — ought to be taken into account in

considering the level of certainty desired before action is taken against damage traced to the effects of television violence.

IV. Television programs reflect existing violence in the "real world." It would be unrealistic and a disservice to viewers as well as to society to attempt to wipe violence off the screen.

According to this rationale, television violence does not add to real world violence so much as mirror it. Leaving it out of programs would offer a saccharine and utterly false view of reality that could not, in the long run, serve either individual or social needs. Newscasts, in particular, report on military combat, bombardment, arson, rape, murder, and other forms of violence throughout daytime and evening hours. Wouldn't reporters deny their primary purpose if they consented to sugarcoat the news or blot out the uglier facets of history in the making? What would it say about us as viewers if we maintained that we would be better off not knowing about the ethnic cleansing in ex-Yugoslavia or the starvation in Somalia? To water down news programs benefiting all citizens because of possible effects on child viewers would surely be a betrayal of journalistic integrity. It would deprive society of information indispensable to understanding world events, and so make possible errors and abuses that could turn out to be far costlier than any damage to television viewers.

The most horrifying image sequences, moreover, sometimes serve to mobilize public opinion as little else can, as when television coverage brought the famine and slaughter in Somalia to the world's attention. What is wrong with news coverage of crises around the world is not that it exposes inhumanity and victimization and the anguish of mourners, but rather that it does not always do so completely enough or in a sufficiently fairminded way. It is not that we should not learn about the horrors perpetrated in Somalia, but that we do not also learn about equally extensive suffering in the Sudan and elsewhere. Amartya Sen has pointed out that great famines such as that of 1958-61 China, in which close to 30 million people are estimated to have perished, have only taken place in societies in which there is no free press to publicize such developments.⁴⁵

The rationale, thus interpreted, offers persuasive **reasons** against any blanket rejection of projections of violence on the television screen. But if it, in turn, is taken as a blanket rejection of all criticism of levels and forms of televised violence, it serves, instead, as a **rationalization**

for temporizing about debating even the most exploitative programs. With respect to newscasting, first of all, the rationale papers over the concern increasingly felt in media circles concerning the blurring of the line between news and entertainment, in so called "infotainment programming." And it fails to take into consideration the drift toward increasingly sensationalized news programming that in no sense mirrors the life of a community or society. "If it bleeds, it leads" is a familiar motto well worth questioning. Disasters, fires, rapes, murders are now being covered in proportions that bear no relation to reality. As one report on television news coverage in New York City put it,⁴⁶

Another night, another nightmare.

The teenage killer gives way to the subway slasher. The mob slaying segues into a spot on kids with guns. The face of a weeping mother dissolves into a close-up of a blood-stained shirt. House fires become "raging infernos." Traffic snarls. Kids fall out of windows. Babies die in random shootings. Manhunts are commonplace.

...Welcome to New York. Day after day, from 4 p.m. to midnight, at almost any time, the nation's largest city is probed, poked, tossed and turned in quick-cut images projected to a potential viewership of some 18 million people, a population about the size of Iraq's.

... In more than 80 interviews over several weeks, journalists, scholars, and other New Yorkers, ranging from janitors to teachers to corporate executives, described New York — as portrayed by television — as a grim wasteland that bears almost no relation to their lives. The city thus exposed is a sustained scream, a bloodied mess.

Whatever the "real world" is that the fourth rationale claims that television reflects, such news coverage clearly conveys but distorted and disjointed aspects of it. The metaphor of mirroring is even less apt when it comes to entertainment violence. The amount of televised homicide, rape, arson, and torture bears no relation to the frequency with which these actually occur. And while industry representatives may speak of television mirroring the real world, many producers and writers would disown such a comparison as inconsistent with the creative freedom they require. For some, the opposite claim is closer to the truth: that their productions differ so radically and so self-evidently from reality that viewers could not reasonably respond to the violence they contain as if it were in any way connected to their lives. As Joel Silver, the

producer of the blockbuster "Die Hard," "Lethal Weapon," and "Predator" films, said, in response to criticisms when his film "Lethal Weapon 3" opened two weeks after the April 1992 Los Angeles riots:

"I mean it's a western, it's entertaining, it's good guys versus bad guys. In that scene in 'The Searchers' when John Wayne went after all those Indians, was that genocide? Was that racist? When James Bond dropped the guy in a pond of piranhas, and he says, 'Bon appetit,' we loved that. That's a great moment. Movies are not real."⁴⁷

Silver's movies and others like them are common fare on television. The notion that the violence they portray is not real to viewers is as naive as the metaphor of violent television programs passively reflecting reality. When used to ward off debate, both notions function as mutually reinforcing, however inconsistent, **rationalizations**. They downplay, in so doing, the intense, unmediated, and far from passive reality that television violence has assumed for many viewers.

Children, in particular, cannot distinguish between the reality of the violence they see on and off the screen. They are unable, through at least the age of three or four, to distinguish fact and fantasy. Even older children rarely manage to keep "real life" violence and vicarious violence in watertight compartments.⁴⁸ The psychologist Leonard Eron has found that children who are less successful in school watch more television and that they:

prefer the more violent shows; they identify more with television characters; and they believe that the violence they observe on television reflects real life. They are exposed to more violence and have more opportunity to learn aggressive acts.⁴⁹

Children are especially likely to conclude that television violence reflects real life if they also have personal experience of violence in their family or neighborhood. For them, the violence that they witness around them reinforces the realism that they attribute to the violence they see enacted on the screen; and their view of the world around them is in turn strongly influenced by what they see on television.⁵⁰ As the authors of an article on children who witness violence put it:

The young child's attempts to master the age-appropriate fears of monsters under the bed are severely undermined when the child needs to

sleep under the bed to dodge real bullets or attempt to screen out the violent fights of his or her care-givers.⁵¹

Because children tend to watch equal quantities of daytime and prime time programs and make up 6 percent of the viewing audience even after 10:30 p.m., they are hardly insulated from violence-drenched programs held to be specifically aimed at older viewers; still less from the sensationalized, concentrated violence of "promos" for violent night time programs or movies, since such commercials are often run repeatedly during sports programs and other programs that appeal to young audiences, at times including children's shows.⁵²

