INFORMATION TO USERS

This dissertation was produced from a microfilm copy of the original document. While the most advanced technological means to photograph and reproduce this document have been used, the quality is heavily dependent upon the quality of the original submitted.

The following explanation of techniques is provided to help you understand markings or patterns which may appear on this reproduction.

1. The sign or “target” for pages apparently lacking from the document photographed is “Missing Page(s)”. If it was possible to obtain the missing page(s) or section, they are spliced into the film along with adjacent pages. This may have necessitated cutting thru an image and duplicating adjacent pages to insure you complete continuity.

2. When an image on the film is obliterated with a large round black mark, it is an indication that the photographer suspected that the copy may have moved during exposure and thus cause a blurred image. You will find a good image of the page in the adjacent frame.

3. When a map, drawing or chart, etc., was part of the material being photographed the photographer followed a definite method in “sectioning” the material. It is customary to begin photoing at the upper left hand corner of a large sheet and to continue photoing from left to right in equal sections with a small overlap. If necessary, sectioning is continued again — beginning below the first row and continuing on until complete.

4. The majority of users indicate that the textual content is of greatest value, however, a somewhat higher quality reproduction could be made from “photographs” if essential to the understanding of the dissertation. Silver prints of “photographs” may be ordered at additional charge by writing the Order Department, giving the catalog number, title, author and specific pages you wish reproduced.

University Microfilms
300 North Zeeb Road
Ann Arbor, Michigan 48108
A Xerox Education Company
BOWLER, Gregory Lee, 1936-
BROADCASTER RESPONSIBILITY AS DEFINED IN THE
EDITORIALS OF BROADCASTING MAGAZINE AND COMPARED
TO POSITIONS OF INDUSTRY SPOKESMEN: AN
HISTORICAL-DESCRiptIVE STUDY.

The Ohio State University, Ph.D., 1972
Mass Communications

University Microfilms, A XEROX Company, Ann Arbor, Michigan

© 1973
GREGORY LEE BOWLER

ALL RIGHTS RESERVED

THIS DISSERTATION HAS BEEN MICROFILMED EXACTLY AS RECEIVED.
BROADCASTER RESPONSIBILITY AS DEFINED IN THE EDITORIALS OF BROADCASTING MAGAZINE AND COMPARED TO POSITIONS OF INDUSTRY SPOKESMEN: AN HISTORICAL-DESCRIPTIVE STUDY

DISSERTATION

Presented in Partial Fulfillment of the Requirements for the Degree Doctor of Philosophy in the Graduate School of The Ohio State University

By

Gregory L. Bowler, B.A., M.A.

The Ohio State University
1972

Approved by

James C. Adler
Adviser
Department of Speech Communication
PLEASE NOTE:

Some pages may have indistinct print.
Filmed as received.

University Microfilms, A Xerox Education Company
Acknowledgements

I would like to thank Dr. Walter B. Emery for his encouragement and comments during the early stages of this project and Dr. Joseph Foley, whose painfully cogent criticisms of the developing text eventually brought some measure of coherence to the final product.

My thanks also to Dr. James Golden for the insight he has provided into the dimensions of rhetorical and communication studies, and to Dr. G. Robert Holsinger for his enthusiasm and kind support in this project.

I would also like to express my appreciation for the thoughtful and generous cooperation given me by Mrs. Louise Aldrich, director of the NAB Library and Miss Catherine Heinz, director of the Broadcast Pioneers Library.

Finally, I thank my wife Barbara for willingly joining me in our extended journey down the Yellow Brick Road. May the mystical land of PhD be worth the trying trip.
VITA

March 14, 1936 .......... Born, Takoma Park, Maryland
1957 ................. B.A., Indiana University
1964 ................. M.A., Indiana University
1970-72 ................ Instructor, Department of Speech Communication, The Ohio State University, Columbus, Ohio.
1972 ................. Assistant Professor, Speech Communication, West Virginia University, Morgantown, West Virginia.

FIELDS OF STUDY

Major Field: Mass Communication

Studies in International Communication. Dr. Walter B. Emery
Studies in Broadcast History and Systems. Dr. James Lynch
Studies in Rhetoric. Dr. James Golden
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>ii</td>
</tr>
<tr>
<td>VITA</td>
<td>iii</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>vii</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
</tbody>
</table>

## PART I. BACKGROUND TO THE STUDY

### Chapter

I. THE BUSINESS PRESS AND **BROADCASTING** MAGAZINE       6

II. PURPOSE AND PLAN OF THE STUDY                        20

Purpose
- Broadcasting Sample
- Industry Sample and Procedure
- Plan of Study

III. RESPONSIBILITY OF THE BROADCASTER: ROOTS OF THE CONCEPT 46

- Responsibility and the Press
- New Media—New Rules
- Canons and Codes
- Summary

## PART II. HISTORY OF **BROADCASTING** MAGAZINE

IV. HOW THE MAGAZINE BEGAN                                77

- The Fifth Estate
- The Founders
- The Founding

V. 1931-1944: RAGS TO RICHES                              97

- From Red to Black
- The Pivotal Year
- Trouble Brewing
### Chapter VI. 1944-1971: Power and Glory

- A New Name and New Constituents
- Toward a New Role
- A New Offspring
- Change of Life

**Broadcasting, Ownership and Structure**

### Part III. Analysis of Sample Periods

#### VII. Responsibility of the Broadcaster: 1933-35

- Historical Context
- Analysis of Broadcasting Editorials
  - Summary of Quantitative Data
  - Summary of Editorial Content
- Analysis of Industry Context
- Conclusions

#### VIII. Responsibility of the Broadcaster: 1945-48

- Historical Context
- Analysis of Broadcasting Editorials
  - Summary of Quantitative Data
  - Summary of Editorial Content
- Analysis of Industry Context
- Conclusions

#### IX. Responsibility of the Broadcaster: 1958-62

- Historical Context
- Analysis of Broadcasting Editorials
  - Summary of Quantitative Data
  - Summary of Editorial Content
- Analysis of Industry Context
- Conclusions

#### X. Responsibility of the Broadcaster: 1968-70

- Historical Context
- Analysis of Broadcasting Editorials
  - Summary of Quantitative Data
  - Summary of Editorial Content
- Analysis of Industry Context
- Conclusions
PART IV: CONCLUSIONS

<table>
<thead>
<tr>
<th>Chapter</th>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>XI.</td>
<td>CONCLUSIONS AND DISCUSSION</td>
<td>466</td>
</tr>
<tr>
<td></td>
<td>Summary of Study</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Conclusions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Discussion</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIBLIOGRAPHY</td>
<td>490</td>
</tr>
</tbody>
</table>
**LIST OF TABLES**

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 1933-1935: Editorials Devoted to Responsibility Issue</td>
<td>145</td>
</tr>
<tr>
<td>2. 1933-1935: Categories of Responsibility</td>
<td>147</td>
</tr>
<tr>
<td>4. 1945-1948: Categories of Responsibility</td>
<td>196</td>
</tr>
<tr>
<td>5. Comparison of Categories of Responsibility</td>
<td>198</td>
</tr>
<tr>
<td>7. 1958-1962: Categories of Responsibility</td>
<td>294</td>
</tr>
<tr>
<td>8. Comparison of Categories of Responsibility</td>
<td>296</td>
</tr>
<tr>
<td>10. 1968-1970: Categories of Responsibility</td>
<td>397A</td>
</tr>
<tr>
<td>11. Comparison of Categories of Responsibility</td>
<td>398A</td>
</tr>
</tbody>
</table>
INTRODUCTION

In a little more than a half century, broadcasting in America has grown from an electronic novelty for dreamers and amateur engineers into a powerful and pervasive force in the nation's economic, social, and political life. More than 98 per cent of American homes have radio sets, and over 95 per cent can receive television.¹ Surveys tell us that over the past few years radio and television have become the primary and most believable sources of news and information for a majority of the public.²

Critics and scholars insist that broadcasting, particularly television, possesses an enormous capacity to influence the social and cultural fabric of society. Media theorist Marshall McLuhan, for example, sees the mass media as so pervasive "in their personal, political, economic, aesthetic, psychological, moral and social consequences that they leave no part of us untouched, unaffected, unaltered."³


Dr. George Gerbner, Dean of the Annenberg School of Communication offers a more pragmatic, but no less dramatic, assessment:

In only two decades of massive national existence television has transformed the political life of the nation, has changed the daily habits of our people, has moulded the style of the generation, made overnight global phenomena out of local happenings, redirected the flow of information and values from traditional channels into centralized networks reaching into every home. In other words it has profoundly affected what we call the process of socialization, the process by which members of our species become human.

Many of Gerbner's observations can be supported by simply noting the way people have changed their eating patterns or social lives to conform to program schedules, and the way political campaigning has been redesigned for television. At the same time, detailed studies of more specific effects, such as attitude change or the response to televised violence, indicate that while radio or television may have some influence, they play a less dramatic role than McLuhan and Gerbner seem to believe. These studies, for the most part, however, have not examined broad cultural influences, but have concentrated on specific effects, on a relatively short term basis.

Without conclusive evidence on broad effects, concerned citizens, scholars, critics and others have operated on the premise that the

---


media's capability for reaching enormous numbers of people constitutes a potential to influence behavior or attitudes in directions not healthy for the society. This potential for harm has prompted many critics to examine in increasing detail the role and function of the broadcaster as a communicator and to begin to ask questions about his attitudes, biases, and the influences which shape them.

One such question provides the basis for this study. It was suggested by Robert Lewis Shayon, former television writer and critic for Saturday Review magazine. In one column for that publication Mr. Shayon discussed the important position held by the broadcasting trade press in relation to the radio and television industry.

Broadcasters help shape our images of the world with the pictures and words they package on TV and radio, but the images of the world that the broadcasters have in their minds are shaped in large measure by their sources of information. The purity of their wells of information are of grave import to the public at large.6

His remarks were aimed at one of the principal trade magazines for the industry, Broadcasting: The Businessweekly of Radio and Television. He charged that the magazine did not provide broadcasters the kind of balanced reporting and rational editorial opinion which would enable the managers and producers to operate responsibly. His charge is the basis for this study.

In brief, the broad questions posed are these: (1) What is the responsibility of the broadcaster to the public as defined in the

editorial pages of Broadcasting magazine? (2) Has this definition changed over the life of the magazine? And (3) How has Broadcasting’s definition fit the general context of the industry position on broadcaster responsibility?

This study proposes to explore these questions about one of the "wells of information" for broadcasters in order to provide greater insight into the positions and priorities expressed by Broadcasting’s editors over its lifetime.

The report of the study which follows is divided into four basic sections: The first provides basic background on the business press in general and Broadcasting magazine in particular, a discussion of the concept of responsibility as it relates to broadcasting, and a description of the plan of the study; the second provides a brief history of the founding and development of Broadcasting magazine as background for the analysis; the third presents the findings of the editorial analysis and contextual comparisons; and the fourth, the conclusions drawn from those findings.

With this as prologue, let us proceed to the first section—the general background for the study.
PART I

BACKGROUND TO THE STUDY

Chapter

I The Business Press and Broadcasting Magazine
II Purpose and Plan of the Study
III Responsibility of the Broadcaster: Roots of the Concept
CHAPTER I

THE BUSINESS PRESS AND BROADCASTING MAGAZINE

Why is the United States the wealthiest nation? Why does it surpass all others in the fields of manufacture, transportation, and communications? In short, what has American business possessed that was not generally available to business throughout the world? Broadly, we possessed these things: a sound democratic form of government, an economic system of competitive enterprise, and the largest, most active, unbiased, independent and authoritative business press in the world.¹

Though perhaps an overstatement of post-World War II reality, this 1948 assessment of the role of the business press by Stanley Knisely, then Executive Vice-President of Associated Business Papers, Inc., is fundamentally accurate. The ability to move information about products, processes, discoveries and new solutions for old problems has helped establish and maintain the widespread industrial and mercantile networks that have built this nation. Some would, as we shall see, quibble with Mr. Knisely's characterization of the business press in general; but few could argue the importance of the specialized trade or business publication to modern economic systems. According to current estimates, some 2400 such publications are published regularly and are read, not for entertainment, but for education.²


Business paper historian David Forsyth has defined the purpose and use of the business press this way:

Their purpose is to gather, analyze, interpret, and disseminate information vital to decision making in virtually every area of management, production, and distribution. In a competitive society fraught with risk, managerial personnel turn to their business papers. Confronted with technical problems, production and distribution people scan their business papers. Up-to-date reliable information replaces ignorance. Risk is reduced and technical riddles solved.

A reiteration of this functional definition comes from Julian Elfenbein, whose writings on the role, function and operation of the business press have spanned nearly three decades.

Business Journalism is the organized, systematic, and periodic extraction of news-information, know-how, and know-what from the most authentic sources, its transformation into intelligence, and its timely distribution to the prime decision-makers and the labor force in all fields of human activity.

He goes on to define the field:

Business Paper is the generic term applied to independent technical periodicals published in either magazine or newspaper format and issued in regularly specified frequencies (at least four times a year) to serve special fields of private or public enterprise and not directed to the public at large.

"Business Magazine," in Elfenbein's lexicon, are publications like Business Week or Fortune whose content appeals to the entire

---


4 Elfenbein, p. 3.

business community and whose audience is almost the "public at large." He goes on to say "the business paper is not a house organ, like Dun's Review. It is not a trade association bulletin like NAM News. It is a specialized publication independently owned and operated, like Editor and Publisher or Iron Age."6

Forsyth points out that though the terms "Trade," "Industrial," "Class," and "Financial" have been applied to specialized publications, the most commonly used term now is "Business papers."7

Modern business paper publishing has traceable roots in early Egyptian history when the temple priests found their business affairs becoming so complex they had to be written down.8 Government and private scribes earned part of their income from the notation of business dealings for merchants and kings. The continued advances in writing instruments and materials, the expansion of sophisticated trading patterns throughout the world, slowly and ineluctably increased the need for record keeping and representation of the commercial process.

Such origins, however, are rather remote. As an intellectual exercise, one might trace a path from these beginnings to our era and its institutions; but a more realistic genealogy would probably lead


7 Forsyth, p. x.

8 Basic historical material following is taken from Forsyth, pp. 1-15.
from the papers published in America in the late 1700's called "price-currents." Quite simply, these were printed commodity price quotations for distribution in particular areas.

The 1800's saw the beginnings of the business and industrial revolution, greater specialization in economic affairs, and more concern with communication about these growing economic trends. Combined with this was the greater availability of printing facilities which allowed for increased publishing activity.

The period following the Civil War nurtured not only an industrial boom and westward expansion of the nation, but also witnessed a rapid growth of specialized business publications. By the twentieth century, very few industries or professions did not have at least one business paper. Railroads, metals industries, electronic industries, medicine, labor, education, textiles and a dozen other groups communicated about their activities through specialized publications.

Some farsighted magazines first began publication in the closing years of the nineteenth century. For example, a rash of automotive papers emerged in the nineties, when the automobile was still an experiment. Horseless Age started publication in 1895 and lasted until 1916; and Automobile began in 1899 and is still being published.  

---

9 See Elfenbein, Business Journalism, Chapter VI.

10 Ibid., p. 182.
Even more adventurous, however, was the establishment of an aviation journal in 1893. Called *Aeronautics*, it lasted only a year but is significant since it preceded the Wright Brothers at Kitty Hawk by nearly a decade.  

By the opening of the twentieth century a precedent was set. It had become almost a conditioned response for business, industrial or trade groups to issue their own publication. Such proliferation has raised some important questions about the purpose and function of the business paper as well as the motives, goals and biases of the managers.  

Because of the potential influence the business paper wields, Elfenbein continually draws attention to the need for a high degree of journalistic integrity and professionalism in the field.  

Business papers are published for people on the managerial level who need continuing education and knowledge because they have to continuously make the prime decisions—not only for themselves but for the millions in every field of human activity in a rapidly changing world.  

He cites supporting testimony from leaders of industry who insist that for the decision-making process to be most effective, the business press needs to objectively report both sides of each issue. Those leaders stress the importance of operating in relation to business the same way the press generally has operated in relation to government. They claim this is the only effective way to maintain the credibility

---

of the business paper. To function as a press agent for an industry is to risk public rejection if any segment of that industry is revealed in unethical practices.  

The *Wall Street Journal* article cited above reported an extensive survey of business publications, from house organs to what Elfenbein defined as business papers, and found confirmation of many of the criticisms leveled against them.  

There is much that is disreputable in American journalism, these critics say, but many of the specialized business, technical and professional publications that constitute the trade press are the most disreputable of all. Many charge for editorial space, their editors sell ads and their ad salesmen help edit.  

The article's author, A. Kent MacDougall, cited a number of examples of these questionable journalistic practices ascribed to some publications, but probably the most damning case involved America's *Textile Reporter*, considered the most powerful influence in the textile industry. The magazine commented editorially on "Byssinosis" (called the brown lung disease), caused by inhaling cotton dust and presently estimated to be afflicting nearly 100,000 workers.

---


14 MacDougall, p. 1.
"Byssinosis is a thing thought up by venal doctors who attended" a 1968 international Labor Organization meeting in Africa, "where inferior races are found to be afflicted by new diseases more superior people defeated years ago."15

MacDougall's article also cited a survey of seventy-six business paper publications made in 1964 which showed that 55 per cent admitted their ad salesman exerted "some influence" in selecting and researching stories, a practice roundly condemned by responsible editors in the general press. MacDougall's conclusion was that the "trade press" had more than its share of questionable journalistic practices, but that there were many strong, independent and dependable trade magazines publishing. He commented that many publications "pour out editorials in support of their industries," but that "some also cover the news in those industries thoroughly and accurately." Two publications singled out by the author as fitting this category were Aviation Week and Space Technology and Broadcasting: The Businessweekly of Television and Radio.16

**Broadcasting--the Principal Journal for the Industry**

Television Factbook for 1971-72 lists 133 "trade publications" dealing with "Television and Related Fields." They range from guild journals like American Cinematographer to general circulation magazines like TV Guide, with limited distribution technical journals like the

---

15 Ibid.

16 Ibid.
Journal of the Audio Engineering Society sprinkled between. Within that broad group are nearly thirty separate publications which could be considered significant reading for the broadcaster-businessman. They cover advertising, marketing, programming, regulations, some engineering as well as CATV and general broadcasting events.¹⁷

Of this mass of publications, Broadcasting magazine has historically been the most pervasive in its role as communicator to the managers of the industry. With a total circulation of better than 35,000—approximately 33,000 of that paid—it ranks well up among comparable magazines in related fields, and claims to have the "largest (ABC) paid circulation in the broadcast publications field."¹⁸ This claim must be taken with a sense of the qualifications imposed. What it means is that other publications in the field (Television/Radio Age, Television Digest, Media Decisions, etc.) either have smaller circulation or they are not audited and certified by the Audit Bureau of Circulation.

Some publications in areas overlapping broadcasting have larger readership—Advertising Age, for instance, with a paid circulation of better than 65,000.¹⁹ Others might exceed Broadcasting's circulation but are not audited (weekly Variety falls into this category). These publications make no attempt to claim circulation since they do not sell their advertising on that basis.


¹⁸Business Publications Rates and Data, September 21, 1971, p. 43.

¹⁹Ibid., p. 21.
These quibbles aside, however, Broadcasting probably reaches more people in the business-management end of radio and television than most, if not all, other publications. Though its audited circulation in 1971 was officially 35,122, Broadcasting's vice-president and general manager, Maury Long, quotes their own research as giving a total readership of three-and-two-tenths people per copy as many subscriptions are held by organizations or their managers who circulate the magazine internally.  

The publisher's editorial statement appearing in Business Publications Rates and Data clearly describes the intended audience for the magazine:

> BROADCASTING, Businessweekly of Television and Radio, staff written and edited to serve national and regional television and radio advertisers and prospective advertisers; advertising agencies; networks; stations; program and equipment suppliers; sales representatives; research organizations and individuals; governmental bodies dealing in radio-television and allied phases of the business and art of broadcasting.

This cuts a rather broad swath through the field, it would seem, but it must be remembered that this description is designed for potential buyers of advertising space and covers all the potential audiences of the magazine.

A somewhat more illuminating breakdown of the readership appears under the heading "Business Analysis of Subscriptions." It sets up


21 BPRD, September 21, 1971, p. 43.
gross classifications of subscribers and gives figures on how many subscriptions go to different categories of readers. Based on a weekly average distribution for the last six months of 1970, we find a total of 37,763 subscriptions. Of this number, 2,720 went to advertising agencies and executives; 2,630 to advertisers and their employees; 8,077 to what is described as radio stations and networks and their employees; 3,887 to television stations and networks and personnel; support services, such as film producers, unions, lawyers, etc., received 4,528 copies. In a miscellaneous category, a further breakdown shows 1,414 going to government organizations and libraries; 621 to newspapers and periodicals; and finally, 8,095 to "schools, teachers, students." This last figure represents a somewhat surprising 22 per cent of the total circulation of the magazine.

Clearly, however, the greatest part of the audience for Broadcasting, as might be expected, can be defined by the term broadcaster—those who practice the profession, art or business of making programs and putting them on the air. Thirty-one per cent work for the industry directly in stations or networks; 12 per cent in support services; 7 per cent with advertising agencies. We can assume that a majority of the 50 per cent of the subscribers earn all or part of their income from the business of broadcasting.

22 The figure of 35,122 for 1971 cited above is from ABC audit which is distribution of a specific issue—May 3, 1971. Larger figure cited here is average of last six months of 1970.

23 BPRD, September 21, 1971, p. 44.
All this is to illustrate that Broadcasting's potential for influence within the industry is significant. It is subscribed to by the major broadcast organizations and their officers in the industry's onion-like layers of management and ownership. Examining the content of the magazine over the years makes clear its focus was appropriately capsulized in what was, until recently, its subtitle—"The Business-weekly of Television and Radio." Because of the magazine's potential influence at management levels and its position amid the regulatory, decision-making channels, many commentators have made certain assumptions, not only about its influence but also about its position in relation to the industry.

It has been seen as a spokesman for the industry as a whole—a definer or delineator of issues;\(^{24}\) it has been characterized as "the unofficial spokesman of the National Association of Broadcasters,"\(^{25}\) and as a "trade journal that profited on flattering the industry."\(^{26}\) Some have accused it of more serious transgressions ranging from shortsightedness to questionable journalistic ethics. For example,


Robert Lewis Shayon has said:

The magazine . . . feeds its subscribers, especially in its editorials, a mix of images compounded of fantasy and propaganda. Its highly selective packages of information may support the biases, and self-fulfilling prophecies of its readers, but these serve more to gratify the reader's emotions than to render them real service by independent, tough-minded analysis.27

Broadcasting historian Erik Barnouw commented on the magazine of the middle forties:

If the station manager relied on the editorials in shaping his views he could be strangely misled. These dedicated themselves persistently to the task of countering the FCC regulatory moves and keeping the commissioners off balance. This involved much juvenile rhetoric, which perhaps gave pleasure to many an uneasy licensee.28

Yet even the critics concede some good points. Jack Gould, in an article on Sol Taishoff, owner and editor of Broadcasting since the thirties, drew the distinction most often made:

In the reportorial columns of his magazine, Taishoff maintains a respected objectivity which even his detractors concede is thorough, accurate and eminently newsy. But on the editorial page, he uncorks his vitriol or balm and pronounces his weekly prayer that broadcasters realize a sinister Socialist may lurk in the back seat of any rented Cadillac.29

The hint of paranoia implied in the final statement may be overstated, as may be the comment on "respected objectivity" in the


news columns, but there does seem to be a consensus that Broadcasting is a generally dependable source of reasonably accurate and unbiased information about the goings on in broadcasting—particularly in its coverage of the Washington regulatory scene.

Amid the speculation, observation, criticism and praise, one soon discovers that little or no substantive study has been made of the magazine. One can scarcely avoid Broadcasting in the footnotes of histories and analyses of the industry. Articles and editorials from the magazine consistently appear in the somewhat more whimsical pages of the Congressional Record. Facts or opinions from Broadcasting emerge in the speeches and comments of network executives, NAB leaders, and university professors. The magazine has become such an institution in the broadcast industry that it has been said of its editor:

At times, he may well have had as much influence as any layman over both the FCC and the industry, and the present shape of broadcasting is at least in part his doing.

---

30 An unpublished study by this author on Broadcasting's news and editorial coverage of the Cox Committee investigation, 1942-44, showed some manipulation of news column emphasis to reflect poorly on then FCC Chairman James Lawrence Fly, who was a source of much pain for Broadcasting magazine during his tenure.

31 MacDougall article from Wall Street Journal cited earlier. In addition, author's interviews with a long-time competitor, Albert Warren, editor and publisher of Television Digest, in Washington, D.C., March 23, 1972, and Robert Thorpe, assistant to FCC Commissioner Nicholas Johnson, November 12, 1970, tend to support this evaluation.

32 Gould, p. 21.
Yet I have found only one study focused on the content of the magazine—a Master's thesis from the University of Southern California—which attempted to show what the significant issues of the broadcast industry were between 1946 and 1955 by analyzing the content of *Broadcasting* magazine editorials. The study did not attempt to elucidate the way in which *Broadcasting* directed its editorial influence. No evaluations or comparisons were made. No generalizations were drawn which might have shed light on whether the magazine's editorials did, in fact, reflect the principal issues facing the industry during the period. In short, it might be useful for its raw data, but has added little to any evaluative study of the industry's principal trade journal.

Except for scattered, almost impressionistic comments in broadcasting histories—like Barnouw's trilogy—seemingly no one has dealt with the history of the magazine, or attempted to analyze its editorial posture over the course of its life. Because of this gap and because of the importance attributed to the business paper by Shayon and others, this study will attempt to analyze a part of the editorial transcript of *Broadcasting* and attempt to draw some conclusions about its content, emphasis and direction over the years.


CHAPTER II

PURPOSE AND PLAN OF THE STUDY

Purpose

The study will attempt to analyze one aspect of the editorial output of Broadcasting as it has evolved over the life of the magazine and to answer some questions about how the editors have directed their appeals. The issue of broadcaster responsibility was suggested by a statement made by the editor of Broadcasting when reflecting on the magazine's activities through the years in the twenty-fifth anniversary issue.

We have tried on our editorial page to advance the causes of responsible broadcasters and good broadcasting.1

The statement assumed a general understanding of what comprised responsible broadcasting, and no further explanation was forthcoming. It seemed to me that the search for a definition of the concept of personal and corporate responsibility would be an appropriate focus for examining Broadcasting's editorial content. Thus, the central intent of this study is posed in the form of two questions:

1Sol Taishoff, "Letter From the Publisher," Broadcasting, October 15, 1956, p. 47. Hereafter Broadcasting abbreviated to B.
1. What is the broadcaster's responsibility to the public as defined in the editorial pages of Broadcasting magazine?

2. Has the substance or emphasis of this definition changed over time? If so, how?

Because of my interest in the context of events and issues, a third dimension is sought. Throughout the analysis and explication of Broadcasting's definition of the broadcaster's responsibility, an attempt will be made to relate that definition to representative comments and positions of selected spokesmen of the broadcast industry—specifically CBS, NBC and the NAB. These comments will provide a sense of the context of industry opinion in which Broadcasting's editor has framed his definition. The comments should also indicate points where the magazine's position parallels or diverges from that of others in the industry.

Sample

Because the total editorial output of Broadcasting (more than 1800 issues with nearly three editorials each) and forty years of statements and publications from the broadcasting industry comprise an unmanageable volume of material to analyze, some system of sampling had to be devised. A complication appeared immediately: two distinct bodies of material needed to be sampled—Broadcasting editorials and industry comments—and then organized in some way to allow comparisons to be made on major issues. This meant that two separate sampling schemes had to be used but they had to have some common elements. The
following discussion outlines how this was carried out first for the sample of editorials and then for the sample of industry comments.

