

# **Christian broadcasters nervous about talk of reviving Fairness Doctrine: Most say doctrine unlikely to be reinstated**

News in the [September 9, 2008](#) issue

House Speaker Nancy Pelosi has been making Christian broadcasters nervous.

Pelosi (D., Calif.) said this summer that she supports resurrecting the Fairness Doctrine, a 1949 Federal Communications Commission policy that required broadcasters that communicated specific opinions to set aside time for opposing views.

Such a move would “really make it impossible to preach the whole counsel of God,” said Rich Bott, the owner of Kansas-based Bott Radio Network, which broadcasts Christian programming across ten states. It would also, he said, likely put him out of business.

Put in place nearly 50 years ago, the doctrine was an FCC regulation that policed the airwaves at a time when there were few other sources of information. It never carried the full weight of the law. By the 1980s, with the advent of cable television and multiple opportunities to air differing opinions, the policy fell out of favor and was finally ditched by the FCC in 1987.

Although Pelosi hasn’t offered legislation to reinstate the policy, she has signaled that she supports its revival, and said a bill introduced by House Republican Mike Spence of Indiana to permanently kill the policy will not be considered by the Democratic-controlled House.

If the Fairness Doctrine were to be reinstated by Congress, broadcasters would be legally forced to follow the old protocol: one-third of the airtime used to express one opinion must be offered free of charge to opponents.

“We’ve been in broadcasting for over 45 years, so we remember what it was like under the previous regime of the so-called Fairness Doctrine,” Bott said. “What we had to do then would be impossible today.”

A half-century ago, Christians were a distinct cultural and political majority and there were fewer dissenting views to accommodate. Numerically they still hold sway but compete against large numbers of other faiths and points of view.

“If someone were to assert that God has ordained marriage as only between a man and woman, that would be a controversial statement today,” Bott said. “Someone will ask for time.”

Such requests would place a unique strain on broadcasters, said William Van Alstyne, a constitutional law expert at the William and Mary School of Law in Williamsburg, Virginia.

“A newspaper can print a reply or an op-ed piece, but with broadcasting it’s fixed. It’s 24 hours that are divisible into so many minutes, and if you’re devoting them to X you can’t devote them to Y,” Van Alstyne said. “If a broadcaster has to subsidize its opponents, and the station is listener-funded, they’re going to lose a lot of money.”

Silencing Christian radio is not the goal of lawmakers who are pushing the fairness bill. Their target? Rush Limbaugh and friends.

When last year’s immigration bill failed in the Senate, Pelosi and other Democratic leaders blamed its demise on talk show hosts like Limbaugh, who they said galvanized the public against it. Former Republican senator Trent Lott’s surprising complaint that “talk radio is running America” made the rounds in the blogosphere while conservative radio pundits declared victory.

“Crushing the [immigration] bill had the feeling of a sort of crusade,” said Mark Jurkowitz, associate director of the Project for Excellence in Journalism. In the week before the bill died, nearly 20 percent of time on radio and cable TV talk shows went toward discussing it, according to a study by Jurkowitz’s office.

Liberal groups, however, don’t necessarily support reinstating the Fairness Doctrine; some argue that the political right’s hold on the airwaves can be countered with healthy competition.

“It’s not free speech. We don’t support it, and most people on the left don’t support it,” said John Neurohr, press secretary at the Center for American Progress, a liberal think tank in Washington. “The bottom line is that we need to get better at talk radio.”

Each week day, conservative radio tops progressive content by 100-to-1, logging 2,570 hours a day last year compared to 254 hours of liberal radio, according to a study by the Center for American Progress.

Most critics contend that the doctrine is unlikely to be reinstated and that it is being used by the left as an empty threat and by the right as a rallying cry. Still, Christian broadcasters are bracing for its reemergence, said Frank Wright, president of the National Religious Broadcasters.

“This is not the time to despair,” he said. “If all these bad things happen, we’re going to sue immediately.” *-Mallika Rao, Religion News Service*