As a result, even young children are exposed, before they are in any position to distinguish fact from fantasy, to amounts and levels of violence more brutalizing than many adults — parents, script writers, and TV producers among them — realize. The extremes of violence in some television programs are known to affect not only children but to be cited by adolescents and adults carrying out so-called "copy-cat" rapes, serial killings, and other forms of assault.⁵³ James Gilligan, a psychiatrist who has studied mass murderers, has concluded that certain violent TV programs in America are no less sadistic than the films used by the SS to desensitize and indoctrinate Nazi torture squads and death camp guards.⁵⁴

Viewers of all ages, moreover, far from experiencing television as somehow either utterly cut off from reality or as passively mirroring it, know that it addresses them actively — as consumers, as citizens, as moral agents — for better or worse. They know, too, that this influence goes in both directions, and that news coverage mediates, in this process, between the "real world" and entertainment programs. Those who produce or otherwise shape violent television programs can be guided by and sometimes learn from real-life crimes of violence covered in news programs, just as persons prone to or contemplating acts of violence can model themselves on and learn new techniques from television programs. The claim by scholars and others urging more careful, analytical debate about TV violence is that it is worth asking how and when such forms of reciprocal learning takes place and what, if anything, makes it escalate.

V. People can't even agree on how to define "violence." How, then, can they go on to discuss what to do about it?

One of the quickest ways to short-circuit serious reflection about TV violence or any other

form of violence is to employ some version of the "definitional fallacy": to insist that it is impossible to define violence specifically enough for policy debates. Just as the claim that "one man's terrorist is another man's freedom fighter," if left unexamined, does much to delay serious discussion of political violence, so "one viewer's violence is another's dramatic action" has a superficially plausible ring that invites discussants to give up in confusion rather than attempt a search for a common definition.

If we refused to debate topics because of doubts or disagreements about definitions, we would have little to talk about. The philosopher John Searle has pointed out that "one of the most important insights of recent work in the philosophy of language [has been that] most non-technical concepts in ordinary language lack absolutely strict rules" according to which one can definitely state when they do and do not apply.⁵⁵ This is as true of concepts such as promising or lying as of killing and other forms of violence. All present problems of line-drawing. Yet with respect to none would it make sense to postpone analysis and debate until complete agreement had been reached on definitions and line-drawing questions.

To be sure, the case is different when it comes to specific proposals for a system of rating violent programs or for limiting the types and degrees and amounts of violence in particular programs or at specified times of day. At such times, definitions of what is to count as violence, gratuitous violence, and the like must be established, along with procedures for resolving differences of view. Much can be learned, in this regard, by comparing the definitions and the procedures used in the rating systems already in place with respect to motion pictures in America and abroad, as well as by comparing the rules limiting violent television programming in different nations.

Insofar as the fifth rationale reminds us of the difficulties in drawing distinctions between types, degrees, and amounts of violence, it offers a **reason** to proceed with caution when it comes to legislation. But it is patently in error and serves instead as a **rationalization** as soon as it is used to undercut discussion of any and all efforts to deal with the effects on children of exposure to television violence. Consider the Oxford English Dictionary's core definition of violence as "the exercise of physical force so as to inflict injury or damage to persons or property."⁵⁶ It is hard to think of anyone whose preferred definition of violence would not cover at least such

injury. Agreement on such a core definition offers a basis for discussing the effects on children of watching the rapes, shootings, and disfigurements that constitute daily TV fare.⁵⁷

With such a basis, it is then possible to consider further whether the relevant definition of violence should include further distinctions: those, for instance, between intentional harm and unintended or negligent actions resulting in such harm; between actions and omissions leading to harm; between harm done only to persons and to non-human living beings and/or property; between harm done to others and to oneself, as in self-mutilation or suicide; between harm that is unwanted by the recipient and desired harm as by penitents or masochists; and between unlawful or unauthorized harm and harm inflicted in accordance with laws of the particular society in which it takes place, such as hangings or electrocutions.⁵⁸

It turns out, however, that most such distinctions are largely beside the point when it comes to the effect on small children of exposure to violence. A three- or four-year-old is unlikely, in viewing a series of killings, to sort out the degree to which they are intended, or to react differently depending on whether the killings are inflicted on animals or human beings or whether they are carried out by human beings or, indeed, by animals, monsters, robots, or other creatures.

Cartoons generate especially frequent debates in this regard. Should it *count* as violence when, for instance, Donald Duck is dropped off a mountain top or flattened by a rock, only to recover right away and be ready for new punishments? Such acts are counted as violent in many studies of children's programs, which then conclude that these programs are proportionately more saturated with violence than adult ones: that they contain more acts of overt, physical uses of power that hurt or kill and a higher percentage of characters engaging in such acts, as well as of victims, than prime time TV programs.⁵⁹

These comparisons strike many as odd. Cartoon violence is, after all, meant to be humorous; and long before television, comic books and marionettes and theatre groups offered similar fare to spectators. Such violence is therefore usually thought harmless by the adults who produce and present the programs and by many parents. But George Gerbner of the University of Pennsylvania's Annenberg School of Communication, who has conducted a number of comparative studies of TV violence, suggests

that cartoon violence, presented hour after hour, does have cumulative demoralizing and desensitizing effects on the young children most frequently exposed to it; and that humor becomes "a sugar coating that makes the pill of violence go down much more easily [so that] it gets integrated into one's framework of knowledge."⁶⁰

Controversies of this nature are best resolved by looking with care at the evidence adduced for the harmful or innocuous effects of viewing such depictions of violence as compared to others. Too often, however, those who think that most cartoons contain nothing that should *count* as violence take such a disagreement over how to define its boundaries as proof that no further debate is possible. Here again, the fifth rationale usefully points to **reasons** for caution about problematic or disputed definitions; but when it is used to postpone debate until there is agreement on every definitional controversy, it functions, also, as a **rationalization**: both for those who simply wish to avoid considering the problem and for those who want to carry on with practices, such as the production or dissemination of especially violent TV programs, that might otherwise be targeted by a public debate.

VI. It is too late to take action against violence on television, considering the plethora of video channels by which entertainment violence will soon be available in homes.

This rationale, like the others, has a point. The task of curbing TV violence is daunting. Strong vested interests — commercial, cultural, and intellectual — guard against the slightest change in this regard. Violent programs, many of which are thought too raw for network television, are already transmitted through a growing number of TV and cable channels. If it has been so difficult to take action in the past, why should anyone imagine that such action would be likely to succeed in the future, when there will soon be so many more ways for violent programs to enter American homes? The time for trying to stem the flow of violence into the lives of children may have already past.