Background to Broadcasting sample

Bernard Berelson in his 1952 work on the methodology of content analysis suggested three kinds of decisions to be made in sampling of material: selection of titles (newspapers, magazines), selection of issues, dates of publications to be used, and selection of specific content within each of the above. The research questions of this study define the Title (Broadcasting) and the Content (editorials) leaving only the selection of issues unresolved. How many of the editorials of the more than 5,300 published between 1931 and 1971 should be examined and how should they be selected for examination?

Several writers on the methodology of content analysis have stated that sampling, even in rigorously controlled quantitative studies, is highly variable in terms of size and method of selection and is dependent in great part upon the type of materials used and the purpose of the analysis. Because of the size of the population, sampling for this study was necessary. There are two practical considerations to be resolved in sampling: (1) size of the sample; and (2) method of selecting the sample.


4Holsti, p. 132; Budd, et al., pp. 21-22.
Size of sample

Regarding the size of a sample, Berelson has claimed that "for most purposes, analysis of a small, carefully chosen sample of the relevant content will produce just as valid results as the analysis of a great deal more—with the expenditure of much less time and effort." His position has been bolstered in studies by Stempel and others. But Holsti reminds us that the necessary sample size "may vary depending upon the kinds of questions being asked of the data, the degree of precision with which they must be answered, and the nature of the data."

At least two potential problems arise from small samples which can be destructive of a careful study. One is the problem of sampling error. That is, the sample might not properly represent the body of material one is attempting to analyze. The second is that a small sample may not be adequate to isolate or identify in detail anything but coarse categories or frequently occurring symbols or groups of symbols.

5 Berelson, p. 174.


7 Holsti, p. 132.

8 Ibid.
If one is attempting to determine the presence of or relationship among a relatively large number of symbols or categories, the size of the sample will have to be large, since some of the symbols may appear less frequently or not at all in a very small sample.  

Preliminary examination of editorials in Broadcasting suggested that the responsibility of the broadcaster was not a dominant theme, so it seemed advisable to draw a relatively large sample in order to minimize the problems raised above. Unfortunately, the literature reported by Berelson, Holsti, and Budd, offers little specific guidance about how large that sample should be. The only rule of thumb seems to be to make it "as large as possible." Consequently, I decided to examine roughly one third of the total number of issues published by Broadcasting during its history. This proportion seemed substantially larger than most of the studies on newspaper and magazine analysis reported by the authors named above. The small-sample studies used, in some cases less than 10 per cent of the population, whereas large samples seldom seem to reach the 35 per cent level. In fact, in many cases reported, there seems to have been little concern about the relation of sample size to total population. Choices were made

---

9Budd, p. 20.


11Berelson, p. 179.

12Budd, p. 21.
arbitrarily on \( X \) number of items, no matter how many items were in the population. 13

Method of selection

The next step was to choose the sample of editorials to be analyzed. A number of ways to draw such a sample are available.

The basic form of sampling is the simple random method. This technique draws its units equally from the entire population and since each unit has an equal chance at selection, the characteristics of the population as a whole can be said to be represented in proper proportion in the sample. 14 Such a means of selection when carefully done can assure a representative sample, but since it assumes that all elements of content are equally important for the study, 15 it does not provide means to compare different parts of the same population.

Rotated, 16 or Interval, 17 sampling (two names for the same basic procedure) has been employed as an alternative to the basic random method. In this procedure, the units for the sample are selected at specific intervals. For example, if one chose to examine the first

13 See rundown of samples used by various studies in Berelson, p. 174.

14 Budd, p. 22.

15 Holsti, p. 130.

16 Berelson, p. 183.

17 Budd, p. 22.
issue of each month for a forty-year period, it would be a regular interval sample. Or the interval might be selected by dividing the sample size desired (700 issues) into the total universe (forty years weekly magazine-2,080 issues). The resulting figure (2.9) would be the interval. Thus you would select every third issue for analysis.

In its simplest manifestations, the interval sample can be undependable, particularly where trends and cycles of data tend to operate. To meet this problem, methods of randomizing or irregularizing the intervals have been developed, such as randomly constructed weeks, or staggered intervals (i.e. first week in May, second week in June, etc.). But like the simple random method, such a procedure offers materials for analysis which, though relatively dependable, may not provide for meaningful comparison within the population, or a strongly cohesive time base for comparison with external material.

Another sampling procedure called the Cluster design involves selecting not by interval or random methods from the overall population, but choosing a unit made up of more than one item. The unit identifies a cluster consisting of all items appearing in it. Thus the entire content of a single issue of a newspaper would be a cluster sample of all articles in that issue.

18 Ibid.
19 Holsti, p. 134.
20 Budd, p. 23.
The advantages attributed to cluster sampling are based on cost and simplicity in listing the basis for sampling (easier to examine all articles in one issue than select out articles randomly from many issues), and its chief disadvantage, according to Holsti, is its tendency to over-estimate levels of significance. Depending on the data and the purposes of the analyst, some kinds of cluster samples might provide more unified or homogenous data for analysis than interval or random methods.

Stratified sampling is a technique for classifying the total population into strata or cells according to criteria relevant to the study (i.e. circulation, time of publication, geographical location, etc.). Once the cells are established, samples may be drawn from them randomly, by interval, or even by cluster methods. Stratification is important for comparing characteristics of various segments of a population or for assuring the inclusion of important characteristics of the population which might not be seen in a "representative" sample. But when used in this way it cannot be said to be representative of the population as a whole, and the results can not be generalized, even though the sampling within the strata has been random.

---

21 Holsti, pp. 134-35.
22 Berelson, p. 183.
23 Holsti, p. 131.
Broadcasting sample

In choosing the sample of editorials from Broadcasting magazine, I employed a combination of stratification and cluster sampling procedures. That is, I decided to stratify all the issues of Broadcasting into several specific periods of time during the history of the magazine, and treat each time period as cluster sample. This meant that all editorials printed in Broadcasting during each selected time period would be examined for their relevance to broadcaster responsibility. I felt there were some advantages to this procedure.

Stratification of population into several discrete time periods meets two requirements of the study design: (1) It allows for comparison of editorial data over time; and (2) it sets cohesive time frames for sampling industry positions to be directly related to Broadcasting editorials data.

Using the total population of each time period as the sample for that period minimizes the problems of sampling error and, with a relatively large sample, as indicated earlier, should provide adequate material for analysis.

The limits of such procedures are that generalization beyond the boundaries of the sample are restricted since it is not representative of the entire output of Broadcasting editorials over the life of the magazine. But since the basic goal of the study is more a qualitative analysis than a quantitative one, it seemed to me that its purposes could be served as well by purposive methods of stratification and clustering even though broader generalizations could not be made.
Sampling periods

The next step was to select the time periods to be used. Rather than establishing the samples arbitrarily without reference to historical touchstones within the industry, it seemed that more fruitful data might be obtained if specific events were selected as a central focus for each time period. Such a procedure would provide a ready means of organizing the periods, and if the events were carefully chosen, they might help catalyze comment on the responsibility of the broadcaster during the periods.

Three priorities operated in the selection of events: (1) they should represent periods in each decade of the life of broadcasting; (2) they should qualify as events which were significant in the development of the broadcasting industry; and (3) they should be relevant to the issue of broadcaster responsibility.

In examining various histories of broadcasting it became evident quite early that there were many so-called "significant" events in the evolution of the medium which might be adapted for the study. Some were prominent in the literature of regulation and control: The Communications Act of 1934; the Report on Chain Broadcasting published by the FCC in 1941 and the subsequent Supreme Court decision in NBC vs. the United States upholding the Commission; the "Blue Book;"

---


25 Commission Order No. 37, Docket No. 5060 (May 1941).

26 319 U.S. 190 (May 10, 1943).
published by the FCC in 1946; 27 the 1949 FCC statement on Editorializing; 28 court decisions on fairness with the anti-smoking issue 29 and the historic Red Lion case in 1967. 30

Other events and issues have been non-regulatory in nature: Industry struggles with ASCAP throughout the 1930's, 31 and their battle with the musician's union in the 1940's; 32 the blacklisting of broadcasters for alleged communist affiliations in the 1950's; 33 the quiz and payola revelations which peaked in 1959; 34 the mounting pressure on broadcast news organizations in the late 1960's, symbolized by the speech of Vice-President Spiro Agnew in November, 1969. 35

Though many of these events might have fulfilled the criteria set for selection, the four specific events described below seemed most


29 Banzhaf v. FCC, 405 F. (2d) 1082 (1968).

30 Red Lion Broadcasting Co., Inc. V. FCC, 381 F. (2d) 908 (1967).


32 Barnouw, Web, pp. 218-19.


appropriate. It will be noted that the time periods selected to embrace the events are of different lengths. All the samples begin at least one full calendar year prior to the year in which the event occurred. This is to allow an adequate time in all periods to see the context prior to the event. The principal difference among the periods lies in the length of time sampled after each event. It was my judgment, after an initial scanning, that some periods reflected more extensive responses and more significant adjustments in the industry and the magazine following events. Thus the Blue Book period is four years in length; the Quiz Scandals period, five; and the remaining two, only three years. The specific facts determining the length of each period are discussed below.

The following are the periods selected and the reasons for their selection.

1. Event

   Passage of the Communications Act of 1934, June 19, 1934.

   Sample Period

   January 1, 1933 to December 31, 1935.

   Rationale

   The Communications Act of 1934 is the basic federal law governing broadcasting in the United States. Its provisions are the basis not only for rulings by the Federal Communications Commission, but also for interpretation by the courts in the case of appeals.
Its discretionary clause—the so-called "public interest" standard carried forward from the Radio Act of 1927, has been the principal criterion used by the FCC and the courts to decide the appropriateness of the practices of broadcast licensees. The standard has been the basis for the evolution of basic guidelines of responsibility for broadcasters over the years.

2. Event


Sample Period

January 1, 1945 through December 31, 1948.

Rationale

The "Blue Book," so-called, was the first detailed exposition of FCC programming policy. Frank Kahn, in his collection Documents of American Broadcasting, said the Blue Book "remains a more forceful potential instrument of program regulation in the public interest than has hitherto been promulgated."36

In their survey, Chester, Garrison, and Willis described it in similar terms as "the most comprehensive FCC interpretation of the 'public interest, convenience, or necessity' clause of the Communications Act."37

For the first time, the FCC gave licensees a definition of their responsibility to the public in terms of specific program types which they should present. The Blue Book was not a regulation but a statement of the policy guidelines which the Commission would theoretically follow in making


licensing decisions "in the public interest." Its publication was met with much resistance from broadcasters and reactions carried over for several years well into 1948, thus the reason for carrying the sample period through 1948.

3. **Event**

   Exposure of the rigging of television quiz programs and the payola scandals, Fall, 1959.

   **Sample Period**


   **Rationale**

   The improper ethical conduct exhibited by both contestants and broadcasters in the quiz rigging scandals was a major breach of broadcaster responsibility to the public. The revelation of this activity—coupled with questionable practices by disc jockeys who took fees for featuring particular records, and the long-time practice of "plugging" products in exchange for merchandise or fees—brought extensive adverse publicity to broadcasting. The resulting changes in operating policies, conceptions of service responsibilities, and public relations needs were substantial.

   Walter Lippmann, in a much-reproduced column, said that "Television has been caught perpetrating a fraud which is so gigantic that it calls into question the foundations of the industry."38

   Sydney Head claimed that the scandals dramatized the basic divergence between those who see broadcasting as a means of communication "fraught with social responsibilities" and those who see it as "just another branch of show business."39

---


The extension of this sample period to the end of 1962 was to try and give a sense of these changes and the responses to them, among which were the activist FCC of Newton Minow, and the selection of maverick LeRoy Collins as head of the National Association of Broadcasters.

4. Event

Speech by Vice-President Spiro T. Agnew, November 13, 1969, Des Moines, Iowa, accusing broadcast network news organizations of bias and news manipulation.

Sample Period

January 1, 1968 through December 31, 1970.

Rationale

"The Agnew Speech," as it came to be known in the broadcast press, elicited strong reactions from the news organizations under attack and others in the journalism field.

CBS President Frank Stanton compared it in its implications to the "dark days in the fumbling infancy of this republic when the ill-fated Alien and Sedition Acts forbade criticism of the government and its policies on pain of exile or imprisonment."40

Alfred Balk, writing in the Columbia Journalism Review about the Agnew blasts at broadcast news and newspapers, claimed they were significant not because they reflected White House displeasure with the press, but because it was "the only time a U.S. official of so high a rank had devoted two consecutive prepared speeches to castigating the news media."41

The speech, and others to follow, were seen as a direct threat to press freedom emanating from the Executive Branch of the government. In this regard, the speech itself is symbolic of a condition which broadcasters felt existed during that period. Vice-President Agnew and his speech have become, for many broadcast newsmen, a shorthand reference for a practice attributed to the Nixon Administration of trying to exert extra-legal pressure

---

40 Address by Frank Stanton, President of the Columbia Broadcasting System before the International Radio and Television Society, New York, November 25, 1969; mimeographed text from CBS, p. 10.

on news media to conform to Administration positions. In that sense, the speech was catalytic and provides a reasonable fulcrum for this examination.

The period begins just short of two years preceding the speech and ends a little over one year after. Included in the period is the 1968 election year with two assassinations and an extremely controversial political convention with important ramifications for broadcast news. The period was terminated at the end of 1970, after the next elections, although the influences of the speech continue to be felt today.

Though the events here outlined are used as a means of organizing the sample periods, it must be emphasized they are not the focus of the study. At most they might be seen as catalysts. Each one represents a different source of influence on the broadcaster and offers a somewhat different perspective on his responsibility to the public. The Communications Act of 1934 was an act of the Congress, legally defining basic duties and responsibilities of the licensees. The Blue Book was a detailed outline of program and service responsibilities drawn up by the FCC as a guide, but never promulgated as a rule. The quiz and payola scandals signalled a major breakdown in individual and corporate responsibility which raised questions about the effectiveness of self-regulation. Finally, the Agnew Speech and subsequent moves by Administration officials represented a source of non-official regulation by "Executive" criticism.

The common message of all the events whether by legal requirements, bad example, or extra-legal influence was their prescription of the proper role of the responsible broadcaster.
Procedure

From the founding of Broadcasting in October, 1931, to the end of 1971, 1830 regular issues were published. Of this number, 696 issues (38 per cent of the total), containing 1985 editorials, were published during the sample periods.

I examined all the editorials appearing in Broadcasting during each sample period and selected out those which discussed, criticized, or made recommendations about the actual or ideal relationship between the broadcaster and the public.

Of the total, 281 editorials representing 14.2 per cent of all the editorials printed during the sample periods were considered relevant, i.e. discussed broadcaster responsibility, and were then placed in categories. Changes occurred from period to period, new concerns appearing, old ones being ignored, so once all periods had been examined and initially classified, they were re-analyzed to insure consistent coding.

The following classifications of editorial comment on the responsibility of the broadcaster were used:

1. Trade Practices
   a. Rate cutting - selling time at other than published rates.
   b. Unfair Competition - practices inimical to free, fair conduct of business.
   c. Over-commercialization - excessive numbers of advertisements.
   d. "Taste" in advertising - content deemed inappropriate for family consumption.
   e. Ethics in advertising - content deemed false, fraudulent or misleading.
2. Program Practices
   a. Indecent content - obscenity in programs.
   b. Program quality - comments evaluating production and content of programs.
   c. Public service - programs and projects designed to support or benefit non-profit services or groups.
   d. News and public affairs - programming of a news and information nature.
   e. Ethics in programming - content deemed to be fraudulent or misleading.


4. National security

5. Responsibility of the broadcaster

Most of the categories are self-explanatory in terms of traditional terminology of broadcasting, though some may be more obscure than others. For example, rate-cutting refers to a variety of practices in which broadcasters sell time to advertisers at less than their published advertising rate card, thus enabling them to undercut competition, without altering their public competitive image.

Under Program Practices, a distinction has been drawn between "Public Service" and "News and Public Affairs" which follows traditional divisions in the broadcast media, though terminology may not be consistent in all organizations. News and public affairs refers to the journalistic functions of broadcasting whether it be in terms of regular news programming or the broader concept of the news documentary.

Public service describes a broad range of activities from short announcements for charitable organizations to programs of church services or panels of experts offering advice to the audience as a service. In
most organizations, there is a definite administrative division between the units responsible for news and public affairs, and those handling public service programming.\footnote{For a brief outline of the duties of each department, see Herbert Zettl, \textit{Television Production Handbook}, 2nd ed. (Belmont Calif: Wadsworth Publishing Co., 1968), pp. 491-92.}

The remaining categories, "Code of Good Practices," "National Security," and "Responsibility of the Broadcaster," represent content which was not classifiable in the basic divisions but which dealt in some way with the responsibility question. Broadcaster codes traditionally have been means whereby the industry has set standards for itself. These standards are, in general, an outline of the basic responsibilities of the broadcaster in regard to program and advertising practices, hence editorials on the subject of the codes of good practice were included in this study.

Similarly the category of "Responsibility of the Broadcaster" as a subject of discussion, embraces the range of concerns of this study. When it appeared as a specific subject of an editorial it often could not be divided to fit any single category other than a category of the whole.

The "National Security" classification represents a small number of editorials which dealt with the responsibility of the broadcaster not in terms of trade or programming practices, or in any more philosophical context, but in relation to hiring subversives or allowing subversive material to be presented on the air. As such it needed a separate category.
In some cases, editorials dealt with material which might have been described in more than one category. In these instances, the category given the most space in the editorial was identified as the dominant theme representing that editorial and the secondary theme(s) were not entered. In no case has any editorial been classified in two categories.

Once all the editorials were assigned to categories and double-checked, percentages were computed on the frequency of appearance of categories in order to identify the primary dimensions of the responsibility issue in each period and to trace trends between periods. These percentages provided the framework for discussion of specific editorial issues and positions of *Broadcasting* magazine in the sample periods.

**Industry Sample and Procedure**

Selection of industry data for establishing the contextual relationships discussed earlier was accomplished in a somewhat different and far less rigorous manner. Basically they were derived from two kinds of material: (1) Statements and speeches of the principal executive officers (Chairman of the Board, Presidents and Vice-Presidents) of the National Broadcasting Company and the Columbia Broadcasting System, and the chief executives—elected or professional—of the National Association of Broadcasters; (2) Documents published or distributed by these major broadcast organizations as statements of corporate or association policy.
The network organizations, NBC and CBS, are the two largest individual corporate entities in American broadcasting in terms of investment and income, and both have been operating continuously throughout the period examined by this study. The third network (ABC) did not come into existence until after the 1943 Supreme Court decision (NBC vs. U.S.) cited earlier forced NBC to divest itself of its Blue Network. The new entity which resulted, named the American Broadcasting Company, began with a president and staff from NBC, and did not gain a mature and independent voice for several years.\(^43\)

In addition, both CBS and NBC have had a relatively coherent pattern of leadership throughout the period of the study. For example, CBS Board Chairman, William Paley took over the network in 1928; his Vice-Chairman, Frank Stanton joined the organization in the late 1930's and became CBS President in 1946.\(^44\) David Sarnoff organized NBC in 1927, was made President of the parent company, RCA, in 1930; was NBC Chairman from 1934 to 1949; his son Robert became President of NBC in 1955; and Chairman from 1958 through 1965, when he moved to the Presidency of RCA.\(^45\) For these reasons I chose to limit my study to these two networks and their primary spokesmen—Chairman, Presidents, and, on occasion key vice-presidents.

---


\(^44\) \textit{Ibid.}, p. 237.

\(^45\) Chronology from "NBC Presidents and Chairmen of the Board from 1926 through 1966;" typewritten text in Broadcast Pioneers Library, Washington, D.C.
The National Association of Broadcasters was chosen because it was, for the period in question, the principal trade organization of the commercial broadcast media in this country. In 1970, 51 per cent of the radio stations and 86 per cent of the television stations on the air belonged to the NAB. It has been in continuous operation since its 1923 founding, when broadcasters organized to fight ASCAP over fees for music rights. Since the early thirties, the NAB has had a professional staff to operate the organization, and officers elected from the membership to set policy. They comprise the chief executives of the NAB whose statements were analyzed for the study.

The choice of materials on industry positions was not based on a rigorous or systematic sampling of all materials generated in the periods, but on as representative a sample as I was able to bring together from sources available to me.

Sampling of Sources

For network materials, I examined and extracted materials relevant to broadcaster responsibility from the following sources: (1) Network pamphlets and publications appearing during the sample periods available in the Library of Congress; (2) Transcripts of Congressional hearings during sample periods at which principal network spokesmen testified; (3) Texts of speeches delivered by

---

46 Head, p. 469.

47 David R. Mackey, "The Development of the National Association of Broadcasters," *JIB* (Fall, 1957), 307-09.
principal officers during sample periods, for which full texts were available from the following sources: mimeo texts from network Public Relations departments for recent speeches and texts deposited in the Broadcast Pioneers Library or the NAB Library for earlier periods.

For NAB materials a somewhat different approach was used, but the criteria were the same—material appearing in the sample periods and relevant to broadcaster responsibility. (1) I examined all issues of the NAB newsletter to its members (NAB Reports, changed to NAB Highlights in 1948) published during the sample periods looking specifically for executive statements and statements of policy; (2) for later years (1960-62 and 1968-70) files of press releases and speech text reprints were available and they were examined; (3) I examined publications of the NAB appearing during sample periods, which were available in the NAB library. 48

I did not attempt to examine the extensive material printed by the Code Review Board of the NAB. The Board is the adjudicatory arm of the organization whose duties are to examine and pass judgment on acceptability of broadcast materials for Code subscribers and deal with members who are accused of violating the Code.

The textual material thus isolated was organized according to sample periods and source of material (network, NAB). Because the materials were not strictly representative or directly comparable, no

---

attempt was made to assign them to the specific categories identified in the Broadcasting sample, but positions and statements reflecting broad trends within time periods or between time periods were noted and offered as contextual examples for comparison with Broadcasting editorial trends.

Plan of Study

The early sections of the study are organized to provide background on both the object of study—Broadcasting magazine—and the subject under examination—broadcaster responsibility—to better understand the place of each in the developing pattern of broadcasting. The chapter which follows rounds out Part I by sketching the development of the complex concept of media responsibility to the public from the early struggles with press freedom through the modern regulatory and self-regulatory mechanisms of the electronic media. The exposition should provide a background against which to view the central questions of the study.

Part II is devoted to a short history of the founding and evolution of Broadcasting magazine paying particular attention to its financial and organizational development. This overview of the forty-year history of the magazine provides some insight into the motivation of the founders, the operating policies of the editor, as well as some of the principal forces at work on the magazine during its life.

The major sources of information for this historical section of the study were interviews with principal participants in that history and an extensive examination of back issues of Broadcasting magazine.
I interviewed the following people for historical background and information on the contemporary organization of Broadcasting.

Sol Taishoff - Editor, and until January, 1972, publisher of Broadcasting. Taishoff was cofounder of the magazine. (Interviewed in Washington D.C., November 11, 1970)

Martin Codel - Founder and publisher of Broadcasting for thirteen years; founder, editor and publisher of Television Digest for fourteen years. (Interviewed at his home in Lewes, Delaware, March 26, 1972)

Maury Long - Vice-president and general manager of Broadcasting; member of staff since 1934. (Interviewed in Washington D.C., February 8, 1972.)

Edwin James - Vice-president and executive editor of Broadcasting; member of staff since 1945. (Interviewed in Washington, D.C., February 7, 1972)

An additional interview with Albert Warren, current editor and publisher of Television Digest and a reporter and editor with that publication since the mid-forties, provided some general perspective on the role and function of the broadcasting business press in general. (Interviewed in Washington D.C., March 23, 1972).

Other sources such as Who's Who in America, World Who's Who in Commerce and Industry, Standard and Poor's Register of Corporations, Directors and Executives, Business Publications Rates and Data,


52Published monthly by Standard Rate and Data Service, Inc.
provided additional biographical and financial information about Broadcasting magazine and its principal officers.

Part III is comprised of four chapters, devoted to presentation and analysis of data from the sample periods. Throughout these chapters, an attempt has been made to provide a sense of how the ideas and issues fit into the context of the time generally, and of broadcasting in particular.

Part IV provides a summary, conclusions and discussion of the data about Broadcasting magazine and its editorial position on the responsibility of the broadcaster through the years.
CHAPTER III

RESPONSIBILITY OF THE BROADCASTER:

ROOTS OF THE CONCEPT

To be human is precisely to be responsible--responsible a little for the destiny of mankind.

Antoine Saint-Exupery

"Responsibility to the Public" is one of those ambiguous, over-worked phrases used by politicians, presidents of corporations, newspaper editors, broadcasters, and others in service roles. Quite often its meaning depends more on the motives of the user and the circumstances of its use than on a coherent body of shared ideas.

For broadcasters, the phrase has dimensions that distinguish it from politics, public transportation, or newspapers, though elements of common heritage enlighten its meaning for all three.

The essential ingredients of the concept of responsibility as it applies to broadcasting can be traced from three principal sources.

1. The tradition and position of the press in society.
2. The evolution of government regulatory policy.
3. The development of self-regulation by the industry.

The following discussion offers an overview of the way these three elements have contributed to an outline of broadcaster responsibility, and provides a background against which to view the positions of Broadcasting magazine and industry spokesmen presented during the sample period.

Responsibility and the Press

One basic tenet of recent traditional democratic government has been the importance of a free and unfettered press; but consistently, when governments have been disturbed by a press that is too critical, they have urged journalists to act "responsibly" or face legal restraints. The nature and dimensions of this responsibility have never been totally specified and have been the subject of much discussion over the years.

Historically, the question of what a communicator should or should not do in his publication (either film, electronic or print) has only been a problem since libertarian concepts have come to rule the press. The former director-general of the BBC, Sir William Haley, makes this point cogently:

To an absolute monarch, a dictator, an oligarchy, or a witch doctor, the microphone presents no dilemmas. At least, no ethical or moral ones. The particular responsibilities of broadcasting may be seen in this fact. It implies that the first duty of broadcasting among free peoples is itself to be free.


The chief danger in trying to combine freedom with responsibility is that the mass media may lose sight of their basic responsibility which is to remain free. This is not mere word play. It points up the fact that the mass media are pressured by governmental and social forces which view responsible performance from special, and sometimes selfish, perspectives. Depending upon where one stands, after all, it is possible to argue that almost any action is responsible or irresponsible. . . . This much is certain: If the mass media should try to heed everyone's notions of responsibility, very little would be published or broadcast. In such a circumstance, "freedom" would be an empty word.3

According to the dictionary, to be responsible is to be:

Answerable or accountable, as for something within one's power, control or management (often followed by to or for);
"You will henceforth be responsible only to the president for your decisions."4

So, responsibility as a term of reference demands an object—responsibility to something or someone. It means that a responsible agent is accountable for his actions to some authority. Discussion of responsibility in mass media, then, requires that we recognize some object for the allegiance of the communicator. Is it responsibility to the royal ruler, where, as Siebert describes it, "the safety, stability, and welfare of the state depended on the efforts of the crown and therefore anything which interfered with or undermined


those efforts was to be suppressed, or at least controlled"? 

Or is it responsibility to the governing body of the state as in the Parliament of seventeenth century England, where though the press was free from previous restraints such as licensing, it was subject to penalties for the abuse of its freedom, the abuse to be determined by the common law and by Parliament? 

Or should it be responsibility to man as the ultimate recipient of the sovereign power granted by God?

Under this theory of sovereignty, freedom of the press became one of the natural rights of man as derived from the law of God and incapable of infringement by any man-made power. According to this position, a government could not restrict the right to speak or to print even to save itself from destruction.

