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ON THE DRY SIDE THE WA TV LICENCES John Hyde
The battle before the Australian Broadcasting Tribunal over whether there will be a third West Australian commercial TV licence exposes some of the consequences of governing by grace and favour. TV broadcast rights are monopoly rights. They are valuable assets conferred by law. Much has been written about the cost of monopolies; less about the bad effect they have on the conduct of the business of government.

In Tudor times both King and Parliament sold monopolies to powerful interests for support or cash. Principled opposition to monopolies per se was in consequence regarded as subversive. The Levellers, who campaigned, among other matters, against monopolies, were an important element of Cromwell's army, but after King Charles lost his head they often found themselves in conflict with Parliament. John Lilburne, their leader, was repeatedly whipped, pilloried and imprisoned by both forms of government. Although the whip and pillory are no longer used, in other ways things have not changed much.

A third TV licence, if granted, will reduce the value of the existing two. The proprietors of Channels Seven and Nine have done what we would all do, fought hard to defend their monopolists' rights.

The fight spilled over beyond the tribunal. The Premier Mr. Burke has accused Mr. Robert Holmes a Court, of Channel Seven, of attempting to conspire with Mr. Alan Bond, of Channel Nine, to bring his Government down should the State Government not oppose the granting of the third commercial licence. The charge is denied, there are writs flying about and considerable broohaha.

But: Isn't changing the Government what democracy is all about? Isn't it any citizen's prerogative to try to bring a Government down over any issue, including his own treatment by it? Should the media no longer have the right of advocacy? Could a press prevented from advancing whatever arguments it chooses be called free?

The answers to these questions are obvious and it shouldn't matter a damn whether Mr Burke's accusation is true or false. Yet it does matter because Mr. Holmes a Court and Mr Bond enjoy an exceptional privilege - a licence which the Commonwealth Government enforces - which gives them a unique ability to influence the course of government.

Whether they conspire to bury Caesar or to praise him the law permits no other TV station to put an alternative view. The ABC is obliged to balance its political comment. Seven and Nine could espouse any kind of nonsense without losing market share to a channel with an opposing view.

Of course no one may bring governments down by force, but in Australia even the very wealthy command no armies, para-military units or gangs of thugs. That is not a serious risk. Influence,

not power, is at issue.

All those who aspire to influence ought to advance the truth - not just the literal truth but an honest portrayal of all the relevant facts. While this is an excellent moral sentiment and guide to personal behaviour, it is an inadequate guide to public policy. The trouble with it is that opinions about 'facts' differ, we all put glosses on things, and the man who holds the megaphone or television licence has a distinct advantage in any shouting match.

By all accounts the Premier's worry, if not the circumstance for it, was genuine. Contrary to popular opinion, politicians don't often lie, but they are particularly prone to selective use of truth - to presenting literal truths in such a way as to convey false impressions. They might well fear the owner of a TV station who behaved as they so often do themselves. The public's potential loss in this is that governments when faced with loss of votes are easily turned from pursuit of the public interest to defence of private interests.

A story which swept the ranks of the Fraser Government to the effect that if the Two Airline Agreement were not renewed the Government could expect 'a bucket of manure in every morning's Australian' was another example of a Government's fear of the media. That such an overt threat would have been both tactically stupid and difficult to deliver did not prevent the story gaining currency or prevent it influencing policy.

Because an undefined number of newspapers compete, this hypothetical threat was less plausible than the hypothetical treat of the TV Stations. The Fraser Government was copping criticism, but unrealistic criticism, particularly if it were seen to be motivated by a newspaper proprietor's self-interest, would have invited ridicule and loss of sales and advertising. Had there been any attempt to carry out the threat, competition would have greatly reduced the potential to injure the government. The story may have grown from aimless speculation; it may have been dreamed up by cabinet to repress back bench opposition to the Two Airline Agreement. The public's problem was that politicians believed it at the time.

Although the media probably occupy a special position, they are not the only people who can bring pressure to bear on governments - trade unions and protected industries are past masters. Trade unions have monopoly rights to membership; airlines to routes; Telecom and Australia Post to services, Australian textile manufacturers to portion of the domestic market, and so on. They apply pressure to gain the rewards of monopoly, and often the reasons they can apply pressure are the monopolies they already hold which allow them to sustain temporary losses while a service is withdrawn, cross-subsidise 'political' services such as those for the outback and key electorates, and invest in sectional campaigns and political parties.

Once it is understood that the Government will sell favours for votes or pelf the potential for further corruption of the political process, unfairness and inefficiency is always present. The root cause of Australia's economic decline is subtle corruption of **political** authority. Our Governments have abandoned the principle of one equal law affecting all.