And yet the rationale offers but a flimsy basis for closing off the discussion of how and where to begin tackling this problem. It would be unconscionable to abandon the search for ways to cope with this problem, given its seriousness, merely on the grounds that there may come to be ever more numerous sources and channels of violent television. After all, air and water pollution, too, continue to spring from increasingly numerous sources and to spread in ways

sometimes difficult to regulate, yet few propose giving up on measures to control them on such grounds. It is now more urgent than ever to consider how to act to stem the flow of televised violence, and to set standards, establish precedents, gain experience to use in protecting children before it becomes still more difficult to do so.

Data from other countries may be helpful in showing how they cope with a large part of the violent output possible by means of modern media, and how they consider children's interests through a number of coordinated measures. Admittedly, no society will be able to anticipate every new avenue whereby children will be placed at risk. But many nations, including England, France, Australia, Germany, Sweden, and Canada, have controls in place that cut back substantially on the flood of violence that would otherwise be reaching young children.⁶¹

In Canada, the private television broadcasters have recently instituted a new, tougher TV violence code.⁶² Undertaken on a voluntary basis in cooperation with the Canadian Radio-Television and Telecommunications Commission, it drew on "more than a year of intense discussions generated by growing public concern and the Commission's May 1992 release of two major reports on TV violence."⁶³ The Canadian approach presents a model for other societies to study as they seek to respond to public concern and to facilitating widespread debate about public policy measures to deal with media violence.⁶⁴ It is a model, too, for how to work at building consensus and exploring alternative policies without being sidetracked by the rationales discussed in this paper. With respect to the sixth rationale in particular, the Canadian approach shows the advantages of partial improvements over doing nothing: not only in cutting back substantially on the amount of violence reaching children but also in making possible broader changes once the societal burden of media violence is brought home to all who play a role in its production.

America's media may be the freest in the world of any government constraint on, or regulation of, their content. The combination of this lack of restraint with commercial financing of most television programming may have led to a particularly violent brand of TV.⁶⁵ The fact that the television networks are not the only avenues whereby violent television programs reach children is hardly sufficient to abandon the search for responses to the risk that such programs pose to children and to society.

VII. It should be up to parents, not to the television industry, to monitor the programs that their children watch.

A common argument against any form of public pressure or government control to cut back on television violence is that this addresses the problem at the wrong point: at the source rather than at the receiving end. Television commentator Jeff Greenfield put the argument as follows, at an August 1993 conference on TV violence: "Are we in fact saying that since parents — many — have abdicated their responsibility, we're going to ask the television programmers to do — replace the irreplaceable?"⁶⁶ Why should this task not devolve directly on those who are responsible for their children's well-being — parents or other adults in a household? As Ted Herbert, president of the entertainment division of ABC put it, adults can handle TV programs like NBC's "Between Love and Hate" that ends with a youth firing six bullets into his former lover, but children cannot:

This will sound like a paradox, but I don't believe we have to program the network and absolve parents of responsibility, as if it were our problem and not the parents' problem. Parents have to be responsible for what their kids watch.⁶⁷

Here, too, the rationale has a point. It focuses attention on the genuine failure on the part of many parents to protect their children from the desensitizing and brutalizing effects of violence on TV. It is indeed their responsibility to do their best to protect their children thus, once they recognize the nature of these risks. Most parents would surely shield their children, to the extent they were able to, from witnessing actual murder, torture, rape, and other mayhem; but even when they are at home and able to control what their children watch from babyhood on up, it does not occur to large numbers of American parents to do the same with respect to the graphic violence their children observe on television.

The failure of many parents to exercise responsibility has been reinforced by lack of adequate information about the risks to children from violent TV. The same was once true with respect to the risks to children from lead paint, asbestos, and firecrackers. Not until recently has violent TV come to be mentioned as a factor in the growing public health hazard of societal, and in particular youth, violence. Rather, television

has seemed a made to order baby sitter for parents often tired from longer work hours than in the past and with less time to spare for children. Baby sitters, in turn, rely heavily on TV to help entertain the children in their charge. Year by year, research has shown that the time parents spend with their children has been declining, from 30 hours a week 25 years ago to 17 hours a week now.⁶⁸ The time that families currently do spend together, moreover, is often spent, precisely, in watching television.

Once the risks to children are clearly established and publicized, however, as has been the case with lead paint, asbestos, and firecrackers and, as most would argue, is now the case with violent television and young children, it no longer makes sense for producers to claim that it is not up to them but only to parents to shield their children from the risks in question. True, parents have a strong responsibility. But toy manufacturers do not get far if they make such an argument about dangerous toys. And the drug industry is required to childproof packagings of medicines children could otherwise accidentally ingest. In all such cases, claims that the whole burden of protecting children be put on parents would be quickly rejected.

In addition, while it is clear that it is part of the responsibility of parents to do what they can to protect their children from harm, and that many parents fail to do so, the fact is that many parents are not even at home during much of the time when their children watch television. Already in 1974, 50 percent of American children had no adult at home when they came home from school. In 1993, it's closer to 80 percent in many communities.⁶⁹ And American children, unlike those in most other industrialized societies, are at school only 180 days a year. Too many of these children, moreover, live in neighborhoods where it has become too dangerous for them to play out of doors. As one ten-year-old put it:⁷⁰

I used to hang out with my friends after school. Most of the time, we just acted stupid on the corner but that got dangerous and our moms said to quit it and come home. In this city, wear your hat the wrong way and you are dead. Now, I go home and watch TV and sleep. I get scared all by myself, even though Mom says there's nothing to be afraid of in the day.

I would make a place for kids called My Father's Home. It would be a love place where's there's no killing. They'd have stuff for me to do. Lift weights, eat snacks, play games.

... I'd have beds at My Father's Home, like in a dormitory. Kids could sleep there in the summer when people go crazy on the streets. Last year, Mama and me slept on the floor, praying not to get shot.

The reality of which this boy speaks exposes the specious nature of the seventh rationale. Fear, poverty, killings on the streets, and severe cutbacks in school, church, and community after-school programs make TV watching one of the few remaining "safe" activities for too many children. To be sure, it is right to urge parents, as do pediatricians, teachers, psychologists and many others, to do much more to oversee the television programs that their children watch, and to help children work through their responses to the violence they witness. To that extent, the rationale offers a legitimate **reason** for concern. But many parents are not in a position to do so, even with the best will in the world. As a result, to go further and to use the rationale to argue that no supplementary efforts are therefore needed on the part of the television industry or the public is to offer an unusually mindless **rationalization**.