Each of these alternatives is deficient, for each defines an absolute position: Either the king or the elected government should have total authority over the press, or no institution should have any control. Either the press would be responsible to the State or to man, but not to both. Siebert maintains that in reality some limits are necessary. "Government has a legitimate function to define these limits." Thus, under the libertarian concept of the press—responsibility to man—laws against libel and obscenity, for example, are

---


6. Ibid., p. 7.

7. Ibid.

8. Ibid.
considered appropriate limits on press freedom; for if such practices were not restricted, they would tend to undermine the stability of society.  

New restrictions and new legal guides have grown up in the complexity of the twentieth century. Shortly after World War I, Justice Oliver Wendell Holmes introduced a formula and a phrase which has been a guide for the press and the courts since: "The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent." **3** Siebert points out that this concept has been legislatively embellished over the years to guard against advocacy of the overthrow of the state "by force and violence" in order to counter subversion. **1**

Zechariah Chafee, in his major study for the Commission on the Freedom of the Press, summarized and placed in four classes the restrictions imposed by government on the press:

1. Protection of individuals against falsehood (libel).

2. Protection of common standards of the community (obscenity-censorship).


---


11*Four Theories*, p. 59.
4. Security against external aggression (national and military secrets).  

Each area of limitation thus imposed establishes the framework for future actions by the press and becomes part of the definition of "responsibility" for the mass media.

Another dimension of the definition was also suggested by Chafee who called upon journalists to recognize that they occupied a privileged position in relation to government and that the goal of both government and the press was to make society work. "In this enterprise, the task of the press is to furnish the information and ideas which are indispensable in making the public opinion sound."  

He accused some leaders and practitioners in the press of using the First Amendment as "a high board fence" behind which they could do "whatever questionable acts they pleased." He warned that the press must do its primary job of informing the public and eschew irresponsible practices, or the courts would not permanently protect the press from severe government encroachment.

Theodore Peterson credits the Commission on Freedom of the Press with being the first to codify the elements of what has come to be

---


13 Ibid., p. 794.

14 Ibid., p. 795.

15 Ibid., pp. 796-97.
be known as the Social Responsibility theory of press function. In the reports cited above, the commission drew together, from practice and ideals, a bevy of recommendations directed toward improving the performance of the press in America in terms of its service to the community and the higher goals of a free nation. A question central to the Commission's work was "How can the communications industries realize their possibilities of meeting the needs of the kind of society we have and the kind of society we want?"  

Traditionally, this kind of question has not been asked under the libertarian concept. The new theory was an attempt to deal with the changing ground rules of modern technology, media concentration and social values. Its acceptance has not been widespread.

New Media--New Rules

Radio and television hear a different drummer. It is called "the public interest," a concept which first appeared in the late 1880's and 1890's as part of state railroad regulation. It was brought to Washington in the 1920's as part of new transportation legislation, and soon was adapted for broadcasting at the behest of the broadcasters

---

16. Four Theories, p. 75.


themselves. The National Association of Broadcasters, newly formed trade association, offered a resolution in 1925 to the fourth National Radio Conference, convened at the request of Secretary of Commerce Herbert Hoover. The resolution declared:

In any Congressional legislation...the test of the broadcasting privilege be based upon the needs of the public served by the proposed station. The basis should be convenience and necessity, combined with fitness and ability to serve.²⁰

According to Clarence Dill, the Fourth Conference proceeded to adopt a provision which read:

That public interest as represented by service to the listener shall be the basis for the broadcasting privilege. ²¹

In the forty-seven years since that resolution was adopted development of the concept of the broadcaster's responsibility to the public has been traceable along two distinct but intertwining paths: First, the official regulatory policy as defined by the Federal Radio Commission, the Federal Communications Commission, the Congress and the Court; Second, the unofficial or self-regulatory policies established by the broadcasting industry. The principal elements of these regulatory and self-regulatory paths are outlined below.

**Government regulation**

Radio broadcasting during the early 1920's was a field of enormous chaos.²² Hundreds of broadcast stations attempted to stake

---

²⁰Ibid., p. 89.

²¹Ibid.

²²For a detailed description of the period see Gleason Archer, the History of Radio to 1926 (New York: American Historical Society Inc., 1938); and Erik Barnouw, A Tower in Babel (New York: The Oxford University Press, 1966), 75-188.
a claim to part of the radio spectrum, often with little or no concern for other broadcasters or the audience. New legislation was urged by established broadcasters who were being squeezed by indiscriminate grants of licenses to "any American citizen in good standing," as allowed by the Radio act of 1912. Secretary of Commerce Hoover attempted to control licensing by administrative process, but in 1926 the courts ruled that he had no authority to assign frequencies or control facilities under the Radio Act of 1912 except to prevent interference with government stations.

George Henry Payne, later a member of the Federal Communications Commission, described the chaotic conditions following the decision:

Waves and power were used at will no matter how prejudicial to the operation of other stations. Interference was so common that little practical use could be made of this great invention. The public interest required that immediate action be taken to regulate operations over the air.

The result of this demand for control was the Radio Act of 1927. The Act grew out of the principles formulated during Hoover's National Radio Conferences between 1922 and 1926. It established the Federal Radio Commission whose principal duty was to organize the air waves and assign stations to specific frequencies. The Commission's power was based on the vague discretionary phrase which permitted the agency

---

23 37 Stat. 199 (1912).


to work its regulatory will "from time to time as public convenience, interest, or necessity requires." 26

In 1938, former Senator Clarence Dill, who had been instrumental in framing the Radio Act, wrote that the new standard for granting licenses was hailed by the press as "the Magna Charta of radio listeners."

If properly interpreted, it made the interests of and the service to the people who listen to radio broadcasts the controlling consideration in the granting of the privilege of using broadcasting facilities. 27

The earliest concern with public interest was in solving problems of interference, stabilizing the licensing situation and devising schemes of allocation. 28 In making decisions about who should receive a license, the FRC was soon forced to consider other matters like the character, financial responsibility, and past record of applicants. 29

In time it began making recommendations on programming balance and the role of advertising, 30 as well as the fair presentation of political


27Dill, p. 89.


30Ibid., p. 168.

discussion of important public issues. In each of its statements on programming practices, the Commission invoked the public interest clause. More specifically, it said in regard to the airing of so-called personal disputes:

Listener have no protection unless it is given them by this commission. Their only alternative, which is not to tune in on the stations is not satisfactory. When a station is misused for such private purpose, the entire listening public is deprived of the uses of a station for service in the public interest.

The public interest criterion had become, in a very short time, an enabling and justifying clause for the actions of the FRC in the programming area. As suggested earlier, each new decision and memorandum added more flesh to the concept. The responsibility of the broadcaster was slowly being defined through interpretations of Commission position on various matters coming before it.

The Communications Act of 1934 continued the language of the 1927 Act and even added reiterations of the public interest clause in various sections to the point where broadcasting historian Sydney Head commented that "few significant provisions fail to leave the door open for the exercise of FCC discretion." In effect, he said, the public interest phrase "determines the practical results of applying the generalities contained in the law."

32 Ibid., p. 33.


It was clear that the new Federal Communications Commission would perform its delegated responsibility at the discretion of the Commissioners and that the guidelines already accrued from the actions of the FRC would become part of the transcript they would themselves begin to develop.

Year by year, opinion by opinion, case by case, a model for the "ideal" broadcast service began to take some definable form. It was a piecemeal process, moving in fits and starts through the late thirties and early forties as the Commission itself grew gradually more aggressive in the pursuit of what it perceived to be its duty to the public interest. Others called it a grab for power. Numerous court decisions reinforced the Commission's legal base and extended its influence, but the agency was in constant combat with the burgeoning broadcast industry.

Commission activism in the program policy field culminated in 1946 with issuance of the first major statement of guidelines used by the FCC to judge the operation of stations in the public interest. Called Public Service Responsibilities of Broadcast Licensees, it told

35 One of the most important decisions in this area was National Broadcasting Company vs. United States, 319 U.S. 190 (1943). Justice Frankfurter's opinion has become the standard source not only for legal history of FCC powers but also for its unequivocal statement of the Commission's right to make judgements on the "composition of....traffic" on the air waves.

36 Magruder, pp. 33-61 provides an excellent outline of principal regulatory actions from 1927-1958 as they bore on the public interest concept.

37 Called the "Blue Book" after the color of its cover, it has been reprinted in various places. Prime reference for this study was Frank J. Kahn, editor, Documents of American Broadcasting (New York: Appleton-Century-Crofts, 1968), 125-207.
horror stories of over-commercialization and itemized abuses by stations of their promised service to the religious and educational communities as well as significant minorities. It offered yardsticks of balance in program offerings; these included presentation of sustaining programs dealing with subjects which might be inappropriate to commercial sponsorship; encouragement of local talent and activities by carrying local live programs; discussion of public issues; and the elimination of advertising excesses. Its fifty-nine, double-column pages were packed with documentation and details of station operations deemed not to be in the public interest. Its recommendations were suggestive and prescriptive rather than coercive. The architects of the "Blue Book," recognized the limits of the Commission's powers but attempted to exert moral and ethical pressure on the holders of licenses to respond in a positive way to the revelations and suggestions contained in the report.

Primary responsibility for the American system of broadcasting rests with the licensees of broadcast stations, including the network organizations. It is to the stations and networks rather than to federal regulation that listeners must primarily turn for improved standards of program service. The Commission, as the licensing agency established by Congress, has a responsibility to consider overall program service in its public interest determinations, but affirmative improvement of program service must be the result primarily of other forces. . . . One such force is self-regulation by the industry itself, through its trade associations.38

In the vernacular, the report "shook the eye teeth" of the broadcasting establishment. Vigorous attacks were mounted attempting to discredit

38Ibid., pp. 196-97.
the document or dispute the FCC's authority to consider such issues at all. (We shall see later in the study in greater detail how some of the spokesmen of the industry responded.) But assessment of the impact of the Blue Book has been mixed. Frank Kahn set it in a kind of limbo.

Neither vigorously enforced nor officially repudiated by the Commission, the "Blue Book" remains a more forceful potential instrument of program regulation in the public interest than has hitherto been promulgated.39

The prestigious Freedom of Information Center at the University of Missouri, in the preface of a 1962 reprint of the Blue Book, insisted that "Nothing came of the brave words," for many reasons.

But paramount among them was the furious campaign mounted by the broadcasters which reached a point where some connected with the publication were called communists. In large measure it was this campaign that succeeded in pushing the Blue Book far back on the FCC's shelf.40

Whether or not it died in a flurry of blows from the industry, as suggested by these writers, the act of setting down these principles and publishing them left little room for equivocation in the minds of broadcasters, or the public, about the Commission's idea of the broadcasters' responsibility. Reformers and critics of the industry had a compendium of facts, opinions and ready-to-wear solutions to buttress their criticisms. Present and future staff members had a road map to guide them, officially or unofficially, through the twisting paths of evaluation and judgment on day-to-day matters before them.

39Ibid., p. 125.

40FCC's "Blue Book" (1946), Freedom of Information Center Publication no. 90 (Columbia: University of Missouri School of Journalism, 1962), 1.
The effect of this kind of influence is indirect and not easily measured, but useful studies might be done to try and determine the real impact of the Blue Book in the decade-and-a-half following its publication.

Whatever that impact, its place was superseded in July, 1960, when the Commission issued the "Report and Statement of Policy re: Commission en banc Programming Inquiry." Characterized by some as a milder, or watered-down version of the Blue Book, this statement of policy seems to have been more effectively enforced.

The Report grew out of a sequence of events beginning in the mid-fifties and culminating in 1959 with the resounding revelations of rigged quiz shows, payola in radio, plugola in television and the activities of a host of tiny scavenger fish flurrying about the head of the high-profit broadcast industry. The FCC called investigatory hearings which heard testimony for nearly two months in late 1959 and early 1960, culminating in the report published in July, 1960. Its central thrust was to solidify the exposition of the Commission in relation to program policies. After the mandatory justification of authority to make such recommendations under the "public interest" clause, and after careful reiteration of the well-worn notion of the broadcaster's being the ultimate judge of the public interest in his area, the framers of the report outlined "the major elements usually necessary to meet the public interest."


42 Kahn, p. 207.
2. Development and use of local talent.
3. Programs for children.
4. Religious programs.
5. Educational programs.
6. Public affairs programs.
7. Editorialization by licensees.
8. Political broadcasts.
9. Agricultural programs.
11. Weather and market reports.
13. Service to minority groups.
14. Entertainment programs.

The Commission insisted that the standards were not rigid and that the weight of determination is on the licensee. "His honest and prudent judgments will be accorded great weight," they clarified, "any other course would tend to substitute the judgment of the Commission for that of the licensee."\(^{44}\)

Other points emphasized were the non-delegable responsibility of the licensee for all matter broadcast through his facilities including advertising messages; the duty of the licensee to "make a positive, diligent and continuing effort, in good faith, to determine the tastes, needs and desires of the public in his community," and to meet those needs with programming.\(^{45}\) to aid the broadcaster in this last area, the Commission announced revision of part of the application form to provide space to report how he has learned the community's needs and how he proposed to meet them.\(^{46}\)

---

\(^{43}\) 23 Fed. Reg., 7299
\(^{44}\) Ibid.
\(^{45}\) Ibid., p. 7297
\(^{46}\) Ibid., p. 7301.
With the exception of the ascertainment of community needs procedures, little in the report was new. What the 1960 policy statement did was once again to place before broadcasters the basic criteria of responsible performance by the industry, without directly sticking pins into their nerve endings, as had the Blue Book. It was a soft sell approach to firmer standards of program review in the aftermath of a dramatic demonstration of the lack of meaningful self-regulation by the industry.

Only a few months after their report was released, a new President was elected, and within the year, the face of the Federal Communications Commission had begun to alter under activist leadership. Newton Minow's "vast wasteland" speech to the NAB in May, 1961, and subsequent public statements and revisions of licensing criteria set the industry's teeth on edge. Minow's public criticism and suggestions, approaching the so-called "raised eyebrow" form of influence, added little easily discerned substance to the Commission's official position on the responsibility question, but it reverberated loudly in the public consciousness and the halls of Congress. Other Commissioners, such as E. William Henry and most particularly, Nicholas Johnson have followed Minow's precedent.

The latter has attempted with greater zeal than any of his predecessors (if we are to believe the trade press as well as critics

---

of the broadcast industry) to influence the regulatory course toward
greater consideration of the concept of responsibility. His methods
have been attacked at great length. His intelligence, fitness to serve,
psychological stability, and even his personal habits of coiffure have
come under rather vitriolic attack. At the same time, others have
praised his dynamism and dedication to the task of shifting the
attention of the industry from profit to service.

The tactics of moral coercion practiced by the Minows and the
Johnsons may have had some influence on broadcasters and broadcasting,
but the basic dimensions of regulatory impact have been in the
Commission's policies and guidelines for licensing decisions. Through
the years the regulators have used this function to define their concept
of the proper relationship between the broadcasting industry and the
public.

Cahons and codes

Interacting with the legal process almost since the beginning
has been what is called "industry self-regulation," which has taken the
form of codes of conduct written by broadcasters as a means of estab­
lishing standards of responsibility for the industry. By the late 1920's

48 For examples of criticism see: Broadcasting, February 19, 1968,
p. 100; August 5, 1968, p. 82; February 24, 1969, p. 94; and April 17,
1969, p. 92.

49 More positive assessments can be found in Rivers & Schramm,
p. '65; and in Les Brown, Television: The Business Behind the Box (New
such codes were common through many industries, but the tone, substance and the motives behind their creation were not always the same. Rivers and Schramm point out that the Canons of Journalism of the American Society of Newspaper Editors adopted in 1923 tended to be "positive, eloquent, couched in generalities, and based on a concept of rational man and a libertarian philosophy." The code is notable, they add, because "it was adopted without any special pressure on newspapers to reform."50

On the other hand, they claim, the broadcast codes are more negative and more specific. They are based on a caretaker philosophy and on a concept of man as suggestible and malleable, in need of protection from moral and political ideas that might harm him. . . . These codes grew out of fear and were designed for protection from public criticism and official action. . . . To be blunt, these codes are designed to keep the communicators out of trouble.51

Despite their form or the motives behind their adoption, the broadcasting codes are the clearest expression of anything approaching a consensus of opinion within the industry on what constitutes the responsibility of the broadcaster. As such, it is important that we understand something about how the codes came to be created and how they have developed.

50 Rivers and Schramm, p. 239.
51 Ibid.
The first industry code was formulated in 1929 by the National Association of Broadcasters. It was issued in two separate documents as a guide for member stations—the NAB Code of Ethics and the NAB Standards of Commercial Practice. The Code of Ethics advised against broadcasting matter that might be regarded as offensive to any part of the audience or which might be barred from the mails as "fraudulent, deceptive, or obscene;" urged broadcasters to "ascertain the financial responsibility and character" of anyone using their facilities; forbade broadcasting "false, or deceptive or grossly exaggerated" advertising, or ads for products or services possibly injurious to health. Finally, the Code barred statements derogatory to competing broadcasters, sponsors or products. Many of these provisions continued to appear in later versions of the Code.

The Standards of Commercial Practice, however, seem rather distant and innocent when viewed from the 1970's. The standards were developed by the NAB in part because some broadcasters felt that too much straight advertising would drive audiences away. This concern was evident in the advice against broadcasting "commercial announcements, as the term is generally understood" between 7:00 and 11:00 p.m. and the carefully drawn distinction that the time before 6:00 p.m. was part of the business day and could be given over to business programs, but that the time after 6:00 p.m. "is for recreation and relaxation, and


commercial programs should be of the good will type."  

Both the Code of Ethics and the Standards of Commercial Practice were formulated and adopted at a time when it had become clear that the Federal Radio Commission was using the public interest clause as justification for commenting on advertising and program practices. In August, 1928, for example, the Commission had ordered WCRW in Chicago to reduce its power from 500 to 100 watts because there was interference between its signal and another station in a nearby community. The FRC decided to restrict the Chicago station because the station "exists chiefly for the purpose of deriving an income from the sale of advertising of a character which must be objectionable to the listening public."  

Neither of the 1929 documents received much attention over the next few years and little was done to alter, embellish or publicize them. At the 1935 NAB Convention, however, the membership drew up a revised version of the 1929 Code of Ethics. The new Code reflected the industry's strong concern over the upsurge in "fly-by-night" and "quick-buck" stations, and questionable sales practices used by these operators to undercut competitors. As a result, the code revisions

---

54 Ibid., p. 309.
55 FRC, Second Annual Report - 1928, p. 156.
seemed to draw the broadcaster's attention away from his responsibility to the public and refocus it on his responsibility to himself and the industry to get rid of unscrupulous business practices.57

Once again, as the pressure of business competition receded, the Code fell by the wayside until pressure from an activist Federal Communications Commission awakened the need for self-regulation. By 1938 the industry had grown out of the 1935 Code, and advertisers had moved into a position of almost total domination over the networks, delivering 87 per cent of their business pre-packaged for broadcast.58

The FCC decided to investigate "Chain Broadcasting". They set hearings for the fall of 1938. The networks, and subsequently the affiliated stations, began to gather their arguments against further regulatory control and resorted to the safety-valve of self-regulation.

Testifying before the FCC in November, 1938, the father of the Broadcast network concept, RCA President David Sarnoff commented on the power of radio as "a great servant of mankind when used properly, but, when abused, capable of destroying human rights." The social impact of radio, he claimed, had raised the "all important question of social responsibility." He then advocated the adoption of a voluntary system of self-regulation and urged that the industry "take

57 Text of Code revision and comments on changes appeared in the newsletter for the association, NAB Reports, July 18, 1935, p. 884.

58 White, p. 74, (fn.).
the necessary steps to make that self-regulation effective.\footnote{59}

The NAB began the process of gathering opinion from its members and establishing guidelines for the Code. The Code of Program Practices of the NAB was adopted at the Organization's convention in July, 1939, after an extensive debate and substantial disagreement.\footnote{60}

The document which resulted continued the warnings against injurious products and services seen in earlier codes. To this was added a section on children's programming, reminding broadcasters of the impressionability of children and urging that programs for young people reflect "respect for parents, adult authority, law and order, clean living, high morals, fair play and honorable behavior." Scenes should minimize horror, torture, the supernatural and the superstitious.\footnote{61}

Other sections outlawed the sale of time for discussion of controversial issues, urged fairness and accuracy in the presentation of news, and advocated presentation of religious and educational programs.\footnote{62}


\footnote{60}A full account of the struggles can be found in White, pp. 74-82; and Morris Ernst, The First Freedom (New York: The MacMillan Co., 1946), 142-48.


\footnote{62}Ibid., pp. 5-6.
The last section outlined suggested length of commercial copy in programs. The 7-11 p.m. commercial-free time carefully reserved for "recreation and relaxation" a decade earlier had given way to allow a maximum of six minutes of advertisements per hour of prime-time programming, except that the maximum did not apply to "participation programs, announcement programs, musical clocks, shopper's guides and local programs falling into these general classifications." 63

The Code remained essentially intact until June, 1945, when an FCC decision prompted a change. The case directly challenged the controversial issues clause in the 1939 Code.

A labor union local in Columbus, Ohio, charged the management of WHKC with discrimination. Following the NAB Code, the station refused to sell time to the union to discuss issues considered controversial by the management. But, it was charged, the station had sold time for such discussions to others with whom the management agreed. The Commission, after a hearing and an agreement by WHKC to bring its policy into line with public interest considerations, renewed the license. 64

The decision bent the premises of part of the 1939 Code, so on August 7, 1945, a new, abbreviated version appeared without the "controversy" clause, but little changed otherwise. 65

63 Ibid., p. 7.

64 In re United Broadcasting Co. (WHKC), 10 FCC 515 (1945).

In less than a year, the Blue Book assaulted the broadcasters and in the battle they decided a new Code revision was necessary—one which offered a more cogent statement of the place and purpose of broadcasting and the responsibilities of the broadcaster. Work began in 1947 with the expectation of membership approval at the Atlantic City convention in September, but opposition was strong. The process dragged through the fall and then went to the membership again in the spring, 1948 for ratification. This time it was approved and became the new guide for responsible broadcasting.66

The chief difference between old and new codes was the addition of "The Broadcaster's Creed," a statement of beliefs and a declaration of the responsibilities of the broadcaster to his public. It began with a reference to first amendment freedoms, enumerated the influence of the medium, urged "full and ingenious use of man's store of knowledge," and listed the values to be honored. This was preface to a now-familiar list of limits and advisories on program content and commercial practices.67 The language was somewhat changed, the form different, and some new categories were included such as "Crime and Mystery Programs," but for all of that, the new Code could not be called a radical departure from the pattern begun in 1929 and slowly evolved in the two decades between.


In 1952, a special Code for television was developed in addition to the Radio Code, with a somewhat different creed and some new provisions since its inception, little substantial change can be observed in either Code.

The details of commercial practice and "good taste" have wiggled slightly as the values of the society have shifted, but the formula and the message of the two Codes seem basically the same. Public concern, congressional inquiries, FCC thrusts—any of these might cause a ripple and consequent rewriting of some section or other, but there have been no major revisions. One year the concern is violence, so a section is added or reworked. Another year, the industry wants to relax commercial restrictions on feminine products, so a change is made.

Few of these decisions are made without discussion or controversy; and at best, they only represent a majority of Code subscribers, not all broadcasters. Only 34 per cent of the total number of radio stations are subscribers to the Code. Television fares better, with 65 per cent of its stations subscribing. 68

In addition, the lack of enforcement powers makes effective industrywide self-regulation almost impossible. But as several writers have pointed out, despite these limitations, broadcasting Codes tend to be a constraining influence on the whole industry, and for the very reason that invites criticism from some quarters: that is, they follow

68 Head, p. 469.
public opinion rather than lead it. They work at what Schramm called "the level of acceptability rather than at the level of responsibility," and represent, in Sydney Head's words, "an industry assessment of the constraints necessitated by the force of public opinion."^69

The Codes, then, constitute a tangible operational definition for responsible broadcasting for part of the industry, and may act as a guide to responsible behavior for others.

Summary

The press grew from being a tool of the rulers of nations to a position of relatively unfettered independence of government. Its mandate of freedom in this country was embodied in the Constitution and, through a tortuous path of challenges, has survived reasonably intact into the second half of the twentieth century. At the same time, its structure and diversity have altered, its functions have been modified by new technology, and pressure for a change in goals has grown up around it. In recent years, greater emphasis has been placed on the "responsibility" of the "free press." Such emphasis reflects the concern that concentration of the population, and consolidation of their sources of information and intelligence, requires a press with a greater consciousness of its formative role in the evolution of the nation and the species.


^70 Head, p. 471.
Paralleling this evolution, and contributing to it, has been the growth of the broadcast media. From the outset the mandate of freedom assured the printed media has been an elusive shadow to broadcasters. The limits have been rooted in the narrow broadcast spectrum and the competition to use it. The competitors demanded and got an official arbiter for their conflicts through the Radio Act of 1927 and its offspring, the Communications Act of 1934. From the beginning, the Commission established by these acts has toiled to insure the "proper" role of the broadcaster in regard to his audience.

The regulator and the regulated have evolved together in a symbiosis of varying intensity and commitment. Regulation and self-regulation have fed each other, with the former most often applying the spur to the latter. The result has been predictable. Codes of Conduct, of Good Practices, of Ethics have developed from the regulated to assuage the regulator or the audience, and to provide guidance for the individual broadcaster.

These standards, policies, and Codes, have then become the transcript of responsible action in the broadcast industry—a transcript which is as often illuminated by what does not appear as by what does. Another part of the transcript is found in the public statements of industry leaders and in the constant stream of commend from the business press.

Broadcasting magazine has been a prominent contributor to that transcript throughout its forty-year history and to properly
examine the nature of that contribution, it is important that we understand some of the factors that brought it to life and that have influenced its direction during its existence.

Part II provides an overview of that history.
PART II

HISTORY OF BROADCASTING MAGAZINE

Chapter

IV  How the Magazine Began
V  1931-1944: Rags to Riches
VI  1944-1971: Power and Glory
Introduction to Part II

Broadcasting magazine has been part of the growth and development of the broadcast industry for forty years. In that time it has been deeply involved in the discussion of many issues and the formulation of many basic industry policies. For this reason, it is important for our examination of the question of the responsibility of the broadcaster that we have some understanding of the magazine's development, organization and control.

In addition, Sol Taishoff, the editor of Broadcasting, was one of the founders and the first editor of the magazine, and the author of nearly all its editorials from the inception to the early 1970's. Hence to understand the editorials, it is important to know something about Sol Taishoff. The three chapters which follow should provide some of that background.
CHAPTER IV
HOW THE MAGAZINE BEGAN

If one were to choose the worst year in recent American history to start a new business, 1931 would certainly seem a likely candidate. The stock market began to fail in the fall of 1929 with the New York Times industrials index going from a high of 415 points in mid-October of that year to an unbelievable 58 in July of 1932.1 Backbone industries like General Motors, U.S. Steel and RCA were skidding uncontrollably. GM dropped from 72 to 7, U.S. Steel from 261 to 21, and the Radio Corporation of America plunged from 101 to an almost nonexistent 21 points.2

Unemployment jumped from two million, to four, then to eight and finally 12 million in 1932.3 Business failures increased by 50 per cent to a remarkable 24,000.4 Those who were fortunate enough to

---


4Beard, p. 65.
hold jobs grew steadily poorer as worried companies trimmed hourly wages, then cut back from 48 to 40, and then to 36 hours a week.5

By the middle of 1932, American industry was operating at less than half its 1929 volume, and during the full year 1932, the total amount of money paid out in wages was 60 per cent less than in 1929.6

The Fifth Estate

In the midst of this economic carnage, three eager young journalists and a middle-aged patron took a shot at starting a magazine. It was titled, rather splendidly, Broadcasting: The New Magazine of the Fifth Estate and hatched from the quartet's meager offices in the nation's capital on October 15, 1931—a week before the third anniversary of Black Thursday. Martin Codel, the 29-year-old Editor and brood hen of the operation, set the tone of the new publication in his lead editorial.7 Under a quotation from Thomas Carlyle describing Edmund Burke's famous passage establishing the press as the fourth estate "more important by far than them all," the enthusiastic new entrepreneur extolled the virtues of the fresh young medium.


