

reinvigorate the public political discourse tend to shun a position which seems hypocritically designed to muzzle those in opposition.

This question is particularly germane to the advertising agencies who deploy the vast sums raised for political campaigns, and are corporations themselves. Since their stock-in-trade is covert persuasion, only a total ban on mass-media advertising could return the political discourse to an issue and candidate-centered focus. If this were done, it would attack the problem on two fronts: dry up the need for campaign finance, and up-grade the tone of and responsibility for the candidate's campaign. It would also, arguably, attack free speech.

However, there is a way out of this dilemma. Professional associations adopt codes of ethics above and beyond the requirements of the law which its membership follow voluntarily. Why couldn't the large advertising agency corporations be persuaded to adopt a uniform code of ethics for political campaigns that voluntarily limited speech and visual images to only that of the candidate herself? Such ads would carry an Advertising Agency Seal of Approval. The people would get to see much more of the candidate. The candidate would have to take personal responsibility for attacks, manipulative but meaningless rhetoric, and inflammatory images.

Along with this would go legislation authorizing free air-time (in line with the public's right to the EMS) and equal time to all candidates on the ballot. Any extra time bought by a well-heeled candidate would be deducted from her allotment of free time. The amount of free time would be set at a level that would make candidate extra expenditure counterproductive and therefore, rare.

Political Campaign Finance in the Context of Mass-Media Advertising

Regardless of whether the public reclaims its right to the rent on the electro-magnetic spectrum or not, the negative impact of corporate-style mass-media advertising on the American political process demands important reforms.

At play are these ideas:

Those generally in favor of the status quo make the argument that the use of corporate-style mass-media advertising techniques is guaranteed by the Constitution under First Amendment right to free speech. Since it's both legal and effective--although very expensive--it will be used. The resulting need for huge campaign war-chests, though unfortunate, is a given in the modern era. Those concerned that large campaign contributors gain undue access to public officials propose three basic lines of remedy: putting limits on expenditures, public funding of elections, and tinkering with the rules to counter abuses. Worthy though these reforms may seem, clever minds will succeed in subverting them and unforeseen consequences will dog them.

Those opposed to the status quo see the present system as a combination of legalized graft benefiting contributors on the one hand, and a shake-down of contributors by politicians on the other. At a deeper level, some see the political dialog as having become poisoned by advertiser's use of highly sophisticated covert techniques that target the voter at a visceral level. Others point to the sound-bite, the general dumbing-down of programming, the trivialization of traditional culture. Still others cite a universal corporate-friendly media orientation--after all, the media are large corporations themselves. And yet others point to the mergers that could utterly marginalize the last vestiges of alternative opinion.

As a consequence of the variety of concerns, the opposition fields a variety of responses over which they argue amongst themselves. That they accept the basic tenets of those who support the status quo further exacerbates their impotence. Stimulating fresh thinking on this most serious area of erosion of the promise of democracy is the purpose of what follows.

We are in an era in which the corporations have seized power over the political process. The people have been complicit in their own disenfranchisement. Why? The answer is complex and perhaps not really known. However, one element is surely a key factor: corporate-style mass-media political advertising.

Corporations have arrogated to themselves certain powers unforeseen by the Framers of the Constitution. Building on their establishment as a legal person in the pursuit of business, they obtained rulings which guaranteed them the right of free speech under the First Amendment, a ruling contrary to both logic and common sense. One of the principle duties of government is the regulation of commerce, not vice versa. Since speech used in the pursuit of commerce is essential to commerce, that speech begs regulation as much as any other aspect of commerce such as weights & measures, property rights, etc.. And, indeed, laws such as truth-in-advertising have been held to be constitutional. But should the business enterprise be regulated when its management elects to speak out on political issues not directly related to its business? This would seem to be contrary to the spirit of our guarantee of free speech. Enough so, in any case, that reformers whose desire is to

one dollar per market population. This would be a start and after that it would go up on a regular basis.

Radio set a pattern for media format that has proved more-or-less workable, providing the listener finds constant commercial interruptions tolerable. There are many more radio frequencies, than TV. There are AM and FM. There are lots of non-commercial uses of radio: citizens' band, short wave, police band, cellular phone, etc. Further, radio is not so all encompassing, it's not a simulated reality. One can drive while listening to the radio or do desk work.