A new technique could allow parents to block violent television programs even when they are not themselves at home. An inexpensive computer chip installed in the television set could be coded to respond to signals such as a V for programs rated violent. U.S. Representatives Edward J. Markey and Jack Fields have introduced legislation requiring that all new television sets sold in America contain what they call the "V-chip technology." But television industry executives are, so far, adamantly opposed to including a V for violence signal in the broadcast signals of shows rated violent. Representative Markey points out the irony in their stance:

For years parents have been told if they don't like what's on television they should turn it off. Now technology has made it possible to do just that — in an easy, effective targeted way and, most important, even when they are not there to pull the plug. Nevertheless, broadcasters remain unwilling to make it easier for parents to do their job.⁷¹

It is hard to know which element of the proposed legislation the industry fears most: the institution of ratings, long familiar for films, or the power that consumers would gain to shut out certain types of programs altogether from their homes. As Markey points out, the industry's opposition is inconsistent with the seventh rationale, placing the burden of responsi-

bility on parents for what their children are allowed to see. To buttress their position, broadcasters turn to yet another rationale. It condemns proposals such as that for the V-chip as constituting censorship and, as one source put it, representing interference with "the principles of a free society."⁷²

VIII. Any public policy to decrease TV violence constitutes censorship and represents an intolerable interference with free speech.

This is not only the most frequently mentioned rationale on the part of industry representatives, but the one with greatest appeal to journalists, however convinced some of them may be about the seriousness of the risks from present levels of TV violence. As a *Washington Post* editorial put it, in commenting on Attorney General Janet Reno's testimony before the Senate Commerce Committee (discussed on pp. 1-3): Reno "made a mistake the other day in encouraging Congress to regulate TV violence if the networks themselves don't do it pronto. The violence is terrible; the regulation would be worse."⁷³

Journalists have every reason to be vigilant about free speech: it is always imperiled, and it *does* call for sacrifice. But when legitimate concern to defend free speech combines with poor press coverage of a problem, it plays into the hands of those whose primary aim is to silence debate. Too often, the First Amendment is then wheeled out as a cannon from which to launch preemptive strikes against anyone challenging the levels of TV violence, regardless of whether censorship is in fact at issue.

Ironically, when the First Amendment is thus invoked, it serves to bludgeon the very principle it stands for: that of protecting free speech and free debate. Such appeals to the First Amendment are hard to reconcile with what Justice Hugo Black stated as its intended purpose in the *Pentagon Papers* case:⁷⁴

In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censor the Government. The press was protected so that it could bare the secrets of government and protect the people.

Using the Amendment to inhibit debate produces a chilling effect all its own, and often succeeds in achieving premature closure of all

debate concerning the issue of violence on TV or elsewhere in the media. Once again, advocates wielding the First Amendment in this way shift the function of the rationale from that of a **reason** to proceed with caution when it comes to considering claims to harm from TV violence and proposals for how to limit it, to that of a **rationalization** for setting aside a difficult issue, not thinking it through with care, not considering the children and others who have to suffer the consequences of one's inaction; and for perpetuating every form of commercial and other exploitation of such violence.

The effects of this premature closure can be seen in many arenas. Intriguingly, most contemporary works on free speech and the First Amendment — such as Archibald Cox's *Freedom of Expression* and Anthony Lewis's *Make No Law* — hardly mention media violence, nor do they raise any questions with respect to its effects on children.⁷⁵ Indeed, children rarely figure in free speech analyses.⁷⁶ The resulting near-silence on the part of constitutional theoreticians regarding risks to children from TV violence is the more problematic because the question of cumulative long-term risks from exposure to such violence is of such exceptional practical importance in our society. But even from a purely theoretical point of view, considering these long-term risks would in fact also present scholars with an interesting theoretical challenge to the familiar First Amendment doctrine of "clear and present danger."⁷⁷

Preemptive invocations of the First Amendment, moreover, often succeed in deflecting debate as to when it might and might not apply.⁷⁸ In so doing, they contribute to short-circuiting debate about what Mary Ann Glendon has called, in *Rights Talk*, the pervasiveness of the legal culture in American society, so that the rhetoric of absolute rights generates near-silence about responsibilities.⁷⁹ They bypass consideration of forms of government regulation, such as those taken up by Cass Sunstein in *The Partial Constitution*, which might "promote free speech and should not be treated as an abridgment at all."⁸⁰ And they make it easier to dismiss instructive comparisons with how other countries deal with TV violence, on the grounds that these countries have nothing comparable to the First Amendment.

A further effect of the premature closure brought about by preemptive appeals to the First Amendment can be seen in the lumping together, as threatening censorship, of many measures to deal with TV violence that represent

no censorship or other violation of free speech at all. For instance, when Senator Paul Simon of Illinois, at an August 1993 conference on television violence, called for industry leaders to form an "advisory office on television violence" to review programs and report on them annually to the American public, Geoff Kowan, a producer and vice president of the National Council for Families and Television, is reported to have protested that such a panel could become a censorship body of its own.⁸¹

The debate about the proposed V-chip legislation mentioned above is another case in point. To be sure, it would be important to consider what criteria would be used in rating TV programs with respect to their violence. Much can be learned from the practices of other nations in this respect, as from the long experience in our own country with movie ratings. But to dismiss such legislation as instituting a form of censorship represents either a misunderstanding of what constitutes censorship or an intentional effort to conjure up its specter indiscriminately for political purposes. In this regard, Newton Minow, former chairman of the Federal Communications Commission, has concluded that "Anyone who proposes doing anything more to curb violence is almost certain to be shouted down as a censor," and that even many parents who think television violence is excessive are uncomfortable with judging speech.⁸²

They shouldn't be. If we really cared about our children, invocations of the First Amendment would mark the beginning, not the end, of such discussions.

...Rating programs is not censorship — far from it. Indeed, when combined with lock-out technologies, a ratings system would actually extend the reach of free expression on television, allowing adults to watch whatever suited them while effectively eliminating children from the audience.

It is time we used the First Amendment to protect and nurture our children, rather than as an excuse to ignore them.