6Allen, p. 147.

7Over the years since the founding, the impression developed that the present owner, Sol Taishoff, had written this editorial. Martin Codel assured me it had been his work, in a private interview at his home in Lewes, Delaware, March 26, 1972.
And now, Radio! Who is there to gainsay its rightful status as the Fifth Estate? Powerful medium for the conveyance of intelligence and entertainment to the masses, Radio Broadcasting has come to take its place alongside "the Lords Spiritual, the Lords Temporal, the Commons and the Press."...

It furnishes all of man's other high Estates voices that reach far beyond their cloistered chambers, their limited social circles....

But beyond all that, it brings new cheer, new intelligence, new light to the multitudes...

All this broadcasting does in this country while sustaining itself as an economic entity, without the direct aid or subsidy of government. It does all this, under the American scheme, while lending a new stimulus to business by making available to business a new vocal medium of sales approach...

With all its faults, Radio by the American Plan still expresses a certain genius of the American people—the genius of free enterprise...

Then came the promise and the dedication.

The columns of Broadcasting will be devoted to the news of radio, particularly to bringing the various elements that make up this great art and industry to a greater awareness of one another. Broadcasting intends to report, fairly and accurately, the thoughts and the activities that motivate the field of broadcasting and the men who are guiding and administering broadcasting.

To the American system of free, competitive and self-sustaining radio enterprise, this new publication, accordingly, is dedicated.

No hint of depression or pessimism there. Indeed, little recognition of the tragic circumstances surrounding this island of endeavor showed up anytime in the new magazine. Seventeen of its forty pages were...

---

68, October 15, 1931, p. 18.
taken by advertising. The remainder featured newsworthy stories of things past and things to come. In a week, the ninth annual convention of the National Association of Broadcasters would convene in Detroit to discuss the vital issues of the Radio industry. Outgoing president of the organization, Walter J. Damm, offered a warning and an enticement to band together. "Politically powerful and effectively organized groups actuated by a selfishness and a mania for power," he claimed, were "plotting the complete destruction of the industry."

There was a section listing the actions of the Federal Radio Commission during the preceding week; another article outlined the primary legislative news of the week; others talked about networks, stations, programs, and people. It was, in short, what it proposed to be—a "super" newsletter, with advertising, capable of bringing intelligence to the many levels of those interested in the operation of the radio medium. But would it work? Its owners were gambling that the industry was ready and willing to support their venture. Their gamble was based on some knowledge of the medium they were trying to serve.

The Founders

Three names appeared on the masthead of the editorial page then the first issue emerged from the printers.

---

Editor, Martin Codel, born in Duluth, Minnesota in 1902, had attended the University of Michigan and worked with the Associated Press, United States Daily, and the North American Newspaper Alliance.\(^{10}\)

Managing Editor, Sol Taishoff, born in Minsk, Russia in 1904, moved to Washington, D.C., at age 2, came up through the ranks of the Associated Press, and worked as reporter for United States Daily, and as Columnist for Consolidated Press Service.\(^{11}\)

F. Gaither "Gate" Taylor, born in Terre Haute, Indiana in 1904, worked on newspapers in Florida, was advertising manager of Terre Haute Tribune, and became executive advertising director for Harry Shaw.\(^{12}\)

Harry Shaw, financial backer of the venture, had no credit on the magazine, though he was officially listed as President of Broadcasting Publications Inc.\(^{10}\) He was born in 1886 in Salamanca, New York, left school in the eighth grade, worked for the Waterloo Evening Courier, and for the Waterloo Morning Tribune which he eventually purchased; bought half interest in a radio station, which came to dominate his time. Soon he sold the newspaper and bought total control of the station WMT. It was a short step to "angeling" Broadcasting.\(^{13}\)


\(^{12}\) Information on Taylor from Obituary in B., September 15, 1940, p. 15.

\(^{13}\) Shaw biography from B., November 15, 1932, p. 19.
The quartet came together in 1931 to create a magazine partially by chance, but mostly by the hard effort of Martin Codel, and his second-in-command, Sol Taishoff. Both were anxious to form the magazine. They sought financing through the ranks of friends and associates, and eventually found Harry Shaw, who agreed to finance the project and brought in Mr. Taylor whose knowledge of mechanical production, advertising and sales were invaluable to the venture.\(^\text{14}\)

But the story of Broadcasting in its early stages was Codel and Taishoff, a team for a time, associates for a while, but eventually fierce competitors.

To Be An Editor

"I had made up my mind when I was a kid—a reporter in northern Minnesota—that I was going to be a newspaperman, preferably a foreign correspondent."\(^\text{15}\) During high school in Duluth, and later at the University of Michigan, Martin Codel was committed to being a journalist. He worked as a cub reporter for the Duluth News-Tribune in 1917 and 1918, moved to the Hibbing Minnesota Tribune for three years until he entered the University of Michigan. During his undergraduate career at Michigan he also worked as a correspondent for two Detroit newspapers—the Journal for two years, then the News.\(^\text{16}\)

---

\(^{14}\)B., September 15, 1940, p. 15.

\(^{15}\)Biographical information that follows is drawn from private interview with Martin Codel, March 26, 1972, unless otherwise indicated.

As graduation approached, the young man with aspirations to a newspapering career, some credentials in experience and training, and a reputation as a "go-getter" journalist, went to one of the University trustees who was also on the board of the Associated Press, and asked help. The gentleman had heard of Codel's work as correspondent for the Detroit News and knew of his work on campus (he had been active in Sigma Delta Chi, the journalism fraternity), and promptly arranged an interview at AP in New York.

In the meantime, Codel had heard David Lawrence, the columnist, speak at the University and in talking with him afterwards, inquired about a place with Lawrence on his Consolidated Press Service. Lawrence told him he had something else in mind, and to contact him on graduating. When it was time to move out, Codel contacted Lawrence and asked if anything had opened up. Lawrence told him no and recommended that he take up the Associated Press job but to keep in touch.

As Codel describes it, he wanted very much to go to Washington because the action for the journalist was there. After serving with AP in New York, he began lobbying for a shift of assignment to the Capitol. But, "the then-head of the Washington Bureau wasn't having any part of New York men...he was a very competent newspaperman but he gave me no encouragement at all." So other avenues had to be explored and Codel went back to David Lawrence again.

In March, 1926, Lawrence began a new publication based in Washington. It was called the United States Daily, a daily newspaper of government affairs. These were boom years for news, and Lawrence
was following a trend begun by Henry Luce in 1923 when the first issue of *Time* magazine hit the stands. In 1933, *United States Daily* changed to weekly publication under the name *U.S. News* and in 1948, combined with another David Lawrence publication to form *U.S. News and World Report*, one of the "Big three" newsmagazines. But in 1926, it was just beginning and the fledgling operation hired fledgling reporters to bolster its staff.

Because of the experience I’d had on the AP and the *Detroit News* and the small town newspapers in Minnesota...he gave me the prize assignment—or one of the prize assignments on the *United States Daily*—and that was to cover the Department of Commerce under Herbert Hoover, then the dominating figure in the Coolidge Administration.

It was in this assignment that the budding 24-year-old newsman first got involved with the broadcasting industry.

One of the bureaus of the Department of Commerce was the Bureau of Navigation under which there was a radio section headed by an old wireless operator named William B. Terrill, then a quite old gentleman, way into the 90’s and who was a very benevolent and paternal sort of a guy. He kept telling me how great this new art was going to be, this thing called broadcasting.

One of the functions of the radio division was to administer the license applications for the broadcast bands.

One of my stories every week—every Friday, I remember—was "The following licenses were granted this week to so-and-so." There were bicycle shops, insurance companies, you name it—people with such disparate interests that you wondered what or why they would be interested in this thing called broadcasting.

---


18 Ibid., p. 646.

19 Codel interview.
As the confusion over who should regulate radio moved toward a legislative solution forced by the courts, the attention and interest of the young reporter on the Commerce beat followed. What had been a rather routine task of bureau coverage now took on a greater aura of drama and significance as congressional committees hammered out the package soon to become the Radio Act of 1927.

At the same time, the sound medium was beginning to draw larger audiences. Set manufacturers were eagerly seeking broader sales so they turned to newspaper advertising. Atwater Kent, with the "Stag on the Speaker," RCA and many others spent increasingly large sums of money to get their products before the public. They also put quite a little pressure on the papers to offer editorial material to attract the consumer. The result was that newspapers all over the country began to plead for articles, columns, anything to make a radio page which would carry the manufacturers' advertising.

David Lawrence met this demand with a column distributed through his Consolidated Press Association. The first columnist was an announcer at the NBC station in Washington who used the pen name

20 See above Chapter III, pp. 53-55.

21 There were 5,000,000 radio sets in use in 1926; 8, 500,000 in 1928, and 10,500,000 in 1929. Broadcasting Yearbook, 1941 (Washington: Broadcasting Publications Inc. 1941), 14.

22 Radio and phonograph manufacturers spent 4.5 million dollars in 1926; 5.8 million in 1927; and in 1928, ranked 5th in dollars spent in 32 classifications of national advertisers. Editor and Publisher, March 10, 1928, p. 3, and April 13, 1929, p. 8.

23 Codel interview.
Robert Mack to camouflage his identity from bosses critical of moon-lighting. When the announcer moved on, Lawrence kept the name and put a new man under it—Martin Codel. Now he was a syndicated columnist, with $30 a week salary, five to six columns a week to write and a pen name. The money wasn't much, and he didn't have a strong identity, but this was to be the key to a future specialization that paid handsomely in the next few years.

Telegrapher or reporter

Another charter member of the United States Daily came to the venture with few credentials, with a distinctly non-patrician upbringing, but with what proved to be an unquenchable drive for success. Sol Joseph Taishoff—Russian-born, Washington, D.C.—raised, had entered the journalism field early, as had his more mature and more experienced colleague. He was a copy boy for the Associated Press in the capitol while in high school during the early 20's; then began learning how to be a telegrapher which paid more money than news reporting. It is possible that he might have continued in telegraphy and never found his way into the power structure of broadcasting had he not been sent one day in 1923 to the Navy Department to deliver the Associated Press report for the fleets. As he described it, he was allowed into the "inner sanctum"—Radio Central in a highly restricted

24 Biographical material drawn from private interview conducted by the author on November 11, 1970, in Washington, D.C. and from interview with Sol Taishoff conducted by Edwin Dunham, January 14, 1966; transcript in the Broadcast Pioneers Library, Washington, D.C. References following will be shortened to Taishoff Interview and Taishoff Interview with Dunham.
area. There he was confronted by a remarkable little instrument "looking for all the world like a stock ticker, glass globe and all." He was told it was a Morkrum-Kleinschmidt printer, and in the center of the glass-globed mechanism was a wheel rotating and "slapping these letters on paper" at the rate of 15 words a minute or so. The event had an epiphany-like character to the young Taishoff.

While we were transmitting on our Associated Press fast wires at 35 words a minute, and this thing was as slow as a snail crawling through mud, I figured that one day they would speed up the process and I concluded that telegraphy was not the kind of life I wanted. So, I shifted as rapidly as I could to the news side of the Associated Press.25

During his tenure with the AP, roughly from 1920 to 1926, Taishoff grew through the process to become a junior member of the news bureau doing various kinds of rewrite and assembly jobs as well as some coverage of radio and aeronautical news. He was interested in the future of these technologies and continued that interest after he joined the U.S. Daily in 1926.26

My assignment was largely rewrite but I found time to do a little outside reporting on beats that no one else covered, such as the U.S. Public Health Service and the Bureau of Standards. They were afraid of newspaper men at those places because they usually got things balled up. But I found a way to get over that hump. I would write my copy on the spot, submit it to these long-haired scientists and when they saw I was fairly accurate and that I would accept guidance, they welcomed me with open arms. I was probably the first so-called science reporter in Washington in the process.27

25 Taishoff interview with Dunham, p. 3.
26 Taishoff interview.
27 Taishoff interview with Dunham, p. 4.
He moonlighted, too. He and several of his lower-paid colleagues began to seek out specialties which they could write about to sell to newspapers and magazines. For the ambitious young writer, radio and aviation still held fascination; but, as he explains it, he became more enchanted by radio since to him it seemed it would be a more free and open news medium, and he had already committed his life to news. At any rate, as he built his experience, he worked diligently and competitively on the U.S. Daily. As Codel remembers it, Taishoff was "a nice kid, very congenial and ingratiating, terribly ambitious." He was constantly after senior men on the staff for information, ideas, ways of covering this story or that—an almost stereotypic image of the eager young man looking for a future. In a short time, he got his first solid step up.

Musical Chairs

Martin Codel had been building quite a following for his column as Robert Mack, but not making a great deal of money for the effort. By 1928 he had covered the Commerce Department for two years. He spent much of that time doing a column which brought him in contact with a number of the leaders in government and radio, and offered him some exposure in the market place. It was no surprise, then, when during the Republican National Convention in Kansas City in 1928, he

---

28 Taishoff interview.

29 Codel interview.
told his boss and mentor, David Lawrence, that he had been offered $100 a week and his own byline by the North American Newspaper Alliance to do a daily column. Lawrence was in the midst of broadcasting the convention, and Codel was acting as a "leg man" for him, when the latter announced his intention to leave. The boss was a little non-plussed at the timing and circumstances of the change and expressed concern about what would happen to the column. It was then that Codel indicates he brought up Taishoff's name as the logical replacement, convincing Lawrence that the young man could carry the column and promising to help him all he could. Once again the Robert Mack name was jacked up and a new man moved under it.

Now the two were competitors with Codel still maintaining the status position with NANA under his own name, but with Taishoff eagerly and energetically challenging him on stories. The two remained friends and moved through the next two or three years evolving a more solid and reasonably congruent philosophy of broadcasting, as well as a broad agreement on the significant issues in the industry.

The First Crusade

Soon after he began his own column, Codel got involved in a crusade of sorts, and with an issue that was to provide the impetus and motivation for the magazine venture a few years later. The issue was the campaign by newspapers against radio news broadcasting. This

---

30 Codel interview.
went against Lodel's grain for several reasons. One was that he had a great dedication and respect for journalists.

I thought that the most public conscious and public-spirited and the finest minds in America were newspaper publishers and editors—that they were by far superior inheritors of this new medium than bicycle shop owners and insurance companies.31

Another point of abrasion was that Editor and Publisher, the newspaperman's trade journal, had begun to mount a rather bitter editorial crusade against newspaper ownership of radio stations and was even advocating government ownership. The trade journal had thrown its support behind the crusading efforts of H. U. Uavis, publisher of the Ventura Free Press and his efforts to influence congress away from private commercially controlled radio, toward a system patterned on the English structure.32

Many of the newspapers who took Lodel's column enjoyed his crusade for newspaper ownership for they themselves owned stations, though many still treated them as playthings. Because of the column, he became a kind of intermediary, or contact man for papers with station interests who were trying to make some political connections in Washington. His became a kind of two-way advisory function. And his reputation grew.

---

31Lodel Interview.

32References to this campaign can be found in Erik Barnouw, A Tower in Babel (New York: Oxford Univ. Press, 1966), 279; James Rorty, Order on the Air! (New York: The John Day Co., 1934), 27-28. See also anti-radio editorials in Editor and Publisher, February 25, 1928, p. 32, February 2, 1929, p. 34, and March 2, 1929, p. 8. The last insists that radio should never be a "shallow news service," but stick to entertainment.
In 1929 he was asked by Nation's Business to edit a book on the medium. The result was a series of articles by leaders in the broadcasting industry— from Paley and Sarnoff for the networks to engineers and programmers— under the umbrella title Radio and Its Future.  

Generally Codel’s columns dealt with government affairs, business activities and technical advancements. They made fine material to accompany manufacturers ads. But by 1930 some subscribers were growing more interested in articles on the show business aspects of radio. As Erik Barnouw has pointed out, the Palace Theatre, the "apex of vaudeville," closed for change-over to talking pictures in 1930, and the symbolic death of vaudeville proved to be the birth of radio vaudeville. As a result of pressures from some papers, NANA, surveyed subscribers and found that only half of the 90 papers taking Codel’s column wanted it to continue as it was. Most wanted a stronger emphasis on programming and performers, which the columnist had neither the interest nor the qualifications to supply. Consequently he left NANA and formed his own mail syndication organization, the Radio News Bureau, offering his column to about fifty papers for $5, $10, or in the case of the Christian Science Monitor, $15. He was now self-employed.


34 Barnouw, pp. 244-45.

35 Codel interview.
Feet of Clay

The boy from northern Minnesota, now in his 28th year, operator of his own business, a columnist of some success, editor of a soon-to-be published book on the future of one of the most mercurial new technologies in history, was still restless. His battle with the conservative newspaper people over the place of radio in the field of journalism had become a strong motivating force. The verbal exchanges had led him to the conclusion that the trade magazine of journalism, *Editor and Publisher*, through its editor Marlen Pew was doing the industry a disservice.

Codel felt that newspapers could operate stations to the mutual advantage of both entities—newspapers selling radio sets, stations promoting the services of newspapers. So he sat down and wrote a long letter to Pew, who had formerly headed INS, the Hearst news service, and whom young Martin had respected greatly in his school days. In the letter he tried to explain his position and convince Pew to alter his campaign. The latter responded politely, saying radio, using public facilities, was unfair competition to newspapers.

I thought his ideas were cockeyed so I wrote him another long letter saying you’re wrong. At least carry the arguments and testimony of your own constituency, which are some of the best newspapers in the country—the *Chicago Daily News, St. Louis Post Dispatch, Los Angeles Times,...* some of the finest papers in America owning stations and running them, some at a loss, some at a profit....
The now-impatient editor responded with a "curt and annoyed letter" saying in effect that Codel was too close to the question and couldn't see the total picture or the threat radio posed to the free press in America.

It was then I got mad. This editor had been one of my gods of journalism. . . . I had read Editor and Publisher faithfully through college and thereafter. I saw that Marlen Pew had feet of clay. He had two pet hates. One of them was press agents and the other was radio. . . . and I saw that Mr. Pew was wrong on both counts, but there was no use in arguing with him.

So, as Codel tells it, began the mulling process that resulted in a new magazine.

One night, in our apartment in Washington, I took an Editor and Publisher and ran a dummy, page by page, paralleling E&P with activity in the radio field. In those days, the news was new accounts that were coming into radio, building of the NAB, legislative approaches, abuses of wave lengths, and I dummied this thing up and said to myself there ought to be a magazine in this field, a magazine that would be to this field what Editor and Publisher is to the newspaper field.

The next step was to bounce the idea off other people. He went first to a friend, Alfred McCosker, then manager of WOR in Newark, New Jersey, and strongly involved with the NAB. McCosker's response was enthusiastic and he offered to pay $220 per issue for the front cover of the as yet only "dummied" magazine. The encouragement led, surprisingly quickly, to advertising commitments from several leading people in the industry—William Paley of CBS, and Merlin Aylesworth, President of NBC. Spurred by the acceptance and assured of $800 to
$1,000 in advertising per issue, the fledgling entrepreneur and his partner began to seek some source of permanent backing. 36

Details of the story from the principals involved tend to diverge somewhat at this point. Codel and Taishoff were both, by this time, deeply committed to the idea of this new magazine. They both agreed it was vitally needed and they concurred on the general concept of using it to help counter the problems generated by the anti-private ownership group, one of whose propagandistic voices was Editor and Publisher.

The differences arise in their descriptions of how they went about finding the backing for the magazine and the amount of that backing. There were, in all probability, long and earnest discussions with many friends and associates as they sought direction and support. But reminiscences don't always support each other. Taishoff described a cycle of contacts and refusals among Washington political circles, beginning with Senator Arthur Capper of Kansas, newspaper owner and radio station operator; Gardner Cowles, Sr., then secretary of the Interstate Commerce Commission, owner of the Des Moines Register, and several radio stations; and ending with Senator Arthur Vandenberg of Michigan. Each of these men turned down the partners, according to Taishoff, probably thinking "we were a couple of silly kids." 37

36 Above account from Codel interview.

37 Taishoff interview.
Both, however, credit the recommendation by Phillip G. Loucks, lawyer, good friend, and managing director of the NAB at the time, for eventually turning up the partner they needed—Mr. Harry Shaw of Waterloo, Iowa.

Many of the details of the financial arrangement are lost somewhere in the labyrinths of memories of those present at the beginning, but some are known. It was not an easy time and money was short; but luckily for the partners, Shaw had sold his interest in the Waterloo Tribune and bought out his partner in the radio station WMT, and still had some cash available. The partners tried to convince Shaw of the importance of the new magazine and its potential. They offered him 51 or 52-per cent ownership (Codel says former, Taishoff latter), for an investment of $50,000 (Codel) or $52,000 (Taishoff). After some discussion and bartering, Shaw took it and put $5,000 (Codel) or $5,200 (Taishoff) down on the investment.

Taishoff claimed that what clinched the bargain was the promise to Shaw that if he invested in the magazine, he could be elected President of the NAB within a year, a job Shaw wanted. Taishoff points with pride to a story in the second issue of B magazine, November 1, 1931, announcing that Harry Shaw of WMT, Waterloo, Iowa, had been elected president of the NAB for 1932. Was this because of the magazine? Perhaps, but certainly it did not hurt the new business venture to have its chief stockholder running the NAB in the first, crucial year of publication.

38 Taishoff interview.
The deal was completed in September of 1931 with Shaw having 51-52% of the stock; Codel, 29%; and Taishoff, 21 or 22%. Taishoff quit his job with the United States Daily on September 19. Gate Taylor was brought in to begin work on advertising layouts and mechanical production, and the fired up trio set to the task of putting together the first issue of the new magazine. The zealousness of effort and the great optimism for the enterprise allowed little time for examining the sanity of such an undertaking at such a time. They knew only that there were influential people in the industry who felt the magazine could perform a service, and that there were issues to be addressed—Ascap, copyright, Petrillo and the Musicians Union, and of course, the continuing squabble over news. What they didn't know was how many people would buy it, how long their money would last, and finally, whether the country would remain solvent long enough to support them at all.

CHAPTER V

1931-1944: RAGS TO RICHES

Broadcasting's first era breaks easily at the place where the new technology of television was poised to bring startling expansion to both the industry and the magazine pledged to serve it. 1944 was also the year when the final break in the Codel-Taishoff partnership was culminated. It was, by reports, not a congenial parting.

Obviously the present review cannot discuss the many hundreds of events, issues and details of the evolution of this major publication. This review will skim the surface, dipping occasionally to see in more detail what went on in those years in order to provide a background for the more detailed examination of the editorials and the industry relationships during the periods when the editorials are intensively studied.

From Red to Black

The first year of operation of the new venture was a grand example of taking the good with the bad. The magazine seemed to catch on well in the industry. It was being read, the editors were receiving praise, and, wonder of wonders, it showed a few dollars profit after one year of operation.¹

¹Sol Taishoff, private interview, November 11, 1970, Washington, D.C.
The bad part was the panic the partners were pitched into when in March of 1932 Harry Shaw came to them in some distress. It seems one of the early bank closings had trapped a substantial part of his money and creditors were clamoring. He was going to have to withdraw from the partnership because he couldn't afford to sink any more money into the venture. For a while the partners were stumped and not a little worried. They needed money to cover continuing publishing costs. Finally, an idea came. They could go to some of their charter advertisers, explain their plight, and offer them a 15% rate discount if they would pay their advertising one year in advance. They tried and it worked. According to Taishoff, the ploy brought in about $6,000 and enabled them to continue for another year.²

By the end of 1932, things were beginning to look substantially better. They had begun to pay back Shaw’s original investment with interest. They added another staff member in the clerical department and raised their own salaries from $55 to about $65 a week.³

Though the original plan had been for Codel and Taishoff to share the reporting and editing duties equally, it soon became apparent to them both that this was not going to work. Gradually the bulk of the reporting and editorial writing duties shifted to Taishoff, and more of the publisher’s role went to Codel. The latter was not totally

³Taishoff interview with Dunham, p. 6.
happy with this burden of financial and administrative details. He was, after all, a newspaperman first and foremost, and he longed to be in the field or in the editor's chair. But someone had to take on those duties. This is perhaps where the first hints of disagreement began to grow up between the partners.

Over the early years, the editors attacked many dragons and tilted at more than a few windmills. Editor and Publisher received its share of advice. Petrillo, President of the American Federation of Musicians, ASCAP, the Federal Radio Commission, and many more felt the strident voice of the slim little magazine as it attempted to whip up industry unity against a tapestry of threats. At the same time, the editor took a strong stand in support of the attempts of the newly-elected Roosevelt administration to rouse the nation's economy and put a new sense of purpose and possibility into the national psyche. In 1933 several minor changes occurred. In February, a new title graced the cover of the magazine as a result of the failure of a competitor. Broadcasting had taken over the failing Chicago-based magazine Broadcast Advertising for a payment of $350. The ill-fated publishing venture

\[\text{\textsuperscript{4}}\text{Martin Codel, private interview, March 26, 1972, Lewes, Delaware.}\]

\[\text{\textsuperscript{5}}\text{B., February 15, 1933.}\]

\[\text{\textsuperscript{6}}\text{Letter from Sol Taishoff to the author, February 24, 1970.}\]
had begun in 1929\textsuperscript{7} and found few subscribers for its monthly. The new composite was called \textit{Broadcasting: Combined with Broadcast Advertising}.

In the same issue, titles of the now exclusive owners of the magazine were brought into line with their actual duties; Publisher was Martin Codel; Editor, Sol Taishoff.\textsuperscript{8}

Five months later, another, more recently-established, competitor folded. \textit{Broadcast Reporter} had started publication a scant three weeks after the first issue of \textit{Broadcasting} rolled off the presses. It had attempted to report much the same kind of Washington news as \textit{Broadcasting}, but did not receive the support of the industry, and expired peacefully in 1933. Codel and Taishoff took over its subscription list and its name, which they quietly retired.\textsuperscript{9} Two competitors down, and \textit{Broadcasting} growing stronger.

The following year there was a more tangible measure of growth—people were added. From what seems to have been the cradle of \textit{Broadcasting} journalists, the \textit{United States Daily}, came J. Frank Beatty to take over the job of managing editor. Beatty, a colleague of Taishoff's at the old \textit{U.S. Daily}, had gone to college—and later law school—in Pennsylvania.

\begin{flushright}
\end{flushright}

\begin{flushright}
\textsuperscript{8}\textit{B.}, February 15, 1933, p. 18.
\end{flushright}

\begin{flushright}
\textsuperscript{9}Taishoff letter, February 24, 1970.
\end{flushright}
while working at a number of papers in small Pennsylvania towns like Washington, Latrobe, and Harrisburg. In 1928 he had joined the Lawrence organization as a general reporter, where he labored until hired by Broadcasting. His service to the latter was unbroken until his death in 1963.10

A lower level appointment was made the same year but with the same long-term result. Maury Long graduated from Northwestern with the notion of becoming a journalist. He had a lead on a job with the Baltimore Sun, but when he got there, the cupboard was bare. A kindly soul suggested he go down to Washington and "pick up one of those government jobs." Having very little money left, he decided to at least try it. He got a job, but soon discovered it didn't suit him, and began to look for something else. He learned of the new magazine, talked to Codel and found there were no paying jobs, but decided to work part time, after his government job, and see if anything opened up. In the fall of 1934, he was hired, and, as he described it, ran the addressograph, and swept the offices.11 In the August 1, 1937 issue of Broadcasting, his name appears as advertising manager in the New York Office.12

10 B., October 21, 1963, p. 92.

11 Maury Long, private interview, February 8, 1972, Washington, D.C.

12 B., August 1, 1937, p. 21.
Since 1954, he has held the title of Vice-President for Sales and General Manager of Broadcasting Publications Inc. 13

The Pivotal Year

By all accounts, 1936 was the year of confirmation of the partner's admittedly risky project. All debts had been paid off, with interest, and the operation was in the black. Business had been so good, Codel recalled, that he declared a dividend for himself and paid off a $16,000 mortgage on his Washington home. 14 In Mid-August it was announced that a new office had been opened in New York with an editorial chief and an advertising manager. 15 In October, a Chicago representative was included in the personnel lists for the first time. 16

In fact, growth was surprisingly steady through the first decade of the magazine's life. By 1940, the circulation had reached 5,000 "paid" and a total distribution of over 7400. 17 The number of pages had

---

13 A commentary on the stability and institutionalization of B., reflected also in the longevity of its staff, is the peripheral fact that the phone number of the magazine has been the same, except for added digits, since 1932.