By adding the visual to the auditory, TV creates an entertainment medium in direct competition with live entertainment that gives entertainment away for free. Why should not entertainment--the most highly discretionary of all non-necessities goods--(as distinct from the general category of recreation which is not necessarily a marketplace item) be paid for? People--given the option of whether to spend their free time on passive entertainment or active recreation--will tend to choose the former, therefore it has more "value", therefore should cost money.

This is not likely to be a popular view. It's a view, bias if you will, that stems from a forty-year career in the entertainment industry that began before the introduction of television. In those days there were big bands on tour--even vaudeville. The talkies did in vaudeville (and radio hacked away at live music) but since the introduction of television, employment in the music business has gone steadily down hill. Other aspects of the entertainment industry similarly suffered.

A Proposal Which Tax's Advertising Revenue to Fund Education

With important exceptions, media and education in the US generally work at cross-purposes. They need not. Why not tax all bandwidths to fund education? Then, even if we must have special classes to warn students about the hazards of buying much that is advertised, even if teachers must show up at class in clown's suits to capture a jaded TV audience's attention, we will at least have the agency responsible for increasing education's cost and lessening its effect pay its share of that cost.

The tax would be easy enough to determine. Each school district would make a list of all those broadcasting entities operating commercially within its district (including cellular phones, etc.) which it would file with the state. The state would require all broadcasters to purchase (or bid for) a license. The license would be of long enough duration to encourage the required capital investment. Tax rates would be set by the state on the basis of broadcaster category. They would be in addition to normal business taxes. Their rate would be determined by the aggregate needs of the total state educational operating budget. Capital needs would be met through other avenues such as land taxation and bond issues.

In the State of Washington the state level of support for education is tied to the timber harvest. Take your choice: environmental degradation or a poorly educated public. Would it not be far better to tie the source of funding for communication-as-learning (education) to communication for profit (advertising)?

PROPOSED ELECTROMAGNETIC SPECTRUM LEGISLATION--7/29/02

Give to the states the right to create school district based electromagnetic spectrum broadcasting districts for the purpose of taxation.

The government assigns TV and radio broadcasting stations to particular frequencies on the electromagnetic spectrum. Without assigned frequencies, broadcasting signals would overlap, causing information degradation. In the case of TV, bandwidth requirements are so large that only a limited number of channels may broadcast in any one area. Is it not reasonable, then, to ask why the rules and procedures regulating human territoriality in the occupation and utilization of real property (land) should not apply to the electromagnetic spectrum as well?

Even so dependable a corporate welfare enabler as former senator Bob Dole seems to think so. If the air is public property, then so should be the electromagnetic spectrum. As it is, this valuable public resource is being given practically free to the media corporations. They use it to exploit the public's professed need for the continuous ingestion and communication of information--and profit greatly therefrom.

The true cost in the marketplace of the electronic media should be figured on the same bases as live or print media. They aren't. The latter pay rent and taxes that the former don't.

The widespread and instant communication of information constitutes a national priority of the topmost importance. For that information to be meaningful to the public at large, it must also be useful and true.

Under corporate administration, information broadcast must be of maximum benefit to advertisers. No value systems other than profitability are encouraged under this system. The unseen hand neglects the marketplace in truth of ideas, artistic quality, and lovingness of nurture. Seeking the lowest common denominator in these values assures maximum mass marketability. The goal of broadcasting information that serves the public interest is not only subverted, it's beside the point.

Not all countries follow the US model. At the outset, Britain chose a path that put the national interest at the fore at the expense of potential private gain. This, unfortunately, tempts the media's elitist urge. Neither system is faultless. One says, "we know what's good for you" while the other says, "I'm gonna do what it takes to stay in your face until you give up and buy".

Each television channel is like a store set up to do business. There can only be a few of them so their scarcity makes them very like prime real estate (location, location, location). A channel has a "store" in each house that has a TV set. Therefore it is an extremely effective place to put advertising. However much the licenses for a channel cost, they don't cost enough. They can't be raised to what they are really worth, but the price should be raised almost immediately to several million dollars a year if that is not the price already. The price would be based on listener-ship--say