All eight rationales, in sum, do point to important considerations; but when advanced to short-circuit or stifle debate, they contribute to the continued neglect of issues urgently in need of public policy debate. By now, many in the press are on their guard against unthinking adoption of similarly simplistic rationales when it comes to policy debates about, for example, the public health risks posed by the proliferation

of firearms or by smoking. Journalists take it for granted that it matters to examine not only the rationales advanced in such debates but also the special interests of the gun and tobacco lobbies in gaining widespread acceptance for some of these rationales. Why, then, should the press not devote the same attention to the rationales used in the debate regarding TV violence and to the special interests with most to gain from their acceptance? What, more generally, are the special difficulties and challenges for the American press in sorting out what its role should be in covering violence and debates concerning how to lessen its sway?

The Role of The Press

Journalists frequently find themselves in a double bind when it comes to covering particular stories involving violence. How can they treat such stories accurately without being accused of adding to the level of violence in society? They are criticized when they appear to sensationalize violent acts or glamorize violent persons, yet they know that honest reporting of brutal acts may influence public opinion in these directions.

Even the choice of what facts to report may present similar dilemmas. For example, both *Time* and *Newsweek* ran cover stories on young people and violence during the same week in August 1993: "Big Shots: An inside look at the deadly love affair between America's kids and their guns" and "Teen Violence: Wild in the Streets," respectively.⁸³ Both sets of articles did a service in highlighting the unprecedented scale of the crisis such violence presents for young people and the entire society. Both explored the interlocking influences on young people of the easy availability of firearms, poverty, peer models, TV violence, and other cultural factors. Some of the material used, and in particular the lead-in paragraphs of the *Newsweek* coverage, were extraordinarily and graphically brutal. These stories were not gratuitous, since they were closely related to the topic of teen violence under discussion; nor did they in any sense glamorize the young people described. Yet many would nevertheless regard the stories as sensationalistic from the point of what was singled out, and suspect commercial motives behind such selectiveness. But how else, in that case, might the topic of teen violence be treated so as to inform the public and analyze the problems, yet not in any sense exploit the public's fascination with stories involving violence?

The sense of double bind stems, in part, from

the frequently noted inherent conflict between the commercial and the public service functions of the press. If journalists are to cover practices and incidents of violence in such a way as to help curb or at least not exacerbate societal violence, they have to study the ways in which this conflict expresses itself in the context of violence. To what extent is it true that violence sells? What are the existing limits on exploiting the public's fascination with violence for competitive or otherwise commercial motives? How influential are tie-ins between newspaper chains, magazines, and TV stations? And what about the daily revenues, for magazines and newspapers, from advertisements of violent "action-adventure" films and TV programs? Might there be a link between such advertisements and inadequate press coverage of the debate about the effects of TV violence, similar to that claimed between tobacco advertisements and the failure on the part of magazines accepting such advertising to report on the effects of smoking?⁸⁴

In part, however, the sense of double bind also stems from a second source of conflict within the public-service function of the press: a conflict generated when there is tension between its mandate not to downplay or cover up risks to the public, on the one hand, and its special interest to protect freedom of speech against all threatened restrictions. Our society is uniquely dependent on the press for taking the responsibility to protect free speech with the utmost seriousness. But this special interest, just as much as the commercial one, requires self-scrutiny on the part of the press. Both bring temptations to engage in biased or slipshod news coverage. Such coverage, inconsistent with the most basic standards of good journalism, does disservice to the public, whether or not it is motivated in part by ideals of public service.

It will matter, therefore, for the press to scrutinize its own role in covering the debate over television and other forms of violence; to be on the lookout for rationales and rationalizations such as those discussed in this essay; and to explore the obstacles that stand in the way of providing better coverage. On such a basis, it ought to be possible, when reporting on contributions to this debate by public interest groups, industry officials, office-holders, and others, not only to convey more thoroughly what is being said and done (something which would already represent a significant improvement) but to provide the type of analysis routinely offered with respect to other societal problems.

For an example of an imaginative and probing

journalistic approach to the problem of film and TV violence, consider the article prepared by Ken Auletta for *The New Yorker* in the spring of 1993.⁸⁵ Auletta chose to ask "a cross-section of the managers and artists who decide what we watch" the same provocative question: "What won't you do?"⁸⁶ Was there anything these individuals would refuse to film or broadcast, and on what grounds? The answers were telling. Oliver Stone, the director of the film "JFK," answered that

Off the top of my head, I'd pretty much do anything. [...] I don't view ethics from the outside, only from the inside. What you would find shocking, I probably would not. For me, it's a question more of taste."⁸⁷

When asked whether he agreed with President Clinton that Hollywood was too preoccupied with violence and sex, Stone retorted, in a familiar non-sequitur related to the eighth rationale discussed above, that he didn't believe that government had the right to legislate art or censor it. Others responded to Auletta's question in a more modulated way, a few expressing the conflict they felt between doing what they wanted in film and recognizing that they would not want their children to see what they had produced. When some tried to evade his questions, Auletta pressed farther, concluding that "many Hollywood programmers lead two lives — a truth they avoid by complaining about government censorship."⁸⁸

Another way in which the press can contribute to the debate is already being explored in a number of publications. It involves giving voice to the individuals with most at stake in the outcome of the violence debate — the children who know violence in their daily lives, the parents and neighborhood groups who struggle against sometimes overwhelming odds, the organizations mobilizing to combat violence, the pediatricians and social workers who work to help individuals overcome its consequences — and in this way to try to penetrate the resistance many in the public feel to even thinking about the human dimension of the problems linked to violence. What is not yet common, however, is to report in this personalized way on TV violence in its own right. The field is wide open to covering more extensively the research now available and to focus on the plight of the young, the poor, the disadvantaged and the vulnerable, who have been found to be most easily affected by such violence.

A special difficulty in this regard is that a growing proportion of young adults appear to perceive nothing problematic about TV violence. The March 1993 Times Mirror survey (cited on p. 3) reveals this clearly:

There is a "video violence" generation gap. Those under 30 are far more likely to be heavy consumers of violent programming and movies. [They] are far less bothered by violence on television, less likely to feel violence is harmful to society than are older Americans.⁸⁹

This difference in attitudes on the part of young adults may be due in part to the fact that many of them have not yet had children themselves, and so have not had reason to try to put themselves in the place of a child exposed to today's levels of entertainment violence. But the difference may result also from the desensitizing influence of TV that so many studies have demonstrated. (See p. 2, and Notes 7 and 8.) Young adults have been more massively exposed to this influence than their elders, starting at a younger age. If so, then the gap may well shift upwards in age as more and more cohorts of children grow up having been exposed to heavy doses of television violence. Unless the majority of Americans, who are now coming to greater realization of the risk from such violence, take it seriously enough to move the public policy debate ahead energetically, it may then be even harder to bring about the necessary reforms.