14 Codel interview.


16 B., October 1, 1936, p. 23.

17 Circulation and ad-rate figures for 1940 from Standard Rate and Data service, Business Papers 22 (Jan., 1940), 15. References to total pages and ratio of news to advertising content taken from three issues every five years from 1935 to 1970. The issues were: first week in February (chosen to represent the post-Christmas low season in the broadcast business), second week in July (representing beginning of fiscal year and the hiatus period for broadcasters), and the first week in December (representing a peak business period for broadcasters). Where there appeared to be major inconsistencies other checks were made to confirm. Figures are used only as a guide to gross changes in the magazine.
grown from 40 in the premiere issue to an average of about 60 pages in 1935, and up to more than 90 in 1940. Advertising pages increased in proportion, and the advertising rates reflected the greater prosperity in the radio industry. A one-page ad in 1931 cost $120-$150 depending on discounting. It increased to about $190 for purchase of one page for one issue in 1940. The number of ad pages more than doubled in the decade—from 17 at the outset to an average of about 40. What's more, the magazine had become an institution, or a habit, for advertisers. So much so that in a special insert in the October 15, 1940, issue the publisher said with pride that "practically all of the companies whose advertising appeared in the first two issues, and who are still existent, are represented in the following pages."  

Trouble Brewing

The inside of the magazine didn't alter much in that time, merely stretched to cover more ground in more detail as staff increased. What did alter were the viewpoints of the owners. Codel grew more and more out of touch with the editorial side of the magazine, to the point where he and Taishoff had disagreements—not so much over the news operation but about the editorial approach of the magazine and the business operation.

The conflict manifested itself most often, according to Codel, in questions of approach, emphasis and tone. He felt that the editorials
should be cooler, more moderate and factual. Taishoff disagreed. He
wanted to hit hard, raise issues loudly, and rouse people to action.
These philosophies clashed frequently and in an increasingly bitter
fashion; but generally, Taishoff, the editor, prevailed.19

A significant and bitter dispute arose in 1940 over whether the
magazine, published biweekly (every other Monday) since its inception,
should plunge into weekly publication with all the additional effort
that would demand. Taishoff argued that in order to stay in competition
they had to supply current news. Things were moving at a faster rate
and it was increasingly important for broadcasters to be on top of what
was going on.20

Codel felt that the vastly stepped up operation and greater in­
vestment would not increase the effectiveness of the magazine. Once
again Taishoff prevailed,21 and in January of 1941, the new weekly
Broadcasting came off the presses. It exhibited little change in format
or policies, only a slimmer profile, from 90-100 pages down to 60.22

---

19 Codel interview. When asked about this period, Taishoff declined
to comment except to say it was all past and there was no use in bringing
it up. Maury Long, who was in the New York office through the most dif­
ficult time acknowledged that there were sometimes bitter disputes but,
like Taishoff, didn't comment further.

20Taishoff interview with Dunham, p. 7.

21Codel interview.

22B., January 13, 1941.
The editor's announcement, appearing in the issue prior to the inauguration of the weekly, indicated Broadcasting's wish to provide more up-to-the-minute coverage, and to expand their service to advertisers, station managers, and manufacturers.  

The acrimonious battle over expansion evidently brought to a head the festering dispute between the partners. When the war came along, Codel—becoming more disenchanted with the magazine daily—itched to get into the action. He was rejected for physical reasons. But there were other avenues. He began doing volunteer work and in 1943 was assigned as an administrator with the Red Cross. At the time, Codel said he held 59% of the stock and Taishoff 41%. 

According to Codel, when he announced he would take a leave from the magazine, another row ensued in which Taishoff threatened to quit and start another magazine unless Codel sold him the nine per cent interest that would make them equal partners. Eager to be off on his new duties, Codel did not have the stomach for a fight and agreed. He received $25,000 for his 9% interest. 

The change was soon reflected in the magazine. The format and the look of things underwent some shifts. On the personnel page Codel remained as publisher but a new title appeared: Sol Taishoff, Editor and General Manager. Maury Long was brought back from New York and made

23 Ibid., p. 9. 
24 Codel interview.
Advertising Manager. He began to revamp what had been, under Codel, a very personal solicitation approach to advertising, and absorb many of the contacts built by the founders.

The final dissolution of the partnership of 13 years occurred within the year. When Codel returned from what had turned out to be an aborted Red Cross assignment overseas in late 1943 or early 1944 (he is uncertain of the date), the issue came to a head. Taishoff had made some very basic policy shifts in Codel's absence and had all but taken over Codel's role as publisher. It was clear that one of them had to leave. The man who began the project saw clearly that it was no longer his magazine and he was tired of fighting over it. He sold his half interest in Broadcasting Publications Inc.—begun in 1931 for $5,200—to Sol Taishoff for a quarter of a million dollars.

An association begun in the youthful, exhuberant days of the late twenties, institutionalized in a partnership during the hard but rewarding years of the thirties had now, in the final years of World War II, turned acrid and bitter. The enthusiastic faces had begun to show their approaching middle age and the quarter of a century of hammering away at commercial enterprise. In one sense it should be no surprise

---


26 Codel interview.

27 Codel interview.

28 Taishoff interview, and Codel interview.
that two aggressive, head-strong men should not be able to live in the same space for long. The surprise might be that it lasted as long as it did.

The end was, in the final analysis, another beginning for both of them. Martin Codel, within a year had begun a new publication called Television Digest, based on the twin convictions that television would be the new medium and that it needed a trade paper. But he had learned some things with his bitter experience at Broadcasting. Television Digest was newsletter format, financed entirely by subscription. The staff was kept small and easily manageable, and the paper was dedicated to succinct, accurate and totally dependable reporting of the principal events of television and, later, the consumer electronics field.  

Codel operated his "yellow sheet," as he called it, until 1958 when he sold it to Annenberg Publications, who tried to beef it up and expand its coverage. They were not successful and after spending a great deal of money, they offered to sell it in 1961 to the employees. Albert Warren, with TV Digest since 1945, bought it from them and has been operating it ever since.

For Sol Taishoff, it was the beginning of his total and undisputed control over Broadcasting magazine. He now owned an established organ of communication and potent influence in a field that, whether he foresaw the extent of it or not, was to explode in size and income in a very few years. The new publisher, now 40 years old, stood once again on the edge of a new venture.

---

29 Codel interview.
CHAPTER VI

1944-1971: POWER AND GLORY

Sol Taishoff took little time in exerting his increased influence, it would seem. In Codel's absence, he had already shifted some people around, and a careful reading of the personnel assignments on the publisher's page showed a continuation of the pattern. The announcement of changed ownership appeared in a special insert on June 5, 1944. In October, a new name with a new title appeared above venerable J. Frank Beatty, managing editor since 1934. The new man, Robert K. Richards was listed as Editorial Director. Bruce Robertson, in the New York bureau, was given title of New York Editor, and Maury Long, who had moved from New York only the year before to be Advertising Manager was retitled Business Manager.

The following June another new name appeared—Art King. He replaced Beatty as Managing Editor. The latter had been made one of several Associate Editors. It would seem that Taishoff was shifting things around, seeking a combination that would better reflect his own ideas.

---

1 *B.*, June 5, 1944, p. 11.
2 *B.*, October 16, 1944, p. 6.
3 *B.*, June 4, 1945, p. 6.
Circulation in 1945 was up about 1,000 over the 1940 figure of 5,000 paid circulations, and ad rates had gone from $190 to $230. Since 1941, the total number of pages had steadily crept upward from about 60 to around 80. Perhaps to recoup some of the expense of buying out Codel, however, the ad space had increased markedly. Of three issues selected to represent three periods of the year 1940, the highest percentage of advertising to editorial space was 55.6% ads to 44.4% editorial space. Five years later, the lowest percentage was 58.8% advertising, and the highest was better than 72% advertising space. In a comparable sample taken every five years since 1945, the percentage of ad vs. editorial space has never again approached this high level.

Maury Long has praised Taishoff for sticking adamantly to a set number of news pages no matter what the market. The were times, he said, that business was down sharply (1970-71 is an example) and Taishoff refused to cut back the total number of pages to cut losses.

---


5 See above, Chapter V, p. 102, note 17 for details on selection.

6 B., July 15, 1940.

7 B., December 3, 1945.

8 B., February 5, 1945.

9 Maury Long, private interview, February 8, 1972, Washington, D.C.
would seem to be borne out by several issues in recent years where
the advertising percentage was down in the 30-35% range.\textsuperscript{10}

Long also indicated, however, that though many publishers seek
up to 70% advertising for their publications, Taishoff has always tried
to hold a maximum of 55% news space to 45% ad space.\textsuperscript{11} My own calcu-
lations indicate such a percentage is more the exception than the rule--
the exception most often occurring in bad market years.

\textbf{A New Name and New Constituents}

Through the last couple of years of World War II, B loudly called
editorially to the industry on several familiar issues. Newspaper
competition was one issue which had particularly aroused Taishoff's
concern. Radio had profited greatly from the newsprint shortage which
hit the newspapers and magazines during the war. It was B's fear, that
once stocks were released, newspapers would return once again to dominate
some of the retail advertising money freely available to radio during
the war.

Dominating the news of the period was the war and the service
radio offered to all phases of the effort; commercial and technological

\textsuperscript{10}B., January 17, 1972, 32% ad space; B., May 1, 1972, 34.6%
ad space. All percentages include classified advertising pages as ad
pages. Since the mid-50's classified space has held approximately the
same five to seven pages per issue. At the same time the total pages
have fallen 25 to 40%. In 1955, classifieds were less than five per-
cent of total pages. In 1972, they were in the area of 10%.

\textsuperscript{11}Long interview.
issues like limits of FM frequencies, expansion of television, and the increasing activism of the Federal Communications Commission. After the war, television began to take a greater part of the attention of the trade magazine. In fact, according to Taishoff, Broadcasting dedicated itself to the new medium of television in spite of strong opposition in the radio industry.

On January 7, 1946, a major step was taken. A new subtitle was added to the cover:

BROADCASTING
The Weekly News Magazine of Radio Telecasting

Taishoff explained that he was convinced the book should reflect the new medium, but rather than alienate too many people, he kept the "Telecasting" title deliberately small and less conspicuous at the outset. As the medium grew and resistance by radio men waned, the size of the title was gradually increased.12

Thus, in April, 1948 they changed the format of the cover page and the main title, and added a little size.13

BROADCASTING
The Newsweekly of Radio & Television Telecasting

In October 1949, a pull out insert entitled "Telecasting" appeared.14


13 B-T., April 5, 1948

14 B-T., October 31, 1949. The insert was discontinued after the January 12, 1953 issue and the material integrated into the main body of the magazine.
It was devoted to details and statistics and advertisements of interest to people in television. Six months later, another cover change.\textsuperscript{15}

\textbf{BROADCASTING TELECASTING}

The latter term was nearly as large as the former. By Taishoff's yardstick, television had very nearly gained respectability in the broadcast community. Finally, in 1953,\textsuperscript{16} a completely restyled cover put "Telecasting" on equal status with "Broadcasting" where it stayed until October of 1957\textsuperscript{17} when, the magazine returned to its original title \textit{Broadcasting} because, as the editor expressed it, "radio and television are both accepted arms of the broadcasting industry."\textsuperscript{18}

The growth of television brought many new faces and companies into the broadcasting field, this obviously aided \textit{Broadcasting}. Between 1945 and 1950, the circulation nearly doubled, to 15,438; the prime advertising rate increased by almost half—to $350;\textsuperscript{19} and subscription rates rose from $5 to $7 a year. Total pages were up to the 110 to 130 level consistently. At the same time, the news-ad ratio had returned to a more reasonable 50-50 split.

\textsuperscript{15}\textit{B-T.}, April 10, 1950.

\textsuperscript{16}\textit{B-T.}, January 19, 1953.

\textsuperscript{17}\textit{B.}, October 14, 1957.

\textsuperscript{18}Sol Taishoff, private interview, November 11, 1970, Washington, D.C.

\textsuperscript{19}Business Publications Rate and Data. 32 (Jan. 15, 1950), 22. (Hereafter \textit{BPRD}).
Events of the early fifties demanded broader coverage, so people were added. New faces surfaced out of the ranks. Generally, after the shakeup of the mid-forties, Taishoff tended to promote from within the organization. The newest star to rise was Edwin James, who joined the New York office after the war and was soon in charge. In 1951 he was promoted to senior editor, and in 1954, was elevated to Managing Editor, a position he held until 1961 when a new title, Executive Editor was created for him. James now holds an editorial position second only to Taishoff and is the other hand to Maury Long, who handles the business side.

The rapid growth to 1950 soon settled into a more reasonable and controllable rate. The staff began to jell, after 1954 when James took the reins, there seemed to be fewer people leaving. It grew more stable, and more concern was taken with the look and style of the magazine.

Toward a New Role

Broadcasting magazine had been founded on the idea that businessmen in a regulated industry needed a direct and dependable communications


21 B-T., January 6, 1943, p. 6.


24 Edwin James, private interview, February 7, 1972, Washington, D.C.
link from the seat of power in Washington. During the early years of
the magazine this was certainly true as FRC and then the FCC gradually
evolved regulatory policy. It also was true in the forties as the Fly
commission and later the Porter-Durr commission practiced their idealism
on the broadcast industry.

Industry attention was riveted on Washington once again as the
FCC began the process of parcelling out television channels. Suddenly,
in 1948, the FCC froze allocations to study the scheme. The so-called
temporary freeze gradually extended itself to 1952. In the meantime, as
reflected in the circulation figures, news from Washington became a matter
of great interest to a lot of people. Broadcasting grew, evolved its
contacts and its specialized staff to dig out the key facts about what
was happening and what would happen. When the Sixth Report and Order
was issued in April of 1952, and the logjam broke, the new managers
turned their attention away from government, and toward the programming
centers.

When this shift of interest became apparent to Taishoff and his
staff, they moved to reflect it and, in the process, changed, to some
extent, the traditional focus of the magazine. During the middle years,

25 The following characterization of the period and B's place in
it is drawn largely from Edwin James interview.

26 FCC, "Amendment of Section 3.606 of the Commission's Rules and
beginning in about 1953, a slow shift toward news of the programmers in New York and Hollywood, or the agencies in Chicago and New York could be detected. In January of 1953, a television program review section was inaugurated. A small shift in personnel began to occur. The New York Office grew from six news people in 1953 to eight in 1957 while the size of the Washington staff remained constant. These changes were B's response to two things, according to Ed James: (1) the FCC under Eisenhower had reverted to a kind of laissez-faire role which tended to reduce its importance as a news source; (2) the networks, stations, and advertising agencies were growing rapidly and were in constant need of accurate information about each other.

Circulation in 1955 rose only a little from 1950, to 16,651, but by 1960 it had gained another 6,000. In 1955, selected issues revealed about 120 pages per issue with approximately 55% of it going for advertising. But these figures don't always tell the story. The growth pattern, according to Maury Long peaked in 1957 when the magazine sold a total of 5700 pages of advertising. That number had not been reached

---


28 In 1950, 98 stations were on the air. In 1960, there were 559, according to Television Factbook, 1971-1972, 41 (Washington, D.C.: Television Digest Inc., 1971), 75-a; in 1950, total volume of television advertising was 170.8 million dollars; in 1960, it was 1 billion, 590.1 million dollars. 1950 figures from Television Factbook, 1960, 30, p. 20; 1960 figures from Television Factbook, 1971-1972, p. 73-a.


30 Long interview.
before, nor has it been achieved since. But the advertising and subscription rates have continued to rise over the years, particularly since the mid-fifties. Ad rates were $350 per page in 1950, $680 in 1960, and $1170 in 1970. Annual subscriptions were $7.00 in 1950 and $14.00 in 1970. Circulation rose more slowly, from approximately 15,000 to more than 33,000 in 1970.31

Return to the Source

Just as the market was burgeoning, new factors began to draw attention back from New York and Hollywood. Congress had taken an interest in the networks and their dealing with stations and programming sources and the FCC had undertaken a comprehensive study which examined network procedures, policies and practices. Eventually, these findings, dubbed the "Barrow Report," became part of a larger investigation conducted by the Interstate and Foreign Commerce Committee.32

In 1957, the House Committee on Legislative Oversight began looking into the activities and organization of the regulatory agencies. They brought in NYU professor Bernard Schwartz who very quickly began


making headlines not only about questionable ethics of some Commission members but also of members of the committee itself, who may have had conflicts of interest through their ties with the broadcasting field.\footnote{An interesting, if one-sided, account of the stormy first year of the Oversight Committee can be found in: Bernard Schwartz, The Professor and the Commissions (New York: Alfred A. Knopf, 1959).} Schwartz stepped on many toes and was abruptly lopped from his position in early 1958,\footnote{New York Times, January 22, 1958.} but the ball had begun rolling down the hill and it was not going to stop until it had raked up more muck than even the Schwartz had imagined. This same committee in 1959 inserted itself into the quiz show investigations and turned the industry upside down with the revelations of scandal.\footnote{These events will be examined in more detail in Chapter IX.} From that time to this, government attention in the form of congressional committees, the FCC, the FTC, the Justice Department, and even the White House has been fixed intently on the broadcasting industry and its regulation. Consequently, in the sixties, a magazine once again was needed to watch Washington for the radio and television industry. \textit{Broadcasting} refocused its coverage on the regulators to fill this need, returning to the role it had been created to play thirty years earlier.

For \textit{Broadcasting} the good years of the fifties had been rewarding. In the fall of 1953, Taishoff and company had purchased some property...
and a building on a short street off Connecticut Avenue in the northwest section of Washington and moved the magazine into it. Broadcasting had a permanent home which, over the years, has proved to be a valuable asset to the growing corporate enterprise.

In 1960 Taishoff made another major decision. This one, however, was not to be as profitable.

A New Offspring

In April of 1944, a competitor to Broadcasting had begun in New York under the hand of Frederick A. Kugel, a graduate of University of Pennsylvania and former student at the London school of Economics. It was a monthly called Television: The Business Magazine of the Industry, and it sought the ground floor position in covering the industry to be. The magazine grew slowly over the boom years but remained a limited-circulation publication devoted primarily to the programming and advertising center in New York.

Like Broadcasting, Television magazine was a family operation. When Mr. Kugel died in September of 1960, at the age of 45, his widow decided to sell the publication and, according to Taishoff, instructed her lawyers that the only people who could make a go of it were the

36 The Times, November 2, 1953, p. 12.

publishers of *Broadcasting*. So Taishoff agreed, and in the fall of 1960, Broadcasting Publications Inc. acquired a new arm.

It was a busy autumn for *Broadcasting* staff and management. Acquisition of the new publication, reorganization and expansion of staff to integrate it into the existing operation, constant trips and communication back and forth from New York where the new child was based, all were superimposed on a year of resounding significance in the broadcasting industry. The 1960 elections, the television debates preceding them, the style and intensity of the advertising campaign used by the candidates were major ongoing stories making history. In addition, broadcasters were still rebounding from the quiz scandals and trying hard to reform their images through code revisions, programming changes and expanded public relations activities.

At *Broadcasting*, several changes in staff assignments followed purchase of the new magazine. In quick succession, Ed James was made VP and then raised to Executive Editor to be replaced as managing editor by Art King, who had held that position in 1954. Don West, a young man who had joined the staff in 1954 and made his way up to New York Bureau News Manager by 1959, was tapped as managing editor of the new publication, working directly under Taishoff who took over the role of Editor and Publisher.

---


The first issue of the reorganized and refurbished Television magazine in January of 1961 featured an announcement by Taishoff of his intention not to make this another news magazine attempting to follow the cascade of industry events in detail. This job was already being done by Broadcasting. As a monthly, he said, it would try to "wade out of the main stream" to get a better look at the overall flow. The book would be slick, polished and classy. It would use photographs; long, detailed stories where warranted; would devote whole issues to thematic exploration of questions, problems, or philosophies of television; would, in short, try to be that kind of noble and dedicated journalistic effort admired by idealists in the field. The unwritten assumption, of course, was that if it did all this the magazine would be a profitable business venture as well. Unfortunately, it didn't turn out that way.

The year Taishoff took over, Television magazine had a total circulation of a little over 8,000, the highest point in its 16 years of publication. In reorganizing and refocussing the magazine, Taishoff did away with features that were basically competitive with or repetitive of Broadcasting's content. The circulation gradually fell, with some exceptions, through the next few years until it stabilized at about 6-7,000.

---

41 Television, January 1961, p. 4.
43 Aver, 1963, p. 750.
Finally, after efforts to boost circulation by altering content and approach did not bear fruit, and efforts to cut overhead by moving editorial operations to the Washington offices of Broadcasting and combining the two staffs proved equally fruitless, it became clear to Taishoff that while everybody seemed to love the book with its fine, depth reporting and slick paper, the hard-headed business people preferred to advertise in Broadcasting with its weekly readership and saturation circulation.

In September of 1968, they "quietly suspended" publication. It was, according to observers, one of the few ventures entered into by the astute Mr. Taishoff that had not brought financial reward.

Whether it was an idea whose time was past or had not yet come, limited circulation and relatively high cost of operation militated against success for Television magazine.

Other factors may have contributed: the gradual slowdown in television's runaway growth of the fifties; lower profit margins

44 According to the May, 1966, issue, headquarters for Television was moved to the building in Washington; editorial functions were taken over by the staff and the magazine was trimmed to a standard 8½ by 11 size effective with the September, 1967 issue.

45 Taishoff letter, February 24, 1970.


47 From 1960 to 1969, only 140 new commercial stations took the air, as contrasted with 360 which began broadcasting in the decade of the fifties. From Television Factbook, 1971-1972, p. 75-a.
which by 1971 were being described as a signal of a major recession in the broadcast industry; or even the changing ownership and management structure of the industry itself may have affected traditional advertising patterns. Whatever the cause or causes, the disease was not limited to the adopted son, *Television* magazine. In the same period, *Broadcasting* was showing some symptoms, too.

**Change of Life**

Perhaps the diffusion of energies and resources to the new publication in the end affected the parent, or maybe it was the trend in the business as a whole, but though *Broadcasting*’s subscription figures rose, most other statistics dropped steadily during the decade of the 60’s. Total number of pages, which averaged 120 in 1960, fell to a fairly consistent 80-90 in 1965, and dropped into the 70-80 bracket by 1971. At the same time, advertising percentages dipped from a 50-55% range in 1960 to about 40% in 1970. From the 1957 peak of approximately 5700 sold-pages the magazine had slipped, by 1971, to about half that, and the rates had risen by nearly 80%.  

---

48 B., May 15, 1972, p. 8 cites FCC statistics showing that in 1971, the combined revenues for the three major networks (including their owned stations) was down 5.4% from 1970, and the before-tax profits were down 13.5%.

49 See below, p. 124, for more detail on this issue.

50 Long interview.
Predictably, operating costs increased—salaries, mailing, and of course printing all have jumped and Broadcasting responded. In 1971 the first significant moves toward staff consolidation occurred when the Chicago bureau was closed. In times of tight money, the office was a luxury for the magazine. Business could generally be conducted by phone, at conventions or through flying trips to the area. News could be handled on a contract basis with a kind of "stringer" operation. New York, the key bureau, was still served by a staff of 12, including six correspondents and editors, and four advertising people, the remainder being clerical.

Executive Editor, Ed James pointed out that the editors had become much more careful about how much detail to include in the magazine. "We used to be more free in letting people go on and on," he said. "For example, the February 9th 1972 issue with the cable regulations. We used to just run all of it. Now we've got to figure out how much we really need." Greater selectivity and more concise writing has resulted, he feels, in a better magazine.

In spite of the recent face lift resulting from the deflation of content and sources of income, Broadcasting magazine is not radically different from what it was 10 or 15 years ago. It still covers the

51 James interview.
52 Long interview.
53 James interview.
Washington broadcasting scene in more detail than other publications. It still has a greater readership, according to subscription figures, than most of its competitors, and it still rings a resounding editorial gong when it disagrees with an FCC Commissioner or a government spokesman. But there seems to be less confidence in being able to continue bringing advertisers and subscribers together. The number of traditional advertisers for the broadcasting trade press has dwindled and as yet others do not seem to be taking their place.

According to Maury Long, Broadcasting historically sought four main categories of advertisers; stations promoting their services to national advertisers; networks promoting their services to advertisers and potential affiliates; program packagers and equipment manufacturers trying to sell to both the others. He pointed out that concentration and group ownership began very early (middle and late fifties) to eat into station business, because the groups, like Westinghouse, Time-Life or Corinthian, began promoting the group corporate image. The result was, what had been a guaranteed sale of 10 to 15 pages a year to each of two stations when separately owned became—after consolidation—10 to 15 pages to one entity—the group owner; thus effectively cutting that revenue in half. 54

54 Long interview. Albert Warren, editor and publisher of Television Digest, speculated in a private interview on March 23, 1972 that part of the advertising loss to Broadcasting might be the result of a new generation of managers who are not making the traditional advertising decisions made by their predecessors. To the older men, it had become an almost automatic process to buy a page of Broadcasting on a regular basis. The same kind of idea emerged in less concise terms in my interview with Maury Long.
He also claimed that as industry growth has slowed, radio and television stations reduced their equipment expenditures, with the result that manufacturers had cut back their advertising in *Broadcasting*.

Long described 1971 as their worst year on record. With rates at an all time high (the smallest purchase available was 1/6 page for about $200-$250), and the prevailing station attitude that trade press advertising is the first expendable entry in the promotion budget during hard times, it would seem that *Broadcasting* is faced with a dilemma of some consequence. With fewer advertisers and higher costs, rates must rise or circulation increase sharply to balance things. In the process, the magazine prices itself further out of the range of more advertisers. It is a spiral that must stop at some point.

Recognition of this dilemma has triggered changes in the magazine—some subtle, some very dramatic. A constant reader would have noticed in 1971 and 1972 more space being given by the editors to the problems and issues surrounding CATV development. Another area given prominence is music. A new department was inaugurated with a large splashy feature in the December 27, 1971 issue surveying the music scene and its importance to modern radio.

---

55 Long interview.

56 James interview confirmed this growing attention to the new systems.

57 *B.* , December 27, 1971, p. 32.
The May 1, 1972, issue reflected dramatic visual changes, and some substantive ones as well. The cover, type style, layout, and format were revised to give the magazine a "new, easier, more urgent readability," in the words of editor Taishoff. Another significant change was in the subtitle of the publication. Historically, Broadcasting's subtitle has been a dependable sign of the magazine's focus. Since 1957, Broadcasting had described itself as "The Businessweekly of Television and Radio." The new magazine reflects what Taishoff calls a "new, broader definition of purpose" in the subtitle: "The Newsweekly of Broadcasting and Allied Arts." This clears the way for more changes.