Taking this risk seriously from the point of view of public policy should not mean granting it some unique status as the one causal factor related to the crisis of violence in American society. On the contrary, the policy debate about this crisis can only do justice to the complexity of the interlocking causal factors by looking at it as a national public health crisis of dimensions at least equivalent to those of, say, heart disease, cancer, and AIDS.

It will matter for the press, therefore, to address this crisis, as the others, with the same caution about avoiding oversimplification. Doing so will mean devoting the same attention to public education regarding violence as about the other problems. This, in turn, will call for careful analysis of alternative forms of prevention, of the pros and cons of different remedies suggested, and of interlocking risk factors — much as is now done, for example, for diet, exercise, surgery, and medication when it comes to heart disease. It will call for substantive reporting of a comparative nature, showing where we stand in

relation to other nations in combating violence, much as is now beginning to be done with respect to health care here and abroad. Such shifts in coverage are important in their own right; but they may also help the press in its efforts to overcome the conflicts and other

obstacles to fuller reporting noted above and, in so doing, free journalists to participate more fully in the public policy debate now so urgently needed regarding the interlocking factors contributing to violence in America.

Endnotes

Research for this paper was begun while I was a Fellow at the Center for Advanced Study in the Behavioral Sciences in Stanford, California, in 1991-1992, and continued in the spring of 1993 while I was a Fellow at the Joan Shorenstein Barone Center on the Press, Politics and Public Policy. I am grateful for stimulating discussions and for suggestions from Fellows and members of the staff at each Center.

1. Michael Wines, "Reno Chastizes TV Executives Over Violence," *The New York Times*, October 21, 1993, pp. A1 and B16.
2. *The New York Times*, October 22, 1993. Three weeks earlier, on October 4, 1993, *The Los Angeles Times* had carried an Op-Ed piece signed by Jack Valenti, President of the Motion Picture Association of America, which employed the "heavy hand" metaphor. Entitled "Whose Children Are They, Anyway?," the piece stressed the responsibility of parents, and stated that "what frightens the industry and should chill the blood of every citizen is the heavy hand of government slowly, steadily, remorselessly intruding into the outer perimeter of the First Amendment."
3. Michael Gartner, "Warning to the Attorney General," *USA Today*, Oct. 26, 1993, p. 13A.
4. *The Chicago Tribune*, October 23, 1993 p. 22.
5. *Ibid.*
6. Michael Janofsky, "A cable network fires off a rebuttal about regulating violence," *The New York Times*, November 10, 1993, p. D18.
7. See, for evaluations of studies of the effects of television violence, Dave Atkinson and Marc Gourdeau, *Summary and Analysis of Various Studies on Violence and Television*, Canadian Radio-Television and Telecommunications Commission, 1991; David Barry, "Screen Violence: It's Killing Us," *Harvard Magazine*, 96, November/December 1993, pp. 38-43; George Comstock, *Television: The Key Studies* (Santa Monica: Rand, 1975); Brandon S. Centerwall, "Television and Violence: The Scale of the Problem and Where to Go From Here," *The Journal of the American Medical Association*, 267, June 10, 1992; William H. Dietz and Victor C. Strasburger, "Children, Adolescents, and Television" *Current Problems in Pediatrics*, 21, 1991, pp. 8-31; George Comstock and Hae-Jung Paik, *Television and Children: A Review on Recent Research* (Syracuse, New York, Syracuse University, 1987); Andrea Martinez, "Scientific Knowledge About Television Violence," Canadian Radio-Television and Telecommunications Commission, 1991; Kate Moody, *Growing Up on Television* (New York: New York Times Books, 1980); Albert J. Reiss, Jr., and Jeffrey A. Roth, eds., *Understanding and Preventing Violence* (Washington, D.C.: National Academy Press, 1993), including a reference to an unpublished 1990 report by George Comstock and Hae-Jung Paik: "The Effects of Television Violence on Aggressive Behavior: A Meta-Analysis," commissioned by the National Academy of Sciences Panel on the Understanding and Control of Violent Behavior; Cathy Spatz Widom, "Does Violence Beget Violence? A Critical Examination of the Literature," *Psychological Bulletin*, 106, 1989, pp. 3-28, esp. 20-24.
8. Ron Slaby, ed., *Violence and Youth: Psychology's Response*, American Psychological Association, August 1993, Report of the American Psychological Association's Commission on Violence and Youth.
9. *Ibid.*, pp. 32-34.
10. R. E. Goranson, "Media Violence and Aggressive Behavior: A Review of the Experimental Research," in J. L. Berkowitz, ed., *Advances in Experimental Social Psychology* (New York: Academic Press, 1970), pp. 1-31; Martinez, "Scientific Knowledge About Television Violence," 1991, pp. 42-43.
11. Jeff Greenfield, moderator, Conference on "Violence in Television Programming," Beverly Hills, August 2, 1993. Partial transcript available on C-SPAN. See also the transcript of a panel convened in 1992 by the editors of *TV GUIDE: Violence on Television*.

12. David A. Hamburg, *Today's Children* (New York: Times Books, 1992), p. 192.
13. A.C. Nielsen Company, Nielsen Report on Television (Northbrook, Illinois: Nielsen Media Research, 1989)
14. William H. Dietz and Victor C. Strasburger, "Children, Adolescents, and Television," *Current Problems in Pediatrics*, 21, 1991, pp. 8-31.
15. Slaby, ed., *Violence and Youth: Psychology's Response*, p. 32.
16. *Newsday*, October 25, 26, 27, 31, 1993; *The Boston Globe*, August 10, 1993, p. 1.
17. Times Mirror Center for the People and the Press, March 24, 1993, "TV Violence More Objectionable in Entertainment than in Newscasts, pp. 5-7. See, for a report on surveys in a number of countries, Atkinson and Gourdreau, *Summary and Analysis*, note 7 *supra*.
18. Daniel Cerone, "Most Say TV Violence Begets Real Violence," *The Los Angeles Times*, December 18, 1993, p. 1.
19. David Lange, Robert K. Baker, Sandra J. Ball, *Mass Media and Violence*, Vol. XI, a Report to the National Commission on the Causes and Prevention of Violence, U.S. Government Printing Office, 1969, pp. 359, 378-379.
20. *Ibid.*, pp. 378-379.
21. Reiss, Jr., and Roth, eds., *Understanding and Preventing Violence*: citation of "an extensive meta-analysis prepared for the panel by Comstock and Paik," p. 371.
22. *Ibid.*, pp. 327-352. On pp. 329-330, it is recommended that a series of approaches to "reducing childhood aggressiveness in different subpopulations" be compared from the point of view of effectiveness. The approaches listed include "the promotion of television programs that encourage prosocial nonviolent behavior." No mention is made of programs with the reverse effect.
23. *The New York Times*, April 4, 1993, citing the FBI Uniform Crime Reports, Justice Department Office of Juvenile Justice and Delinquency Prevention.
24. National Center for Health Statistics, March 1993.
25. *Ibid.*
26. David Barry, "Screen Violence is Killing Us," p. 40.
27. *Ibid.*
28. *Time Magazine*, spring 1993, citing the National Education Association.
29. Leonard D. Eron and L. Rowell Huesmann, "Television Violence and Aggressive Behavior," in Benjamin B. Lahey and Alan E. Kazdin, eds., *Advances in Clinical Child Psychology* (New York: Plenum Press, 1984), Vol. 7, pp. 35-55; *Journal of the American Medical Association*, June, 1992; Deborah Prothrow-Stith with Michael Weissman, *Deadly Consequences* (New York: Harper Collins, 1991); Mark L. Rosenberg, Mary Ann Fenley, eds., *Violence in America: A Public Health Approach*, (New York: Oxford University Press, 1991).
30. I have discussed the concept of rationales in *Secrets: On the Ethics of Concealment and Revelation* (New York: Pantheon Books, 1982), pp. 119-124.
31. Jean-Claude Chesnais, "The History of Violence: Homicide and Suicide Through the Ages," *International Social Science Journal*, May 1992, pp. 217-234, at 219. It should be noted that the ten to one proportion which Chesnais noted is not entirely accurate in 1993; for although the American homicide rate has gone up since he wrote, others have as well (as in Canada, where a debate about the role of TV violence, much of it coming from America, is also under way.) By now, it is more accurate to view the ratio as one to anywhere between five and ten.
32. Dane Archer and Rosemary Gartner, "Violent Acts and Violent Times: A Comparative Approach to Postwar Homicide Rates," *American Sociological Review*, 41, 1976, pp. 937-963.
33. Jerome Kagan, in *Unstable Ideas*, p. 9, has pointed out that rationalizations about cruelty and aggression being out of our control is a cue that allows people to live with the amount of it we now witness in our society. He contrasts this attitude to that of the Japanese who, believing that people can control their anger, have so much less violent a society.
34. Michael Mann, director of the television shows "Crime Story" and "Miami Vice," quoted in *The New York Times*, October 22, 1993, p. C3.
35. This rationale — in the form "Why focus on x when y (and/or z, etc.) are more important?" — is

- asked, as well, of anyone focusing on, say, substance abuse or inadequate policing or family breakdown as a risk factor for societal violence.
36. See works cited in note 29, above. See also the statement regarding violence made by Secretary of Health and Human Services, Donna Shalala, on December 10, 1993.
37. Sam Donaldson, "This Week With David Brinkley," Sunday, November 7, 1993.
38. Deborah Prothrow-Stith, quoted in *TV GUIDE: Violence on Television*, p. 9.
39. Neil Postman, *The Disappearance of Childhood* (New York: Delacorte Press, 1982), pp. 3 and 134; cited in Miedzian, *Boys Will Be Boys*, p. 215.
40. Quoted by Michael Janofsky, in "On Cigarettes, Health, and Lawyers," *The New York Times*, Monday, December 6, 1993, p. D8.
41. The television industry has already taken seriously the need to curtail the glamorization of smoking and of drunk driving on its programs, without requiring absolute documentation of the causative links between TV viewing and higher incidence of such conduct.
42. Frederick Schauer, "Causation Theory and the Causes of Sexual Violence," *American Bar Foundation Research Journal*, Fall 1987, 737-770, at 753.
43. Centerwall, "Television and Violent Crime," pp. 63-64.
44. Martin Rose, reporting on research cited at the August 2, 1993 Beverly Hills conference on television violence, in "A Call to Disarm," *The Washington Post*, August 3, 1993, p. E4.
45. "Political Rights Versus Economic Needs?" forthcoming, *The New Republic*. See also Jean Dreze and Amartya Sen, *Hunger and Public Action* (Oxford: Oxford University Press, 1989).
46. Catherine S. Manegold, "New York City by TV: A Wasteland of Crime and More Crime," *The New York Times*, June 14, 1992, p. 22.
47. Bernard Weinraub, "For This Movie Producer, Violence Pays," *The New York Times*, June 14, 1992, p. 20 H.
48. George Gerbner testified, at the August 1993 conference on "Violence in Television Programming" (see Note 11, *Supra*), that "Up until age eight, actually, our research has shown that it is very difficult for young people to differentiate between fantasy and reality." See also Centerwall, "Television and Violent Crime," p. 58; Kenneth D. Gadow and Joyce Sprafkin, "Television 'Violence' and children with Emotional and Behavioral Disorders," *Journal of Emotional and Behavioral Disorders*, 1, 1991, pp. 54-63.
49. Eron, "Television Violence and Aggressive Behavior," p. 47.
50. See Gadow and Sprafkin, "Television 'Violence' and Children With Emotional and Behavioral Disorders," for an account of factors, such as limitations in social experiences and cognitive abilities and concentrated exposure to television, that limit older children's abilities to discriminate between fictional and real events on television.
51. Groves et al., "Silent Victims: Children Who Witness Violence," p. 262.
52. Neil Hickey, "How Much Violence on TV? A Lot Says TV Guide," *Ethics: Easier Said than Done*, issue 21, April 1993, p. 53. One of the proposals by Peggy Charren, founder and president of Action for Children's Television, is that such advertisements and promotionals be kept off programs that children watch. See interview in Ellen Edwards, "The Kids' Crusader," *The Washington Post*, August 2, 1993, p. B6.
53. For examples of such crimes, see Charles S. Clark, "TV Violence: The Issues," *CQ Researcher*, 3, March 1993, pp. 168-169; Myriam Miedzian, *Boys Will Be Boys: Breaking the Link between Masculinity and Violence* (New York: Doubleday, 1991), p. 208.
54. Christina Robb, "Are We Hooked on Media Violence?," *Boston Globe*, July 8, 1991: interview with James F. Gilligan.
55. John D. Searle, *Speech Acts* (Cambridge: Cambridge University Press, 1970), p. 55.
56. Oxford English Dictionary, "Violence."
57. Studies of TV programming have in fact reported consistently high levels of violence and aggression, regardless of the measures used to define or assess

violence. See Diane M. Zuckerman and Barry S. Zuckerman, "Television's Impact on Children," *Pediatrics*, 75, 1985, pp. 233-240, at 234, citing studies by N. Signorelli and colleagues.