In addition to the Music Department already established, the new format includes for the first time a department devoted to Cable Television. The broadened concept of the magazine may bring exploration of other areas like cassette television, educational media or commercial learning companies who use these media.

Whatever the outcome it would seem that some kind of re-evaluations have occurred within the corporate entity of Broadcasting as a result of its leaner financial condition. The immediate result has been changes that might attract a broader constituency of readers and, in turn, draw

---

58, May 1, 1972, p. 4.
59, October 14, 1957.
60, May 1, 1972, p. 4.
61, ibid., p. 46.
new sources of advertising income to the magazine. At this writing, however, there is little detectable difference between the new magazine and the old in volume of advertising, though a slight increase in institutional and service categories might be seen.  

**Broadcasting Ownership and Structure**

In May, 1972, Broadcasting Publications Incorporated listed the following officers:

- Sol Taishoff, Chairman
- Lawrence B. Taishoff, President
- Maury Long, Vice President
- Edwin James, Vice President
- Joanne T. Cowan, Secretary
- Irving C. Miller, Treasurer

Lawrence Taishoff and Joanne T. Cowan are son and daughter of the chairman. With their father and mother, Betty Taishoff, they comprise the principal members of the Board of Directors of the company.  

---

**62** A quick scan of the first five issues of the new format shows the following advertising page percentages:

- 5/1/72 34.6%
- 5/8/72 40.4%
- 5/15/72 45.8% (special issue previewing the NCTA convention)
- 5/22/72 42.5%
- 5/29/72 36.8%

This is basically the same as past year’s percentages. A comparison of the categories of advertisers using the magazine in May of 1972 showed little difference over May of '71, except for an increase in so-called institutional advertising from 3% to 6% of the total, and in services (Kodak film, station representatives) from 5% to 11%. The major categories discussed earlier as the principal advertisers showed a slight slippage from 1971, but still comprised the bulk of the advertising in the same proportions to each other.  

**63** B., May 15, 1972, p. 16.

**64** Standard & Poor's Register of Corporations, Directors and Executives (New York: Standard & Poor's Co., 1971), 263.
Broadcasting Publications Inc. publishes Broadcasting magazine, Broadcasting Yearbook, and the CATV Sourcebook, and owns the property and building occupied by Broadcasting at 1735 DeSales St., N.W., Washington, D.C. In addition, Sol Taishoff has interests in several other businesses. He is President of the Jolar Corporation, a real estate firm with holdings largely along DeSales Street near the Broadcasting building (Lawrence Taishoff is Vice President and a director of Jolar); Vice President of Telecommunications Reports, a Washington-based newsletter covering the telecommunications industry; partner in another newsletter on the Washington scene, Food-Drug-Cosmetics Reports.

Broadcasting magazine's operations are divided along fairly traditional lines with the publisher being responsible for the business side of the operation and the editor in charge of the news pages. Until 1972, both titles were held by Sol Taishoff, but in January, the Publisher's title was passed to his son Lawrence. Operationally, the basic duties currently break down in the following manner.

65 Long interview.

66 Standard & Poor's, 1971, 3272.

67 Information on staff and duties from interviews with Edwin James, who discussed the news organization, and Maury Long who described the business organization. Both agreed that because most of major staff people had been working together for a long time, the divisions of responsibility in actuality were not as clear-cut as the organizational scheme would indicate.
Editor: (Sol Taishoff) In charge of all news content in the magazine. Writes bulk of editorials published each week.

Executive Editor: (Edwin James) General supervision of news content and shares editorial writing duties.

Managing Editor: (Donald West) Day-to-day supervision of staff, assignments and details of operation. Participants in weekly conference with Editor and Executive Editor to decide issues for editorials.

Senior Editors, Senior Correspondents: Essentially different titles for the principal reporters of the magazine.

On the business side, the jobs and their descriptions are fairly self-explanatory. Each of the various magazines—Advertising, Administration, Circulation, and Production—report to the Publisher, with the General Manager acting as senior representative of the group.

It is important to understand that throughout the 41-year history of the magazine, one man—Sol Taishoff—with rare exceptions, before the past two or three years, has been the author of all the editorials appearing in Broadcasting, and, when it was in operation, Television magazine. More recently, Mr. Taishoff, now in his 68th year, has been turning part of that responsibility over to his Executive Editor, Ed James, but Taishoff still writes some of the editorials on a regular basis.

68 Martin Codel, in our interview, confirmed that except for the first editorial and some special statements thereafter, Taishoff was the editorial writer for B during Codel's tenure as publisher. Taishoff told the author in November of 1970, that he had always written all editorials and at that time wrote most of them. Ed James, in February of 1972, indicated that Taishoff, in the past year or two, had been delegating more of the editorial chores to him, but didn't project in percentages how many the Editor still wrote. It evidently varied from issue to issue.
It is, of course, not a one-man operation. According to Mr. James, he, Taishoff, and Don West (the managing editor) meet weekly to decide the issues to be dealt with on the editorial page. Each of them in turn receives ideas and suggestions from staff people, particularly, he said, from Rufus Crater, head of the New York Office. But, in the final analysis, what appears on the editorial page is a series of statements sifted from ideas and opinions of staff, ultimately expressed through the screen of the editor's bias. This traditional prerogative has been exercised with vigor by Taishoff throughout his tenure.

The study of Broadcasting editorials that follows is consistently identified as a study of the institutional expressions of Broadcasting magazine. But, clearly, no institution so thoroughly controlled by an individual can avoid being a reflection of its motive force. Sol Taishoff has been Broadcasting magazine without question for 28 years, and was the primary influence for 13 years before that. It is important to be aware of this phenomenon and to realize that the biases, viewpoints, definitions, fears, joys, and opinions seen in the editorials are rooted in large part in the evolution of the consciousness of a single man, not a corporate or governmental bureaucracy changing heads at frequent intervals. Sol Taishoff is an entrepreneur in the traditional sense of a man who owns and operates his own business and is responsible primarily to

69 James interview.
his own pocketbook and his own conscience, not to a corporate board of
directors or stockholders. Such a role may affect what we see
written by him over the years, and helps explain some of the positions
Broadcasting's editorials have taken on the important issue of the
broadcaster's responsibility.

---

PART III

ANALYSIS OF SAMPLE PERIODS

Chapter

Introduction to Part III

Each of the four chapters in this section examines a different sample period and each is organized in the following manner.

1. A brief historical background of the sample period including comments on the principal relevant events of general interest as well as events of importance to broadcasting at that time.
2. A summary of the quantitative results of the analysis of editorials.
3. A summary and analysis of the content of the editorials.
4. A summary and analysis of the comments of industry spokesmen.
5. Conclusions for each sample period.
CHAPTER VII

RESPONSIBILITY OF THE BROADCASTER: 1933-35

Historical Context

Some historians have suggested that one major development in the period 1933-35 was the shift of national power away from financial and industrial institutions toward governmental institutions.¹ And perhaps because broadcasters were more accustomed to working through the governmental institutions, they more readily accepted this shift and accommodated their attitudes to it. To set the stage for a closer examination of the question of broadcaster responsibility during the period, it is important to look briefly at the way the society was dealing with the Depression and the radio’s role in the events of the time.

While many older industries failed in the first years of the depression, radio prospered and grew--perhaps because it lightened the burdens of many people who had little else to sustain them.² In spite


of this seeming affluence the leaders of the industry lived with many of the same doubts and fears as the less fortunate. The ravaging early years of the Great Depression had, by 1932, generated what some interpreted as a national psychosis of fear.

...the fear of the poor and unemployed that tomorrow would be no better, the fear of the rich that they would lose all they had, the fear of the government that revolution was imminent.3

By the November, 1932 presidential elections, twelve million people were unemployed, the stock market had reached its lowest ebb in history, more than 24,000 businesses had failed in the preceding twelve-month period, and even the employed were having their hours and wages trimmed back.4 With these realities facing them and three years of a Republican administration which seemed incapable of solving the problems, the voters resoundingly rejected incumbent Herbert Hoover for a man who had promised new solutions for the massive economic chaos.

Franklin Roosevelt was inaugurated on March 4, 1933, and almost immediately began to press his programs on the nation and the Congress. Since the Depression affected all strata of the society, many of the pockets of traditional resistance to government intervention in business affairs were weakened. Consequently, support for the new President was


4For details, see above Chapter 4, pp. 77-78.
remarkably widespread through business, industry and Congress. Everyone wanted to get out of the hellish circumstances, and Roosevelt seemed to think he could accomplish that feat.

Beginning in the spring of 1933, Roosevelt and his celebrated "Brain Trust" from Columbia University, A.A. Berle, R.G. Tugwell, and Raymond Moley, unleashed a fusillade of legislative measures devised, according to historian Frederick Lewis Allen, "almost without regard for one another," and dedicated to the twin goals of recovery and reform. Some, like public welfare and public works legislation attempted to ease the immediate crises of massive unemployment and extensive hunger and illness. Others aimed for basic economic reforms that would minimize the chances of future depressions by changing the role of traditional financial institutions.

The principal vehicle for recovery, or so it seemed in 1933, was to be the National Industrial Recovery Act, whose basic features were sketched by the business community.

Arguing that unfair and unregulated competition had in part destroyed prosperity, Gerard Swope, President of The General Electric Company, proposed a vast scheme for the self-regulation of business, which he hoped would "stabilize production and prices" and lead to recovery.

---


The NIRA was passed in June of 1933, and within a year, 500 industry-written codes (one of them for broadcasters) had been adopted with two hundred more in the process of formulation. The National Recovery Administration, established by the Act, was seemingly well on its way toward stabilizing industry. But more needed to be done, and it was. The magnitude of legislative activity on New Deal measures was so great that it prompted the following comment from historians Charles and Mary Beard.

The word "never" is to be used sparingly in history. It could be said with due respect for the record, however, that never before had Congress in the course of two years enacted legislation running so widely and deeply into American economy.

Support for the rush of legislation was not universal. Traditional conservatives and the safely wealthy viewed the activism of the government with great alarm, and their voices were joined periodically by the disenchanted who saw failures of parts of the economic superstructure flung together by the Brain Trust.

The NRA was judged unconstitutional by the Supreme Court in 1935, but it had begun to fall of its own complexity much earlier. As things

---

8 Morison, pp. 494-95.


10 See Morison, p. 498; and Allen, p. 151.

got better financially in late 1934 and 1935, more and more of the business community felt free to return to the more traditional modes of thinking about government and business, and their critic of the New Deal mounted. But, by then, it was too late. A number of irreversible things had occurred which made total return almost impossible.

The depression sharply lowered the prestige of businessmen. The worst sufferers were the bankers and brokers who found themselves translated from objects of veneration into objects of derision and distrust.12

If their votes meant anything, the American people were adopting a new set of individual and social mores, which contradicted many of those the majority had held in the past. Certainly their attitudes toward work and leisure were changing. . . . Apparently they were content to accept subsidies, however offered. . . . They were also acclimated to a bewildering variety of governmental regulations and controls.13

A new significance and a new prestige were attached to the concept of the paramountcy of public interest; new public services for people and new responsibility on the part of industry become identified with the idea. The rights of labor and social insurance are but two of many examples. The notion of what the public interest embraces became enlarged.14

**Radio in the Depression**

These events certainly affected broadcasters and influenced, to varying degrees, the direction the industry took in those years. But radio had some of its own unique problems and issues which helped shape its development.

---

12 Allen, pp. 149-50.


The most significant and, at the same time, the least influential event of the period was the passage of the Communications Act of 1934. It was significant as the seminal legal document for the regulation of broadcasting in America—from its passage to this day; but for many broadcasters, it appeared to be—at the time—nothing more than a re-issuing of the Radio Act of 1927. It received attention—not for what it ultimately said—but for what broadcasters were afraid it might say as it was considered by Congress.

For some years preceding 1934, certain groups had been advocating a re-alignment of the frequency allocations to insure education, labor, farmers and religious groups would have their own radio channels. Since most of the frequencies were already assigned, any changes would mean that commercial broadcasters would lose channels. As described by Erik Barnouw, lobbying by educators and broadcasters from 1930 to 1933 was vigorous and, at times, extremely acid.  

When, in the spring of 1934, President Roosevelt announced that he wanted a new communications act to consolidate regulations of radio, telephone and telegraph under one agency, the reformers saw an opportunity to pressure for reallocation. The principal vehicle was an amendment to the proposed communications act introduced by Robert Wagner of New York, and Henry Hatfield of West Virginia. Their bill would declare all licenses null and void 90 days after the act became law. At that time the FCC would redistribute the channels giving

to educational, religious, agricultural, labor, cooperative, and similar non-profit making associations one-fourth of all the radio broadcasting facilities within their jurisdiction.\textsuperscript{16}

Opponents invoked democratic principles and threats of electoral retribution. Speaking for the NAB, Henry Bellows argued that such a reallocation would set up a new test of fitness for a license, "service to a special group, class, or demonstration."\textsuperscript{17} This, he felt, was not in keeping with the democratic basis of the American system of radio.

Broadcasting argued editorially that "if the Wagner-Hatfield atrocity is killed in the Senate, these special interests may be discouraged from belaboring radio." Then it advised its constituents, and warned the politicians: "Roll calls on the bill in Congress will show radio who are its friends and who are not."\textsuperscript{18}

The amendment was defeated, but a compromise clause in the Communications Act passed the dilemma to the new Communications Commission by requiring it to hold hearings of the reallocation question. The FCC complied in October and November, 1914, hearing 135 witnesses in what Erik Barnouw characterized as the "formal interment of the cause."\textsuperscript{19} The FCC found for the status quo, but admonished that "cooperation in good faith by the broadcasters is required" and committed the Commission

\textsuperscript{16} 78 Cong. Rec. 8828 (1934).

\textsuperscript{17} U.S. Congress, House, Committee on Interstate and Foreign Commerce, To Provide for Regulation of Communications, Hearings, on H. 8301, 73rd Cong. 2nd Session, 1934, p. 116.


\textsuperscript{19} Barnouw, Web, p. 26.
to help non-profit organizations "obtain the fullest opportunities for expression." A committee was formed and a first conference held in April, 1935, to aid in the cooperative effort. Llewellyn White wryly characterized the committee as a body "destined to play a somewhat minor role in broadcasting," but Barnouw argues that "in winning their victory, networks and stations made promises that were hostages." In the public spotlight they had made commitments about programming intentions which they would need to implement. The atmosphere of public responsibility evinced by many broadcasters during 1935, as we shall see later, must have boosted the Commission's confidence in its decision.

Two other issues absorbed the attention of broadcasters in this period, but had less direct relevance to the responsibility question: the conflict over news broadcasting and the battle with ASCAP over fees for music licenses.

The question of the right and propriety of radio presenting newscasts had plagued the industry since the late twenties, as Martin Codel pointed out in his description of the forces motivating the founding of Broadcasting. The roots of the conflict were buried in

---

20 Ibid., p. 27.
22 Barnouw, Web, p. 27.
23 See above, Chapter 4, pp. 92-94.
the animosity of some newspaper publishers toward an increasingly effective competitor for advertising revenue. Additional enmity had been generated by broadcasters who presented newscasts which were no more than an announcer reading the local newspaper.24

_Editor and Publisher_, the business paper of the newspaper industry, was vehement in its attacks on radio news, claiming the new medium was to entertain not to provide a "shallow news service." To continue toward more radio news, intoned the editor, "would be a blow at American literacy" and would "strike at the heart of the system of popular government."25 Between 1933 and 1935, this so-called "war" moved into more open conflict when the news services decided not to allow networks to use their leased wires. William S. Paley, then president of CBS, stated that their first urge was to wait things out and depend on negotiations and the "wrath of the American people" to force a change.

However, after much soul-searching, we decided to tackle the problem head-on--if the news services wouldn't give us unrestricted news, we would go out and get it ourselves.26 Both CBS and NBC began gathering their own news with enough success to prompt a summit meeting with the press services. The resulting peace treaty established the Press-Radio Bureau, financed by the networks,


25"Enter Radio Wars," _Editor and Publisher_, March 2, 1929, p. 38.

to supply thirty-word bulletins from the press services to be compiled and broadcast in five-minute newscasts at times which did not compete with newspaper publication times.  

Some stations were not satisfied with this kind of arrangement and encouraged formation of independent news services, called "outlaws" by the publishers. Because audience interest was high, the maverick stations ignored the Press-Radio Bureau restrictions on number, length and time of presentation of newscasts, and gradually subverted the thrust of the agreement.

By the close of 1935, the press services had recognized the success of the radio news services; and to regain some position in the sweepstakes which now threatened to be a moneymaking proposition with the entry of sponsored news broadcasts, agreed to sell their news to broadcasters. "On this high-comedy note," comments Erik Barnouw, "the anti-news treaty began to come apart."  

In a few short years, as war began to rise over the European horizon, radio slowly grew into a strong and competitive news gathering and disseminating medium.

Broadcasting's conflict with the American Society of Composers, Authors and Publishers was a traditional one. It had sparked the founding of the National Association of Broadcasters in 1923. ASCAP's continuing threats of higher and higher fees for the use of copyrighted musical material prompted the NAB to establish the Radio Program

27 Barnouw, Web, p. 21.
28 Ibid., p. 22.
Foundation in 1933, as an industry-operated licensing service. The NAB Newsletter described it as "the most important step yet taken" to solve copyright problems.\(^{30}\)

The Foundation proved to be less than effective. *Broadcasting* referred to it editorially in the fall of 1934 as "largely a mythical organization."\(^{31}\) Throughout the period, the battle continued. When the industry attempted legal action against ASCAP, the latter threatened to increase fees. In 1934, the government filed an anti-trust suit against ASCAP\(^{32}\) but nothing came of it. There was, in fact, no real resolution until 1939, when the broadcasters—angered by an ASCAP fee threat—finally formed a successful competitor in Broadcast Music Inc.\(^{33}\)

These issues were basic ones which absorbed the energies and affected the conduct of the radio business at the time. As such they form the backdrop of our examination of broadcaster responsibility, and may in some cases, help explain why certain kinds of statements and arguments were raised.

Analysis of the period in terms of the question of broadcaster responsibility begins with the editorials of *Broadcasting* magazine.

\(^{30}\) *NAB Reports*, May 6, 1933, p. 46.

\(^{31}\) "ASCAP and the Futures," *B.*, September 14, 1934, p. 18.

\(^{32}\) *B.*, September 1, 1934, p. 14.

\(^{33}\) Barnouw, *Web*, p. 110.
Analysis of Broadcasting Editorials, 1933-1935

Summary of Quantitative Data

Between January 1, 1933, and December 31, 1935, seventy-two issues of Broadcasting magazine were published; they contained 247 items labeled by the editor as editorials. As can be seen in Table 1, the number of editorials per year was nearly the same, averaging 3.4 per issue. Of the total number of editorials, forty-five or 18.2 per cent were judged to have relevance for this study. It will be recalled that the criterion for selection was any editorial which "discussed, criticized or made recommendations about the actual or ideal relationship between the broadcaster and the public." The relevant editorials ranged from 22.9 per cent of the total in 1933, to 13.6 per cent in 1934.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Editorials</th>
<th>Responsibility</th>
<th>Responsibility as per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1933</td>
<td>83</td>
<td>19</td>
<td>22.9</td>
</tr>
<tr>
<td>1934</td>
<td>81</td>
<td>11</td>
<td>13.6</td>
</tr>
<tr>
<td>1935</td>
<td>83</td>
<td>15</td>
<td>18.1</td>
</tr>
<tr>
<td>Totals</td>
<td>247</td>
<td>45</td>
<td>18.2</td>
</tr>
</tbody>
</table>
Table 2 summarizes the distribution of the forty-five relevant editorials among the categories identified in Chapter III as components of the "Responsibility" issue. It should be noted that when broken into thirteen categories for analysis, the number of editorials in even the largest category is rather small. "Ethical advertising" was the most frequent topic, with nine editorials for 20.0 per cent of the total; and "public service," with one less, constituted only 17.8 per cent. These differences spread over a three-year period are rather minor, and can only be seen as slight variations in the interest level of the editorial writers for the subjects.

On the other hand, the totals of editorials under the major headings show that the division is roughly equal but with Trade Practices being somewhat more numerous through the period than Programing Practices. Once again, the gross differences are not great. It is only on examining the emphasis is specific categories that the differences arise.

Unethical or false and fraudulent commercial announcements were discussed more often than any other problem. Close behind were editorials urging stations toward a more active public service commitment. The next most important issue was the problem of stations who made under-the-table deals with advertisers for lower rates for time purchases, followed by comments on Taste in Advertising, the Quality of Programming, and Codes of Good Practice for broadcasters. More detailed examination of these categories will be pursued in the discussion section.
<table>
<thead>
<tr>
<th>Category</th>
<th>1933 (N = 19)</th>
<th>1934 (N = 11)</th>
<th>1935 (N = 15)</th>
<th>1933-35 (N = 45)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
<td>Per cent</td>
</tr>
<tr>
<td>Trade Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>11</td>
<td>57.9</td>
<td>4</td>
<td>36.4</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>5</td>
<td>26.3</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>1</td>
<td>5.3</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>3</td>
<td>15.8</td>
<td>2</td>
<td>18.2</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>1</td>
<td>5.3</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Program Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indecent Content</td>
<td>5</td>
<td>26.3</td>
<td>6</td>
<td>54.5</td>
</tr>
<tr>
<td>Program Quality</td>
<td>0</td>
<td>0.0</td>
<td>2</td>
<td>18.2</td>
</tr>
<tr>
<td>Public Service</td>
<td>0</td>
<td>0.0</td>
<td>4</td>
<td>36.4</td>
</tr>
<tr>
<td>News</td>
<td>3</td>
<td>15.8</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>2</td>
<td>10.5</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Code</td>
<td>3</td>
<td>15.8</td>
<td>1</td>
<td>9.0</td>
</tr>
<tr>
<td>Security</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Responsibility</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
</tbody>
</table>
Closer examination of Table 2 reveals that in 1933, the emphasis on Trade Practices was strong with Rate Cutting receiving more attention than all the Program Practice categories. Ethical Advertising was the next most frequently discussed category. Under Program Practices, Public Service was considered important, followed by News Programming. The Code of Good Practices was also an important theme during 1933, though it waned sharply in the later two years.

A shift in emphasis is indicated in the 1934 totals, toward programming issues and away from trade issues. Though the number of editorials considered relevant to the responsibility question was small, it can be seen that two categories (Indecent Content and Program Quality) garnered six of the eleven editorials tallied. On the Trade Practices side, rate cutting was not an issue at all, a sharp turnabout since 1933; but the Ethical Advertising issue received some attention, as did the question of advertising in good taste.

In 1935, Trade and Programming categories were equally frequent. Of fifteen relevant editorials, seven appeared under each heading with the additional one dealing with a code question. The emphasis was on Public Service programming on one hand and Ethical Advertising on the other. The Ethics issue was the most consistent subject over the three years, with two or more editorials appearing each year. Two other areas, Taste in Advertising and Code of Good Practices, were subjects in each of the sample years but with fewer editorials devoted to them.
During the 1933-1935 period the principal trends in editorial attention were as follows:

1. Trade practices categories strongly dominated the relevant editorials in 1933, while program practices dominated in 1934. Both were equally represented in 1935. Over the three years, however, Trade Practices editorials appeared more frequently than Program Practices, by 49 per cent to 40 per cent.

2. Ethical Advertising and Public Service Programming were numerically the two most important categories throughout the period. The former received consistent and growing attention throughout the period; while the latter received considerable attention in 1933 and 1935, but no editorials appeared in 1934.

3. Rate-cutting was the most frequently mentioned category in 1933, but was not mentioned in 1934 and received very little attention in 1935.

4. The Code category showed up strongly in 1933, then waned to less importance the following two years.

5. The News category received little attention in the sample, as did Over-commercialization and Unfair Competition.

6. Two Program Practices categories, Program Quality and Indecent Content, showed up relatively strongly in the small number of relevant editorials in 1934, after no
representation in 1933. In 1935, Program Quality received minor attention, and Indecent Content, none.

7. Taste in Advertising was represented by editorials each year; in 1933 it was a minor issue but in 1934 and 1935, it received somewhat more attention in proportion to the issues.

The above summary of quantitative data indicates the major emphasis of Broadcasting magazine in regard to the categories relevant to this study. The discussion which follows attempts to analyze those trends in terms of the substance of the editorials as they contributed to Broadcasting's concept of the responsibility of the broadcaster in 1933-35.

Summary of Editorial Content

Trade Practices

We have seen that Ethical Advertising was the most important and that through part of the time the practice of selling broadcast time at other than published rates—-or "Rate Cutting"—was featured. What is not evident from the numerical breakdown, is the frequency with which Trade Practices themes appeared in editorials in the Program Practices and Code categories. The following examination of prominent themes in the major categories will explore the substantive relationships between categories and the main arguments and appeals involved.
During this period, *Broadcasting* generally criticized false and fraudulent advertising and supported measures—both self-regulatory and government imposed—which would restrict those practices.

Early in the period, the editor advised broadcasters to involve themselves with National Association of Broadcasters' convention in September, 1933, because of the important "economic, commercial and technical matters" to be discussed. Particularly important would be the Roosevelt programs bound up with the industrial recovery plan. The central appeal was for unity in ridding the industry of "objectionable trade practices" and eliminating the "time-chiseler and the gyp."\(^{34}\)

In response to proposed legislation restricting advertising of harmful food, drugs, and cosmetics, editorialized in September, 1933, that the so-called Tugwell bill (named for its author "Brain Truster" Rexford Tugwell) was "drastic" and that it would mean some advertising accounts would be removed from the air. But, the editor continued:

> their places will be taken... by reputable manufacturers of honest products whose businesses have been adversely affected by the extravagant claims of the 'chiselers' with their fake products falsely advertised to mulct the ignorant and raise false hopes among the physically unfortunate.\(^{35}\)

The argument strongly supported the legislative proposal because it was aimed not at the "80 to 90 percent of all advertisers" who are "reputable and honest" but at the "quacks and the chiselers, who pull down the rest."

After affirming that the Tugwell bill provided that the industries would

---

34 "A Vital Meeting," *B*, July 1, 1933, p. 18.

control enforcement through their trade associations, the editor concludes by saying that:

The bill is one of the cornerstones in the administration's drive to protect the consumer all down the line. Its long range effect should benefit everybody, whatever may be its present defects—defects which it is now up to the advertising and trade associations to point out.36

Less than a year later, in July, 1934, Broadcasting was advising stations not to panic but to be more careful with their advertising because the Federal Trade Commission was cracking down. Once again, moderation in acceptance of advertising was urged, particularly with patent medicines, and the argument was the general good.

The Commission does not want to throw these advertisers off the air. It simply wants them to tone down their advertising claims within the realm of truth. By so doing it will help not only the public, but the advertisers themselves as well as the stations.37

The editor laid blame on a fringe of "over-zealous" advertisers and on broadcasters who have not been careful enough.

By 1935, some of the bloom had been lost from the cooperative relationship with government promoted by Broadcasting previously. In February, the magazine claimed that though "we agree that the quacks and charlatans should be driven from the field, and that they not be permitted to market their wares in competition with respectable and honest firms," legislation based on the Tugwell bill first introduced in

36 Ibid.

1933 had provisions "so broad as to make possible actual destruction of legitimate enterprises while aiming at the questionable fringe." The hostility to this measure was in sharp contrast to the conciliatory attitude evinced earlier, and may have reflected the inability of the advertisers and broadcasters to alter "the defects" mentioned in regard to the earlier legislation (see above). The resistance soon melted, however.

In response to a new FCC Chairman, former Congressman Anning Prall, the Commission moved to improve broadcasting "in the public interest," and Broadcasting editorialized in early April that business for radio was good enough that stations and networks could "afford to drop improper commercials. For their own good, they can stand a little more stringent regulation."

For the reputable advertiser and his agency, this New Deal in radio should prove beneficial in the long run. He will be assured of good company on the air, for the fellow who precedes and follows him on the air will have to measure up to rigid standards. That will make for even greater listener acceptance.

On questions of what is proper and what improper, Broadcasting answered: "To the broadcaster we have but one suggestion to make in acting on doubtful programs: When in doubt--don't."

---

40 Ibid.
Conciliation and moderation were sounded again in mid-April but some concern for the Commission's self-control emerged in the next issue, on May 1. "A tempest unequalled in the history of commercial radio has been stirred up by the Prall-inspired campaign of the FCC to eliminate questionable commercials particularly those having to do with medical accounts." Once again, Broadcasting admits the presence of "ill-advised" material but it is only "a fractional fringe" that has caused "the whole industry to be misjudged." The industry wants to clear the air of this material, the editor claims, but fears that the FCC may "exceed the bounds of good judgment." Broadcasting's solution was to establish an office within the industry to advise stations and advertisers on "whether particular accounts are construed to be ethically, esthetically and otherwise acceptable." The NAB would be the likely organization to administer such a "Good-Housekeeping Seal" on advertising accounts.

In sum, Broadcasting's response to the issue of ethical practices in radio advertising in general was to decry bad practices as degeneration in the industry as a whole, to locate the fault in a minority of advertisers and broadcasters, to support government attempts to deal directly with the issue, and at the same time, to urge broadcasters to regulate themselves. A similar pattern of argument was discernible in

---

41 "Rule of Common Sense," B, April 15, 1935, p. 32.

the Rate Cutting, Code and Taste in Advertising categories but with more outspoken charges and solutions.

Rate-Cutting and the Code

The interaction between Rate-Cutting and Code categories is interesting, particularly as to frequency and timing of editorials featuring them. As was noted in the Summary of Results section, Rate-Cutting was the main subject of five editorials in 1933, none in 1934 and one in 1935. The Code category had three editorials in 1933, and one each in the following years. Many of the Code editorials mentioned rate-cutting as a prime target for Code provisions or enforcement. It would seem that these two categories were closely linked as Problem-Solution in the editor's mind, particularly in 1933. But why so much attention at that time and so little later?

Rate-Cutting practices had consistently been a problem for the industry, according to Broadcasting, and were frequently attacked by the magazine. Presumably the editorials in 1933 were tied to this ongoing campaign, but events of that year may also have had an influence.

It will be remembered that the Roosevelt administration and Congress fashioned the National Industrial Recovery Act during late spring and the President signed it into law June 16, 1933. The process of devising industry Codes of Fair Competition began almost immediately and continued well into 1934. Four of the five Rate-Cutting editorials


44 Leuchtenburg, pp. 57-58.
appeared between June 1 and July 15, 1933; and the three Code editorials followed—one in August, one in September, and one in November. In December, the two subjects were pulled together into a single editorial endorsing the acceptance by the broadcasting industry of the NRA Radio Code.

On June 1, with no mention of impending federal legislation, Broadcasting urged a united industry front against questionable time-buying contracts and supported the idea posed by a "midwestern broadcaster" that the industry "clean the skirts of its members from a host of unethical practices." The editor concluded by saying: "Here is a condition the more far-sighted element in the NAB should be able to persuade the short-sighted element is wholly inimical to its ultimate interests." 45

A new argument was introduced in the next issue: "If the station's time is worth nothing in compensation from an important national advertiser...how can they expect to collect from other national advertisers or even from local advertisers?" 46 One month later, two editorials springing from different events attacked rate-cutting, reiterating the points made earlier but adding arguments to influence wrong doers to change their behavior. The Federal Radio Commission was a "new nemesis" facing rate-chiseling stations, Broadcasting claimed:

45 "Contingent Contracts," B, June 1, 1933, p. 20.
"In several recent cases its examiners have cited failure to adhere to regular rates as grounds for punitive action against stations." Furthermore, the NAB commercial section had condemned rate cutting as being "against the public interest and against the best interests of broadcasting." Finally, Broadcasting argued, rate-cutting contracts were being spurned by "the majority of the recognized higher grade stations."48

In the August 1 issue, Broadcasting shifted attention to a potential solution in the making of an industry Code under the auspices of the NRA and included a surprisingly authoritarian appeal.

Rate cutting stations and those that continue to pursue questionable practices not yet squelched by the Radio Commission...need a "Big Stick" over them, and perhaps this time is as good as any to wield it through voluntary organization backed by the government.49

Support for this kind of action continued in September as the NAB formulated the code. Broadcasting argued that in spite of possible ill effects on small station owners, if the NAB did not frame the Code, the government would do it.50

The same argument and the same reservations were sounded in November, but capped with the now familiar argument that everyone in broadcasting would benefit in the long run if the NRA succeeded.

49 "Signing Up," B, August 1, 1933, p. 18.
Elimination of bad trade practices...cannot help but stabilize the business of broadcasting and force stations to observe a sort of "self-respect" that all too many of them apparently have forgotten in the past in their quest for the dollar.\footnote{The Radio Code,\textit{ B}, November 1, 1933, p. 30.}

On December 11, the NRA Code for Broadcasting took effect, and \textit{Broadcasting} marked the event with a kind of capsule comment on the problem and the solution. "Stability is at last to be brought into the business of broadcasting, with the force of government behind it." Once again the editor admits the broadcaster's guilt in the matter and promises fair punishment. Advertisers and agencies are not to blame for the evils that have beset the business side of broadcasting. The fact is the stations have been chiefly at fault in their eager quest for the advertising dollar and, if the truth be told, their lack of experience in advertising practice. The NRA code is designed to make what is good for all, good for one.\footnote{End of Chiseling,\textit{ B}, December 15, 1933, p. 24.}

There were no reservations or qualifications offered. \textit{Broadcasting} did not shift blame from the prominent to the lowly, or equivocate about culpability on the rate-cutting question. It was a forthright editorial statement of the problem which indicated the editor's hope for an early solution.

In March, 1934, support for a hard-fisted Code Authority stand on stations still not cooperating with the NRA, indicated that the solution was not yet at hand.
From the beginning of the industry, there has been a disreputable group of broadcasters who have flaunted regulations and ignored ethical standards. Until the Code Authority administers a knock-out punch to one or more of them, they will continue to lead their useless existences.53

In 1935, one editorial dealt with the Code and one dealt with Rate-Cutting. The first, appearing in June, mourned the demise of the NRA discussed earlier, and the consequent breakdown of the industry code. It urged the NAB to renew its trade practice provisions or "there inevitably will reappear those chiseling, rate-cutting and other practices which discredited radio and lost money as well as self-respect for broadcasters."54 The NAB in their convention that July, restated their Code of Good Practices first developed in 1929 (see Chapter III, pages 65-66). It no longer had the weight of government behind it, but Broadcasting must have felt it functioned adequately since only one editorial appeared in the last half of 1935 which related to any of the trade practice categories, and it merely congratulated a small station owner for standing by "the ethical standards of the NAB" in rejecting rate cutting offers.55

Generally, the editorial reaction to rate-cutting reflected in these two categories was more authoritarian than found in those on ethical advertising. The editor seemed to feel that the rate-cutting

54"Danger Signals," B, June 15, 1935, p. 34.
practice needed quick solution and urged decisive action by Code Authority and government.

Taste in Advertising

Editorials on this category tended to affirm the general approach illustrated in the other Trade Practice categories. They urged moderation with questionable material and supported industry and government attempts to solve the problems.

The Taste Category had two main subjects: advertising of liquor and beer, and network commercial practices. Three editorials dealt with the question of whether beer and liquor should be advertised on radio and urged that stations make their own decisions, since the FRC would provide no clear guidelines. "No, is the best answer to the merest suggestion of offensiveness," advised the editor, but there was no reason why carefully discreet beer and/or liquor announcements could not be accepted as long as care was taken not to allow sales talks which might arouse "valid criticism from those ready to pounce upon radio at the merest provocation."

The move by CBS in 1935 to purge advertising which had been the target of public criticism and of FCC Chairman Prall's cleanup campaign, prompted two editorials. The first praised CBS for adopting "revolutionary policies that make radio history." The CBS action, to be


discussed in more detail later in this chapter, set time limits on commercial announcements and excluded specific product accounts from the network—among them laxatives, depilatories, deodorants, and as Broadcasting described it, "other advertising which naturally appears in bad taste." The same statement of network policy promised to tone down or drop "blood and thunder" programs that aroused a child's imagination. Broadcasting's praise of CBS included the comment that the network could "adopt such a drastic policy without jeopardizing its economic structure" and urged others to follow the CBS lead and place broadcasting "above any other advertising medium for integrity and quality of service."

In the next issue, the editor followed up his praise of CBS with a recognition that NBC, too, had moved toward cleaning up its commercial practices and had established, eighteen months before, a department of continuity acceptance. These moves, the editor claimed, reflected a trend toward rigid internal control of program policies.

The industry has grown in stature, influence and income so that it can now exert the kind of self-imposed regulation it has long wanted but could not afford. In the same editorial, Broadcasting indicated that the FCC, "responsible in no small measure for the spurt of program reforms" would operate with restraint on the issue in the future because "the idea of self-regulation appears to have gone across." The editor then praised the FCC for its


promise to begin providing guidelines on where it stood on questions of proper advertising practices, "by writing into its opinions statements of its positions respecting the programs involved." This," said Broadcasting magazine, "sounds like a sensible procedure and sensible regulation." 60

To summarize, the general content of Trade Practices and Code editorials during the 1933-35 period seemed to reflect the basic tenets of the New Deal approach to industrial recovery--business codes backed, when necessary, by the "big stick" of legal sanctions against those who did not obey. Broadcasting urged rejection of false and fraudulent advertising, rate-cutting practices, and advised care in accepting advertising accounts which might be considered offensive by the audience. Generally, the editor advocated industry self-regulation--"cleaning your own house"--to solve these problems; but, at the same time, supported legislative regulatory measures to curb the questionable practices. In some cases the magazine advocated extreme measures to deal with violators of the ethical principles involved.

Program Practices

In general, the editorials in categories under this classification tended to be more reactionary and less coherent or continuous in their appeals than in the Trade Practices classification. That is, most were responses to specific attacks or pressures and tended to appear in clusters around the stimulus event. Thus, for example, we find the 60 Ibid.
Public Service category dominant in 1933 and 1935 and non-existent in 1934, and Program Quality and Indecent Content dominant in 1934, but almost unrepresented at other times.

In addition, Trade Practices themes and arguments periodically appeared in editorials in Program Practices categories. This tended to follow a pattern which will be pointed out in the following summary of Program Practices categories.

Public Service

In the first year of the period, three editorials explicitly discussed Public Service themes. The three were stimulated by different events or pressures and tended to be discreet comments on, or defenses of, radio practices.

In March, 1933, an editorial claimed that advertising would perform a vital public service in the "recovery program" advocated by the Roosevelt administration in its early days. Another editorial in May hoped that the Radio Commission would not let political influence sway decisions on licensing but rather judge stations on "<their> public service merits." In June, an impassioned editorial attack against a newspaper publisher's equally impassioned criticism of the worth of radio outlined some accepted dimensions of the "public interest" including the use "by practically all comers" of the "radio networks and


stations for bona fide public service, educational, political, and commercial messages. But none of these comments expressed much of the substance of the editor's conception of "public service."

Not until early 1935, after a year of challenge by "reformers," did Broadcasting deal substantively with the issue of public service—and then comment was couched in the language of economic security and well being.

Zeal for a banner 1935 must not dim a fundamental concept of American radio: That it exists primarily as a public service. Every advertiser, every advertising agency and every station manager must keep uppermost in mind the fact that radio exists not merely for advertising messages but for the entertainment and enlightenment of the people. The moment radio "sells out" its time to advertisers, that moment it will be in dire danger of complete extinction as a free American enterprise.

The economic strength of the industry, the editor argues, means that sacrifice of a few accounts that "do not pass muster" or the loss of a few dollars in keeping certain "favorable hours" available for "civic, educational, and other public service programs of a non-profit character" should mean no threat to stations' livelihood. The editorial closes with the admonition that "the public service stations render, as well as the entertainment they give, determine their right to hold radio franchises."

65 Ibid.
This editorial is important for it embodies many of the arguments for responsible action by broadcasters not only in this sample period but also in later years. Its central appeal is for broadcasters to serve the public in rather specific ways which imply an ethical obligation. At the same time, the arguments for these actions are framed almost exclusively in economic terms—the same terms used to argue for ridding the air of questionable advertising, and cracking down on rate-cutting broadcasters.

In the ensuing months, Public Service was discussed briefly in four more editorials ranging in subject from general advice that license security depends on a "proper concept of public service" and support for establishment of annual Public Service Recognition Awards to an editorial claiming that radio should remain politically non-partisan because its mission is not political but "entertainment, enlightenment and public service."

Though the term Public Service was invoked, and the principle generally supported in all the editorials cited, only one editorial in three years discussed in any detail the editor's view of the nature of the broadcaster's obligation in this area. Generally, the subject was treated as a "catchword" in defense of the status quo or an undifferentiated term to describe non-entertainment programming.

68 "Not for Radio Here," B, November 15, 1935, p. 34.
Program Quality and Indecent Content

Of the seven editorials in these two categories, five of them appeared in September and October, 1934—when the new FCC was convening hearings to determine whether radio frequencies should be reallocated to allow for non-profit radio stations. None of the editorials refers specifically to these hearings, but each reacts to charges against radio program quality or supports a broadcaster policy.

Early in 1934, in response to a spate of Congressional criticisms, Broadcasting voiced what has become the central core of most industry defenses of program quality: "The fact that radio business now is better than at any time we know about, is proof that the listeners like it and are not kicking." This argument, with differing degrees of sophistication, appears in all the sample periods.

In the fall of 1934, other criticisms of programming quality were met with defenses of the status quo. A committee of the American Bar Association criticized the quality of available programs and urged less attention to "trivial entertainments" and more attention to the use of radio as a public forum. Broadcasting reminded the critics of the discussion of public questions already on the air and then informed them that "the people want entertainment over the radio. They also want some education programs...They are getting them." This, the editor insisted, is Democracy, with the people choosing what they want.

69"The Grand Old Game," B, February 1, 1934, p. 22.

In the same period, charges that suggestive songs were being broadcast were answered and, though such practices were not condoned, Broadcasting expressed confidence in the self-censorship activities of the networks and stations.\textsuperscript{71} This confidence was given flesh when a station manager in Louisville was praised by Broadcasting for cutting off the air a "spicy" speech to a veterans convention being broadcast to the NBC network. "There is no place in American radio for 'dirty stories,"" insisted the editor, and cited the authority of the Communications Act of 1934.\textsuperscript{72}

Of three other editorials in the category of Program Quality, two were mild defenses of the present progress of the radio "art"\textsuperscript{73} and one supported establishment of a program awards foundation to "enhance...the healthy competition among the stations, networks, and individuals to outdo one another."\textsuperscript{74}

News

Only three editorials appeared in which news was discussed in relation to broadcaster responsibility, and in all three the tone was defensive. Two were prompted by attacks from the newspapers and one by an attack from the Republican National Committee. The Republican

\textsuperscript{71}"Purging the Air Waves!", B, September 1, 1934, p. 26.

\textsuperscript{72}"Censorship? Certainly!", B, October 15, 1934, p. 34.

\textsuperscript{73}"The Radio Show," B, September 15, 1934, p. 36.

\textsuperscript{74}"Awards for Merit," B, October 1, 1935, p. 32.
attack occurred in 1933 and hinged on a charge that the government had threatened stations with loss of licenses for not supporting the NRA. *Broadcasting* discounted the statement as a political ploy and expounded on the growing importance of radio as a molder of public opinion. The charge was welcomed as an example of this growing significance. "It presages an era in politics where freedom of the radio will become as talked about as freedom of the press." 75

The arguments against press criticism of radio as a news medium were, in the two instances encountered, rooted in more philosophical arguments about the relative merits of the two media. In November, 1933, the editor took on his and his magazine's historic nemesis, *Editor and Publisher*. In the fall of 1933, the networks had been cut off by the news services and had begun building their own news organizations. *Editor and Publisher* attacked this development, leveling a number of charges against radio as a news medium. *Broadcasting* responded that radio is non-partisan in politics, thus being fairer than newspapers, and that the radio medium never intended to compete with newspapers: "Bulletin and background service is all that has ever been contemplated—news that should whet the public's appetite for the detailed stories in the newspapers." 76 This is the only statement in the period which attempted to define the role and place of news in the broadcaster's


schedule. The remaining news editorial was a defense of sponsored newscasts as being free of advertiser-manipulation (it appeared in late 1935), but offered little new or more direct advice to broadcasters. 77

Editorially, Broadcasting magazine paid little attention during this period to the substance of programming except in very scattered, defensive reactions. More attention was paid to the general concept of Public Service, seen as an obligation of the broadcaster; and in one editorial during the period, the editor outlined the nature of that obligation. In general, however, Program Practices categories were not discussed as often or in as much detail as Trade Practices issues.

Conclusions: Broadcasting Editorial, 1933-35

Analysis of the editorials during the period revealed the following general patterns. (1) Broadcasting was not markedly interested in broadcaster responsibility as an editorial subject, devoting less than one-fifth of its total editorials in the period to responsibility. (2) Numerically and substantively, the predominant theme of broadcaster responsibility was proper conduct of business affairs as exemplified by editorial attention paid to Trade Practices categories and consistent references to trade and business practices used to urge or justify public service programming and support of industry Codes of Good Practice. (3) Numerically, the second most frequently discussed

theme was the Public Service category, but in general the content of editorials in this category tended to treat public service programming as an obligation to be fulfilled to forestall external pressure from critics or government. (4) In the editorials examined, a pattern of approval for government intervention in business affairs of broadcasters was revealed. This approval was most often related to issues of fair and ethical business practices, and was qualified in most cases with a clear statement of the editor's conviction that it would be a moderate intervention which would benefit broadcasters in the long run.

In terms of the first question of the study, Broadcasting through its editorials, says that during this period the responsibility of the broadcaster is to (1) conduct his business in a fair and ethical manner; (2) support government and industry measures to safeguard broadcasters from fringe operators who would engage in business practices inimical to fair competition; and (3) avoid broadcasting false and misleading advertising. If and when the broadcaster's business is stable and reasonably profitable, he should then bar commercial messages which might be in questionable taste or that might be offensive to the audience; and he should provide time for non-sponsored public service programming in good time periods. Provision of these programs would also help fulfill obligations to Federal Communications Commission and reduce criticism from reformers.
Analysis of Industry Context

Generally the concerns expressed by industry spokesmen and published in industry publications tended to parallel the major themes of Broadcasting editorials of the period. In 1933, the NAB scored rate-cutting and supported the development of the NRA Code. During 1934, the networks and the NAB discussed issues of public service and program quality, and in 1935, shifted attention somewhat to advertising practices. But differences appeared in details, emphasis and types of appeals employed by different spokesmen—differences not only between the industry and Broadcasting, but also between the NAB and the networks. In general, the Networks spent more time discussing programming content and public service questions than did the NAB, who more nearly reflected the issues already seen in Broadcasting as Trade Practices concerns.

Two cautions seem in order at the outset: the documents analyzed for the industry context in some cases were not drawn from a very broad range of material and may not be representative of the total sweep of the period; and second, no quantitative tabulation of industry comments was made because limited availability of representative material made it impossible to use a systematic sampling procedure to select the documents. The materials used tend to be public statements and publications in response to specific events or issues and therefore may not reflect as consistent a range of opinion or position as found in the Broadcasting editorials which appeared bi-weekly throughout the period. The result might be that ongoing preoccupations of the networks, for example, might
not be adequately reflected in these documents. In the analysis and discussion that follows, this limitation should be kept in mind.

Trade Practices and Code

The only source of industry positions which was regularly issued throughout the period was the weekly newsletter, called NAB Reports, published by the National Association of Broadcasters. For this study, all issues published during the sample periods were surveyed. Generally, the newsletter included a short statement by the Managing Director, Phillip G. Loucks, or the President, who was elected annually. Through 1933, few newsletter statements appeared which commented on the responsibility of the broadcaster, but the ones that did, dealt chiefly with rate-cutting and the Code.

In early March, 1933, for example, Managing Director Loucks mounted a strong attack on the "Rate Chiselers" and pointed to the variety of temptations facing the broadcaster.

The mails are filled with all kinds of chiseling offers. Cosmetics, guitar lessons, hillbilly song books, magic crystals, mineral waters, nerve medicine, and a score of other commodities and alleged services are being offered on every conceivable kind of basis, except published rates.\[8\]

He followed this with a diplomatically phrased admonition reminiscent of some editorial comments in Broadcasting:

\[8\]"Rate Chiselers," Broadcasters News Bulletin, March 4, 1933, p. 1. Above was title of weekly newsletter of the NAB during the early years. Its title was changed in late March, 1933, to NAB Reports.
It is gratifying, however, that NAB members are taking the lead in stamping out rate chiseling practices. But there's a lot of work to be done.\textsuperscript{79}

In May the newsletter offered excerpts from an address by President Roosevelt in which he discussed the concept of the National Industrial Recovery Act. \textit{NAB Reports} commented on the emphasis given by the President to "regulation of industry through trade associations" as part of the program for business recovery, and stated that "each industry, familiar with its own conditions, will have an opportunity to draft its ideas of self-regulation." The writer (presumably Managing Director Loucks since only his name appeared on the newsletter) used this appeal to urge more broadcasters to join the National Association of Broadcasters because, he said, "little in a constructive way can be accomplished if broadcasters continue to refuse to join the only trade association in their field."\textsuperscript{80}

In its newsletter, the NAB tended to use the Presidential plan for recovery as a continuing argument for stations to join the NAB, as the above quotation illustrates. At the close of 1932, there were 604 broadcast stations on the air;\textsuperscript{81} only 195 of them were members of the trade organization.\textsuperscript{82} Thus, when the NRA Code Authority sought the

\textsuperscript{79}\textit{Ibid.}

\textsuperscript{80}"Trade Groups and the New Deal," \textit{NAB Reports}, May 15, 1933, p. 46. Hereafter cited \textit{NAB R.}


\textsuperscript{82}\textit{NAB R.}, December 12, 1934, p. 614.
proper organization for drafting the Code for radio, the NAB found it necessary to increase its appeal for membership, and at the same time, to act as a communicator to stations who were not members. This it did, with urgency and a sense of clear cut priorities.

Cooperation is the key word of the campaign. There is no place for the business individualist in this campaign. Stations must and will cooperate with each other and with the government. ...Whenever and wherever the public interest is at stake, radio stations can be counted upon to respond.83

The urgency was plain in the final appeal: "The NAB must not fail in its task of completely organizing the broadcasters. It is no longer a question of the desirability of organization; it is a question of necessity."84 The appeal worked fairly well over the ensuing months as membership grew to better than 370 stations by the end of 1934.85

During 1933, then, the NAB involved itself heavily in the code-making process and proselytized for new members with the argument that it was the responsibility of the broadcaster to cooperatively support the national recovery. The tone of the members' news letter was urgent and somewhat self-interested. During this time, the leaders communicated little in the way of support or criticism of programming or other trade practice issues, nor did they make recommendations to the membership about how they should relate to the public, except in support of the Code.

---


One indication of the focus of NAB interests during the period could be found in September, 1934, at the annual convention. Of fifteen resolutions adopted by the members attending, five were ceremonial, two administrative, three dealt with the ASCAP-Copyright struggle, and the remaining five were on the subject of advertising and merchandising of products and time. One of these resolutions pledged NAB cooperation to the Federal Trade Commission and its program to "safeguard the people" against fraudulent, untruthful or willfully misleading advertising. The language was reminiscent of a Broadcasting editorial two months earlier which also urged FTC support. The NAB admonished all broadcasters to maintain a "standard of advertising truthfulness which will justify and strengthen the faith of the public in the dependability of radio advertising."  

Speakers at the convention sounded similar themes and generally turned them to a call for greater support of the NAB work in Washington, as well as frequent reiteration of the call for self-regulation. At this time—September, 1934—the industry was preparing for FCC hearings on frequency reallocations, and much of the rhetoric was aimed at rallying the membership. Thus President McCosker praised the effective work of the members over the past two years in "spiking the guns of the opposition"

---


87 NAB R, September 26, 1934, p. 347.
but warned that "judicious control of our program and commercial methods through our own efforts" must be exercised in order to keep the opponents of the American system of radio at bay.  

The threat appeal was a frequent device employed by NAB officers to attract support on issues which were essentially rooted in ethical questions of proper practices.

Perhaps the most dramatic example of responsible actions in advertising came, not surprisingly, from the national networks—CBS in particular. William S. Paley, President of CBS, in mid-May, 1935, published a statement "to the public, to advertisers, and to advertising agencies" regarding new program and commercial practices to be followed by the Columbia Broadcasting System. The detailed "Code" was prefaced by a statement of general responsibility.

As radio broadcasting expands its audience and augments its influence, there devolves upon the broadcaster and the program sponsor an ever-greater responsibility.  

After commenting on increasing audience sensitivity to things they like and do not like, Mr. Paley commented on the broadcaster's responsibility.

It is incumbent upon the broadcaster constantly to examine general policy so as to assure steady progress in building and holding radio's audience.  

The statement then outlined, in detail, the limits to be imposed on commercial lengths, the specific categories of products deemed to be

---

88 Alfred J. McCosker, President's Address to NAB Convention, September 17, 1934, reprinted in NAB R., December 12, 1934, p. 606.

89 All quotations from transcript reprinted May 14, 1935, Congressional Record, 79, 7450-7451.

90 Ibid.
in poor taste, and the kinds of themes to be avoided in children's programs. Broadcasting reported that the action banning laxatives, depilatories, etc. "is declared to involve approximately $2,500,000 in revenue for CBS."91

NBC responded to the flurry of publicity accompanying Mr. Paley's announcement by saying that the network had "always exercised a restraining hand" on advertising copy and accounts, to eliminate all announcements and statements "which are in bad taste or unsuitable for radio broadcasting." The statement, by Edgar Kobak, vice-president for sales, outlined NBC's banning of laxative and deodorant accounts the previous August and establishment of a department of "Continuity Acceptance" in December 1934, to scrutinize and make recommendations on all accounts that might be questionable. NBC's position differed from that of CBS in that the former insisted they did not categorically ban whole classes of products, but rather made judgments on the advertising announcement, though they had found that some products "cannot be advertised without touching on subjects which are thought unsuitable for radio broadcasting."92

Some differences in managerial style appear in the approaches taken by the two networks to the issue of questionable advertising, but their basic thrust was to establish the standards of good taste in their presentation of advertising. By this time, it appears there was a consensus


among the major groups in the industry that questionable advertising practices needed to be curbed, and curbed publicly to preserve confidence in the medium.

The pressure from the FCC on the advertising question, which seems to have contributed to the CBS moves, and the public statement of similar actions by NBC, had prompted many NAB members to seek lists of taboo accounts from their organization. In their newsletter, NAB leaders replied that they did not have the personnel to "enter the field of advertising censorship" and urged broadcasters to seek information from the Department of Agriculture, the Federal Trade Commission or Better Business Bureaus. But they also placed some of the burden on the shoulders of individual broadcasters.

Stations should use their own good judgment in accepting and rejecting accounts. There is no test by which your action can be determined except by the test of what is good broadcasting. . . . There isn't a broadcaster who doesn't know what is good broadcasting and what is not. Broadcasters ought to censor their own programs—the government ought to be prevented from doing so.93

To aid their membership, the NAB in convention in July, 1935, approved a slightly revised version of the 1929 Code of Ethics, which placed heavy emphasis on trade practice questions and included provisions barring advertising of products or services injurious to health, or messages which

the broadcaster knows or believes to be "false, deceptive, or grossly exaggerated." This Code stood as the statement of the NAB on questions of advertising. It did not specify products or accounts and offered no examples of proper conduct; it merely forbade certain general practices deemed by the consensus of members to be inimical to "responsible" broadcasting.