58. See Sara Ruddick, "Violence and Non-Violence," in Lawrence C. Becker and Charlotte B. Becker, eds., *Encyclopedia of Ethics* (New York: Garland Publishing Co., 1992), Vol. II, pp. 1273-1276, for a thoughtful discussion of central and less central cases of violence.

59. For the most recent figures by Dr. Gerbner, see *Newsweek*, July 12, 1993, p. 64

60. George Gerbner, testimony, Conference on "Violence in TV Programming," sponsored by the National Council for Families and TV, Beverly Hills, California, August 2, 1993.

61. Atkinson and Gourdeau, *Summary and Analysis of Various Studies on Violence and Television*, discussing studies in Australia, New Zealand, Great Britain, France, Canada, and the United States; Nic Nilsson, "Children and the Commercial Exploitation of Violence in Sweden," *Current Sweden*, October 1991.

62. Canadian Radio-Television and Telecommunications Commission, "Voluntary Code Regarding Violence in Television Programming," Public Notice CRTC 1993-149, Ottawa, October 28 1993.

63. *Ibid.*

64. For an outline of measures taken, beginning early in 1990, by the Canadian Radio-Television and Telecommunications Commission, see CRTC Fact Sheet, TV1-10-93: CRTC Initiatives Regarding Violence on Television.

65. See Elizabeth Fox in "TV Violence: An International Perspective," in *TV Violence: More Objectifiable* (Times Mirror Center for the People & the Press), p. 9.

66. Jeff Greenfield, moderator, Conference on "Violence in TV Programming."

67. Ken Auletta, "What Won't They Do?," *The New Yorker*, May 17, 1993, pp. 45-55, at 53.

68. Martha Minow and Richard Weissbourd, "Societal Movements for Children," *Daedalus*, Winter 1993, pp. 1-30, at 5.

69. Stephen Klineberg, cited in "The Violence in Our Heads," *Newsweek*, August 2, 1993, p. 48.

70. Carnegie Corporation of New York: *A Matter of Time: Risk and Opportunity in the Non-School Hours*, 1992, p. 30.

71. Edward J. Markey, "A Cheap, Easy Way to Chip Away at TV Violence," *The Boston Globe*, August 28, 1993, p. 11.

72. Cited by Markey, *Ibid.*

73. *The Washington Post*, October 23, 1993, p. A22.

74. *New York Times Co. v. United States*, 403 U.S. 713,717 (1970)

75. Alexander Bickel, *The Morality of Consent* (New Haven: Yale University Press, 1975); Archibald Cox, *Freedom of Expression* (Cambridge, Mass.: Harvard University Press, 1981); Anthony Lewis, *Make No Law* [(New York: Random House, 1991). See also C. Edwin Baker, *Human Liberty and Freedom of Speech* (New York: Oxford University Press, 1989); Ronald Dworkin, *Taking Rights Seriously* (Harvard University Press, 1977); Ronald Dworkin, *A Matter of Principle* (Harvard University Press, 1985); Gerald Gunther, *Cases and Materials on Individual Rights in Constitutional Law* (Mineola, New York: The Foundations Press, inc., 1989), ch. 6; Rodney Smolla, *Free Speech in an Open Society* (New York: Alfred A. Knopf, 1992); Thomas I. Emerson, *The System of Freedom of Expression* (New York: Random House, 1970. (A number of books on the First Amendment were published before the advent of TV or in its very early days, when few could have foreseen the role that it would come to play in the lives of even the youngest children and the amount of violent programming that would therefore come their way.)

76. The writings of Cass Sunstein provide an important exception with respect to considering television, children, and the effects of television violence on children in the context of the First Amendment: see *The Partial Constitution* (Harvard University Press, 1993), and *Democracy and the Problem of Free Press* (Free Press, 1993).

77. See Bickel, *The Morality of Consent*, pp. 64-74, for a discussion of the doctrine of clear and present danger which can be helpful in this respect, although it does not take up TV violence.

78. For discussions of problematical invocations of the First Amendment and the public's right to know, see

Sissela Bok, *Secrets: On the Ethics of Concealment and Revelation* (New York: Vintage Press, second edition, 1989), Chapter XVI; Mary Ann Glendon, *Rights Talk* (New York: Free Press, 1991); Frederick Schauer, "The First Amendment as Ideology," *William and Mary Law Review*, 33, spring 1992; and Cass Sunstein, works cited in note 76 *supra*.

79. Mary Ann Glendon, *Rights Talk*.

80. Sunstein, *The Partial Constitution*, p. 204.

81. Jeff Kramer, "Lawmaker campaigns Against TV Violence," *The Boston Globe*, August 3, 1993, p. 11.

82. Newton Minow, "How to Zap TV Violence," *The Wall Street Journal*, August 3, 1993, p. A14.

83. *Time*, August 2, 1993, Jon D. Hull, "A Boy and His Gun," pp. 20-27; Richard Zoglin, "The Networks Run for Cover," pp. 52-54; *Newsweek*, August 2, 1993, pp. 40-49.

84. C. Edwin Baker, "Advertising and a Democratic Press," *University of Pennsylvania Law Review*, 140, June 1992, pp. 2097-2243.

85. Auletta, "What Won't They Do?" See also Ken Auletta, "The Electronic Parent," *The New Yorker*, November 8, 1993, pp. 68-75.

86. *Ibid*, p. 46.

87. *Ibid*, p. 47.

88. *Ibid*, p. 53.

89. Times Mirror Center, *TV Violence*, p. 1.