In sum, Trade Practices issues were treated by both the NAB and the networks as important during the period with particular attention to rate cutting at the outset, and with questions of taste and ethics in advertising later. At the same time, the NAB—involved as it was in formulating the NRA Code—paid some attention to the Code issue early, and again later, in response to FCC pressure on advertising practices. Two differences between the network and NAB positions are suggested by this analysis of trade practices. One is that the NAB was, particularly in 1933 and 1934, a relatively small organization eager to become larger and more influential. Thus, it seems to me, the public positions it took tended to be cautious, and often seemed to turn toward the association's goal of greater growth and representation. It used the spur of the NRA to accomplish that growth. The networks, on the other hand, particularly after 1933, had somewhat more income and stability and as Broadcasting pointed out, could afford to exert relatively stringent advertising controls.  

---

94 Complete text reprinted in NAB R. July 18, 1935, p. 884.

95 See above, p. 161.
The second, and in many ways most significant difference, between the networks and the NAB is illustrated by their different responses to Trade Practice issues. The networks, generally, spoke for themselves and made decisions about their own activities, whereas the NAB spoke for a disparate organization upon whom they could not impose restrictions or policies. Thus the leaders couched their cautious admonitions in code forms, and made periodic appeals to the judgment of the broadcaster who knew what "good broadcasting" was.

Another difference can be detected in the amount of attention paid by each to categories under the Program Practices classification.

Program Practices

In general during the period 1933-1935, the NAB and its spokesmen did not often discuss or comment upon programming practices. Most of the weight of commentary on public service or program quality emanated from network spokesmen, and generally appeared during the period from the spring of 1934 to the summer of 1935. On two occasions, the responses were to the reformers interested in reserving frequencies for non-profit groups; on a third it was part of the CBS response to FCC pressures to "clean up programming." In each, statements regarding the public service responsibility of broadcasters were substantially the same.

Henry Bellows, Vice President of CBS, and also a legislative committee chairman of the NAB, testified on the Wagner-Hatfield amendment in May, 1934, and insisted that broadcasters recognized their duty to
render an adequate public service in order to maintain their license. He offered a kind of standard, check-list definition of the dimensions of that service.

Such a service necessarily includes the broadcasting of a considerable proportion of programs devoted to education, religion, agriculture, and similar activities concerned with human betterment. 96

His argument against class allocations was that service to the public meant the public as a whole, whereas specialized stations would serve only part of that public. Furthermore, Mr. Bellows contended, freedom of speech was as vital to radio as to the newspapers, and should be as jealously guarded. But, "freedom of speech can be maintained in radio only by insisting that every station shall serve every listener within its normal range." 97 A considerable portion of Mr. Bellows' argument for maintaining the status quo in allocations was based on appeals to public service performed by the broadcasters for "all of the public" but he confirmed at each step the necessary ingredients of that service embodied in the check-list.

CBS President Paley added to the argument in the fall of 1934 in response to the FCC hearings on the same reallocation proposals, but from the perspective of the businessman.

We have our aesthetic ideals. . . . Nevertheless, we can never forget that radio broadcasting also involves an economic problem. That is it must be self supporting. It must render a service so important that someone, at least, must be willing to pay for it. 98

---


97 Hearings on H. R. 8301, p. 118.

The CBS President insisted that broadcasting, as the name implied, was designed to serve a wide audience. Then he set down his priorities as a broadcaster.

The first axiom in program building is to give the public what it wants to hear. . . . Then comes the second axiom; to reserve some program space to offer what the program director believes people would like, if only they had an opportunity to know about it.99

It was clear that Paley was concerned with the question of service in much the same way as other commentators from the commercial position. One must gather the audience to sell to the sponsor and then provide some time for "public service."

Another aspect of the question is the meaning to broadcasters of the term public service. As we have seen, Broadcasting tended, at times, to use the term to describe the whole range of radio programming.100 The NAB supported this evaluation.

It brings to every radio equipped home the voices of the world's leaders in thought and action, the music which, a decade ago, could be heard only by the privileged few, the best in entertainment that the whole world affords. With this it combines a local service to every considerable community.101

Under such a broad umbrella, broadcasters who wished could justify nearly any kind of programming as public service, as long as it was not illegal or in some way provably false or misleading. Many did just that.

99 Paley, p. 18.

100 See above, p. 164.

101 Brief on behalf of the NAB to the Federal Communications Commission in the matter of Sec. 307C of the Federal Communications Act of 1934; reprinted in Supplement to NAB R. November 26, 1934, p. 676.
But the main thrust of network, NAB and Broadcasting magazine was toward a recognition that public service entailed more than this.

In a 1935 pamphlet describing its service to the public, NBC isolated three kinds of programs which it included in the concept of public service—cultural, educational, and developmental—and claimed that they were distinguished by their aim of "raising the level of taste and thought." The NAB, in their brief to the FCC cited above, also made the distinction between public service and the whole process of broadcasting when they stated that the interests of the public will best be served by closer and more widespread cooperation between the commercial broadcasters and the many groups primarily concerned with public education in its broadest sense, and that such cooperation should be directed toward the development of more effective methods for the use of broadcasting in the general service of education.

So the issue of Public Service received some attention—some of it equivocal—from the networks and the NAB. Most often the service represented a secondary priority of the industry. But generally, the tone of discussion was rooted out in rejection of the concept but in defense of the American system which the broadcasters felt was the most effective system for delivering that service.

Summary of Industry Context, 1933-35

During the period the issues discussed most often were oriented toward trade practices rather than programming. In 1933, and again in


1935, the NAB turned its attention to the issues of Rate-Cutting and general advertising practices and tied these together in Code-making activities. In the middle period, from the spring of 1934 to early summer of 1935, the predominating issue seemed to be the concept of public service as an adjunct to commercial entertainment programming.

In general, the NAB arguments for responsible actions by broadcasters were rooted in two appeals: (1) that radio must eliminate those trade and advertising practices which jeopardize the "faith of the public in the dependability of radio advertising;" (2) that broadcasters must exercise "judicious control of our program and commercial methods through our own efforts" to keep the opponents of the American commercial system at bay.

The networks, who spoke and acted for themselves tended to make changes in policy rather quickly and talk about it after the fact. In addition, their concern was more with program matters than industry codes or rate-cutting questions, which were essentially local station issues.

Their arguments in defense of the status quo were based on attracting an audience with entertainment programs, and then offering to that audience, from time to time, programs devoted to "raising the level of taste and thought."

In addition, both NBC and CBS responded to public and FCC criticism of commercial programming practices by taking specific steps to control the appearance of questionable material on their networks. Their actions

---

104 See above, p. 175.
105 See above, p. 176.
106 See above, p. 183.
were then lauded by the FCC, the NAB and *Broadcasting* as exemplifying the best in responsible broadcasting. Thus the weight of industry action, became in itself, an advocate for responsible behavior.

**Conclusions**

In the broad context of the period 1933-1935, *Broadcasting* magazine's editorials commenting on the Responsibility of the Broadcaster seemed to be a reasonably accurate reflection of the thinking of the industry as represented by NBC, CBS and the NAB. As has been recognized in several places in this chapter, the business practices of the stations and the networks received the most attention by *Broadcasting*, and seemed to be a prominent concern of the networks and the NAB—though there were different emphases. The NAB was interested in Rate-Cutting among broadcast stations and the Code which would control it; the networks tended to be more attentive to advertising practices and incorporated their own "codes" to deal with them. *Broadcasting* spoke out against bad practices in both areas. Its position on Rate-Cutting, however, was much more authoritarian and more strongly punitive than was that of the NAB. Its arguments against the practice and for a Code supported strong action by Code authorities against transgressors.  

The NAB, while criticizing bad practices, emphasized the importance of industry control of the code to insure that it not be arbitrary or bureaucratic, and that it would be "well disposed and friendly."  

---

107 See above, p. 157.

108 See above, p. 173.
Network actions to deal with advertising which had been the target of criticism for its questionable taste, was warmly supported by Broadcasting and held up to its readers as an example of responsible action by broadcasters which would clean up the air and dull industry criticism. Here, as in discussion of public service programming, however, the editor confirmed the basic tenet of the networks and the NAB that such action was possible because the networks were financially in good shape. The implication was that the action would not be possible if a broadcaster was not financially stable.

Thus, implicitly, Broadcasting reinforced the concept that a responsible broadcaster concerns himself with questions of Taste in Advertising and Public Service programming, after he has concerned himself with an "adequate" return on his investment. But the editor also admonished broadcasters not to forget all obligations to the public in their quest for the dollar.

Though Broadcasting did not discuss Public Service or other Program Practices categories often, its basic position on the need for good quality programming and the importance of responsible Public Service was congruent with the statements gleaned from both the networks and the NAB. For all groups, however, the basic assumption underlying all arguments, whether in defense of policy presently followed or urging of new policies, was that American commercial, "free enterprise" broadcasting must appeal to and serve the largest possible audience first and only then can other services

---

109 See above, p. 161.

110 See above, p. 164.
be considered. CBS President William Paley summarized it well.

Radio's very vital function is to provide the American public with recreation, relaxation and entertainment. That this superb entertainment has served to gather great audiences for the humanities is a circumstance not to be belittled. 111

This assumption, so eloquently stated here, provides one of the key elements of discussions about public service and news programming responsibilities to be seen in later periods.

111 Paley, p. 118.
CHAPTER VIII
RESPONSIBILITY OF THE BROADCASTER: 1945-48

Historical Context

According to historian George Mowry,\(^1\) the Second World War brought massive economic, social and political change to the United States. The vast expenditures for the war effort solved the chronic depression problems of the thirties as well as providing the country with a sense of national purpose—to conquer the enemy. It sparked a large-scale migration—from rural to urban, from south to north, from inland to the coasts—as people were drawn to large manufacturing centers where wages and work promised a more comfortable life.

The economy boomed and the government became the direct or indirect employer of most of the nation's work force, owner of sixteen billion dollars' worth of industrial facilities and raw materials. Annual federal expenditures by early 1945 had reached over $100 billion, compared to the highest pre-war figure of $8.4 billion.\(^2\) The extent of government expenditure and involvement with the economy set new patterns of relationships between business and government which, in the next two decades, contributed


\(^2\)Ibid., p. 197.
to substantial changes in the American corporate structure.

As the period began, the new president Harry S. Truman, a compromise vice-president who had moved to the White House after the death of Franklin Roosevelt in 1945, faced a series of domestic problems. Labor was unhappy with what they considered discrimination and called a series of major strikes. Truman felt compelled to take extreme measures to keep the railroads running and threatened to draft railroad workers if necessary. He also intervened in the coal strike.

By the 1946 election, Truman was in trouble and the Republicans took over control of both houses, thus effectively crippling the administration's bid for major social legislation.  

Problems of politics served to stifle domestic legislation and the international commitments inherited by the conquerer soon became the dominant concern of the post-war period. The reconstruction of Europe and the Far East was undertaken and hundreds of alliances and treaties grew up in the process. According to Frederick Lewis Allen, by 1948 the United States had become what a man in 1935 would not have dreamed of: we were interventionists in Europe and Asia.  

The cold war commitments to contain communist expansion became the dominant foreign policy rationales for the next quarter century.

---


The internationalism of post-war American and the relative affluence and well-being of the nation returning from war contrasted sharply with the self-centered aura and shaky economic conditions of the thirties. Many people had put their money in savings bonds and in banks during the war because consumer goods weren't available, so as the war ended and industries started converting to a peacetime economy, the public began to spend its money on luxuries and necessities it hadn't seen during the war.\footnote{Mowry, p. 204.}

To ward off the potential of massive unemployment and a possible severe depression, the nation's industrial machine was quickly converted from war production to consumer production. The economy was able to remain somewhat stable because of what John Kenneth Galbraith has called the "synthesis of wants" which was "sold" to the public by advertising and the mass media.\footnote{John Kenneth Galbraith, \textit{The Affluent Society} (Boston: Houghton Mifflin Co., 1958), p. 156.}

Basically, the period 1945 to 1948 was a time of adjustment to the non-war status, a return to a relatively stable consumer economy but with a larger base and a stronger, more centralized and more influential government structure. At the same time, according to some historians, the immediate post-war period (1946 and 1947) was marked with a strong reaction against heavy government involvement in personal and private life that had marked the war effort.\footnote{Mowry, p. 199.} This pattern was visible in many of the actions of
the radio industry during that period, particularly in its response to
the regulatory activism of the FCC.

Radio in the post-war period

As the war came to an end, broadcasting was healthier, wealthier and
somewhat wiser than it had been in the mid-thirties. Before-tax profits
had risen sharply in the war years. In 1944, stations reporting to the
FCC showed an average increase of 47 per cent over 1943 and 125 per cent
over 1942.8 The two major networks—NBC and CBS—had become solidly es-
tablished and were set to begin television production operations. Many of
the unpredictable business and competitive practices which had troubled
the networks in the early days had been stabilized. Sydney Head has de-
scribed the period from 1937 to 1945 as one marked by stability and even
complacency with a "gradual, orderly increase in station and network
competition." He also postulated that two other factors had influenced the
broadcasters: (1) "Increased government surveillance; (2) artificial
stimulation of profits and limitations on competition."9

During the war years, the FCC had assumed a more active role in
regulating the broadcasting industry than had previous Commissions. A
series of decisions and reports from the "Mayflower Decision"10 and the
FCC Report on Chain Broadcasting11 to the "Blue Book" in 1946,12 had

8NAB Reports, June 29, 1945, p. 263; quoting FCC Commissioner
Clifford Durr.

9Sydney Head, Broadcasting in America, 2nd ed. (Boston: Houghton

10The Mayflower Broadcasting Corporation, 8 FCC 333 (1940).

11Commission Order no. 37, FCC Docket no. 5060, May, 1941.

12Public Service Responsibilities of Broadcast Licensees, Report
of the FCC, March 7, 1946.
established a new relationship between the Commission and the broadcast industry which reflected generally increased government involvement in the business affairs of the nation.

As a consequence, the post-war period was one of readjustment from a wartime preoccupation and a relatively controlled economy to one of economic expansion and increased competition. One result of the FCC's network regulations was the court order which forced NBC to sell one of its two networks. 13 This created the American Broadcasting Company, another competitor for the CBS, NBC and Mutual networks. Coupled with this was the sharp increase in small AM stations between 1945 and 1949 and the burgeoning television and FM radio authorizations. Much of this latter growth reflected the concern of AM radio station owners that standard radio might be eclipsed by the new technologies. Thus they hurried to insure their survival by applying for FM and TV licenses. 14 With this increased competition and the uncertainty about futures, many broadcasters felt forced into questionable programming and trade practices, as we shall see in the analysis which follows.

The most significant and influential event of the period was the publication of the aforementioned FCC Report on Public Service Responsibilities of Broadcast Licensees. As pointed out in the brief discussion of this report, in Chapter III of this study 15 the "Blue Book" was not a

---


14 Head, p. 190.

15 See above, Chapter III, pp. 57-60.
regulation, but a report which outlined for broadcasters what the authors felt to be the principal criteria for evaluating a station's overall program service. Its appearance created a furor in the industry which soon settled into an attack on the constitutional right of the FCC to compose and publish such a report.16

As will be seen in the analysis of both the Broadcasting editorials and the comments of industry spokesmen in regard to the responsibility of the Broadcaster, the Blue Book also influenced some reform, and motivated an industry re-evaluation of its traditional way of organizing itself. In that respect, the Commission's document was more influential than some observers have allowed.17

In sum, the period from 1945 through 1948 was one of relative prosperity but careful economic readjustments. The national sights had become focussed on international reconstruction which through setting up foreign markets, tended to help support the economy. Domestically, many of the products and problems which had been held in abeyance in deference to the war effort began to make their appearance in the post-war era. Labor problems harassed the nation, including the broadcasting industry, which was heavily dependent on the musicians' and performers' unions. The commercial application of war-developed technology began to manifest itself as scarcity of materials became less of a problem.

---

16 For a more detailed discussion of these reactions, see Richard J Meyer, "Reaction to the Blue Book," JOB, 6 (Fall 1962), 295-313.

17 See above, Chapter III, pp. 59-60.
Broadcasters felt the surge of growth sparked by their affluence in the war years, the return of men eager to press forward with their businesses, and the expansion of consumer markets in radio and television receivers and transmitting equipment. At the same time people prominent in the industry felt the pressure of FCC activism—what they called "interventions" in the free enterprise system of broadcasting. Much rhetorical and political energy was dedicated to countering government incursions into business and programming practices. During this time, both the broadcast industry and the FCC worked hard to manipulate what Louis L. Jaffe has called "the margin of doubt"—that unclarified gulf between specific law and general principal where each side has power, but neither knows its full extent. 18

We shall see in the analysis that follows some of the dimensions of that manipulation, particularly as the industry reacted to an attempt by the FCC to clarify the "margin of doubt" in the "Blue Book," and how some aspects of broadcaster responsibility were affected by the actions and reactions.

Analysis of Broadcasting Editorials, 1945-48

Summary of Quantitative Data

Between January 1, 1945, and December 31, 1948, 208 issues of Broadcasting magazine were published containing 616 items labelled by

the editor as editorials. As can be seen in Table 3, the number of editorials printed each year was quite variable with a high of 179 in 1945 and a low of 137 in 1946, a drop of more than 23 per cent.

TABLE 3

1945-48: EDITORIALS DEVOTED TO RESPONSIBILITY ISSUE

<table>
<thead>
<tr>
<th></th>
<th>Total Editorials</th>
<th>Responsibility</th>
<th>Responsibility as per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945</td>
<td>174</td>
<td>21</td>
<td>12.0</td>
</tr>
<tr>
<td>1946</td>
<td>137</td>
<td>20</td>
<td>14.5</td>
</tr>
<tr>
<td>1947</td>
<td>156</td>
<td>21</td>
<td>13.5</td>
</tr>
<tr>
<td>1948</td>
<td>149</td>
<td>17</td>
<td>11.4</td>
</tr>
<tr>
<td>Totals</td>
<td>616</td>
<td>79</td>
<td>12.8</td>
</tr>
</tbody>
</table>

The overall average was 3.0 editorials per issue. Of the total number of editorials printed, seventy-nine—or 12.8 per cent—of the total were considered relevant for this study. It will be noted that though the total of editorials dropped between 1945 and 1946, the number of relevant editorials remained constant, even as the totals rose again in 1947.

Examination of Table 4 reveals the following characteristics of the editorial focus on responsibility categories from 1945 through 1948.
<table>
<thead>
<tr>
<th>Category</th>
<th>1945 (N = 21)</th>
<th>1946 (N = 20)</th>
<th>1947 (N = 21)</th>
<th>1948 (N = 17)</th>
<th>1945-48 (N = 79)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
</tr>
<tr>
<td>Trade Practices</td>
<td>6</td>
<td>28.6</td>
<td>5</td>
<td>25.0</td>
<td>5</td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>5.0</td>
<td>0</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>3</td>
<td>14.3</td>
<td>1</td>
<td>5.0</td>
<td>0</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>3</td>
<td>14.3</td>
<td>1</td>
<td>5.0</td>
<td>2</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>0</td>
<td>0.0</td>
<td>2</td>
<td>10.0</td>
<td>0</td>
</tr>
<tr>
<td>Program Practices</td>
<td>15</td>
<td>71.4</td>
<td>15</td>
<td>75.0</td>
<td>10</td>
</tr>
<tr>
<td>Indecent Content</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
</tr>
<tr>
<td>Program Quality</td>
<td>2</td>
<td>9.5</td>
<td>4</td>
<td>20.0</td>
<td>2</td>
</tr>
<tr>
<td>Public Service</td>
<td>6</td>
<td>28.6</td>
<td>9</td>
<td>45.0</td>
<td>4</td>
</tr>
<tr>
<td>News</td>
<td>6</td>
<td>28.6</td>
<td>0</td>
<td>0.0</td>
<td>4</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>1</td>
<td>4.8</td>
<td>2</td>
<td>10.0</td>
<td>0</td>
</tr>
<tr>
<td>Code</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>4</td>
</tr>
<tr>
<td>Security</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>2</td>
</tr>
<tr>
<td>Responsibility</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>2</td>
</tr>
</tbody>
</table>
1. The Program Practices categories dominated attention for all four years, with Trade Practices issues almost disappearing from consideration in 1948.

2. Public Service and News were numerically the two most important categories during the period, though each was not represented at all in one of the four years.

3. Program Quality was the only category which received attention every year of the period and was the third most important subject.

4. Ethics in Programming and the Code categories were discussed relatively frequently late in the period with particular concentration in 1948.

5. The only two Trade Practices categories which received more than passing attention during the period—Taste in Advertising and Over-Commercialization—received most of that attention in 1945, with only minor representation in 1946 and 1947 and none in 1948.

6. The umbrella category, Responsibility, was the subject of four editorials in the 1945-48 period.

7. Some gross trends were apparent: Public Service editorials were prominent in 1945, dominant in 1946, fell off in 1947, and disappeared in 1948. News was strong in 1945 and 1947, but not discussed in 1946 or 1948. Code, Security, and Responsibility were not treated editorially in the first two years but appeared in the last two, with the Code Category the second most discussed subject in 1948. Trade Practices subjects were moderately well represented in 1945 and 1946, and dwindled to only one editorial in 1948.
Table 5 shows the comparative figures for the 1933-35 and 1945-48 periods.

**Table 5**

**COMPARISON OF CATEGORIES OF RESPONSIBILITY**

<table>
<thead>
<tr>
<th>Category</th>
<th>1933-35 (N = 45)</th>
<th>1945-48 (N = 79)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per Cent</td>
</tr>
<tr>
<td>Trade Practices</td>
<td>22</td>
<td>48.8</td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>6</td>
<td>13.3</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>1</td>
<td>2.2</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>5</td>
<td>11.1</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>9</td>
<td>20.0</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>1</td>
<td>2.2</td>
</tr>
<tr>
<td>Program Practices</td>
<td>18</td>
<td>40.0</td>
</tr>
<tr>
<td>Indecent Content</td>
<td>2</td>
<td>4.4</td>
</tr>
<tr>
<td>Program Quality</td>
<td>5</td>
<td>11.1</td>
</tr>
<tr>
<td>Public Service</td>
<td>8</td>
<td>17.8</td>
</tr>
<tr>
<td>News</td>
<td>3</td>
<td>6.7</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Code</td>
<td>5</td>
<td>11.1</td>
</tr>
<tr>
<td>Security</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Responsibility</td>
<td>0</td>
<td>0.0</td>
</tr>
</tbody>
</table>
In making comparisons it should be remembered that the magazine went from bi-weekly to weekly publication in 1941 thus doubling the number of issues published each year. This was reflected in a high number of editorials printed each year and higher number of relevant editorials appearing in the study.

In the table, some general patterns are discernible.

1. In the 1945-48 period a smaller percentage of the editorials were devoted to the responsibility of the broadcaster.

2. Several shifts in emphasis occurred between the two periods. In 1933-35, Trade Practices categories were discussed somewhat more frequently than Program Practices; by 1945-48 the latter dominated Trade Practices by almost two-to-one.

3. Ethical Advertising and Rate-Cutting were the first and third most frequently discussed issues during 1933-35; in the 1945-48 period they received almost no attention.

4. News received little attention in the 1933-35 period but was the second most-frequently discussed category in the 1945-48 period.

5. Public Service was the one category that was important in both periods—appearing more often than any category but Ethical Advertising during the 1933-35 period, and more often than any other category in 1945-48.

The above summary of quantitative data shows some of the broad trends between periods and within the 1945-48 in the attention paid by Broadcasting.
to various categories of the responsibility of the broadcaster. The following section analyzes those trends in terms of the specific content of the editorials and what they said about the responsibility of the broadcaster during the period from 1945 through 1948.

**Summary of Editorial Content: 1945-48**

**Trade Practices**

As we have seen, there was a substantial shift of attention away from the trade and business issues of the thirties and toward programming concerns in the forties. And, even within the Trade Practices classification there was a shift away from business problems like Rate-Cutting, or ethical problems like false and fraudulent advertising, toward relatively more refined questions of taste and over-commercialization. But the number of editorials devoted to Trade Practices issues over the period was very small—fifteen in seventy-nine relevant editorials, and 616 total editorials. Responsible Trade Practices were not, then, something which concerned Broadcasting's editors very much in the mid-1940's.

**Taste and Over-Commercialization**

Two-thirds of the editorials classified as "Trade Practices" subjects dealt with the twin problems of excessive or inappropriate advertising. Both problems were consistent targets of criticism by members of the FCC and the general public, and broadcasters seemed to react to this criticism in different ways. Some took the initiative to correct it and others ignored it. Broadcasting tended to respond positively to attempts at reform, and somewhat defensively to criticism from outside the industry.
In early 1945, for example five editorials appeared on these subjects. In January, the editor presented a plan suggested by a broadcaster that the standard program lengths be changed from fifteen minutes to ten minutes, thus providing six program segments rather than four, and allowing two extra program sponsors. *Broadcasting* supported the idea for a variety of reasons, but among them was a hope that additional program sponsorship would "discourage wholesale scheduling of spot announcement periods" and perhaps rid the air of the kind of commercials "deplored by many industry leaders as auguring against the good of the art."

Potential criticism that such a plan was necessary because it would only create more programs for sponsorship was countered by the editor who charged that this criticism came primarily from jealous newspaper and magazine publishers "who, because of paper shortages, are unable to add pages at will." 19

A specific controversy over sponsorship of news programs spawned two editorials in February and March. Several stations had voluntarily chosen to drop commercial announcements from the body of their news programs, arguing that it was distasteful to have the important news of the day interrupted by an advertisement. The same stations were also attempting to be very selective in the kind of advertisements they allowed on a newscast. In early February, *Broadcasting* strongly and outspokenly supported these actions, arguing that the war had increased the stature

of radio as a swift and intelligent distributor of news, but that this progress could easily be lost.

One need not be a soothsayer to anticipate public rebellion against all broadcasting if the tremendously significant news yet to come from the earth’s four corners is garnished with unharmonious advertising.20

The editor acknowledged that the news was so dynamic that many might not object to poor commercials, but asked if that condition would persist,

"Will the listener, when his greed for news abates—no longer fed by the flames of war—show such forbearance in the face of distasteful copy and midproduction commercial recesses? We think he will not."21

Broadcasting argued, in a familiar pattern, that the public’s interest was great enough that a sponsor would be rewarded by announcing himself only at the beginning and the closing of each broadcast. The final appeal was to the broadcasters to act,

We believe broadcasters—and leadership in such matters rests squarely upon them, not upon the advertisers or their agencies—should face with courage the need to reject sponsors whose messages ring discordant in the sweeping and tragic news of these days.22

A month later some reservations were expressed. It seems that reform of radio commercials had snowballed and stations were not only cleaning up the newscasts and banning so-called "cow-catcher" and "hitchiker" 

21. Ibid.
22. Ibid.
announcements (short spots at the beginning and end of a program plugging products other than those sponsoring that program) but were getting rid of singing commercials. *Broadcasting* did not disapprove of these actions, but merely felt that things were getting out of hand when a newspaper chain "itself in radio ownership," objected to "radio saying 'brought to you by' in its news broadcasts." The editor argued that such an attack was "below-the-belt" and was not germane. He reminded broadcasters that the American system was the "best and most progressive in the world," that advertising and copy techniques were constantly improving, and then he invited comparison to newspapers. The editorial closed with a simultaneous call to action and restraint.

Let's improve radio service. But let's do it on the basis that the great job now being done can be done a little better. Let's not be stampeded by zealots who don't know or don't care where to stop.23

Two weeks later, in a generally favorable response to a speech by FCC Chairman Paul Porter who was critical of the number of commercials on the air, Broadcasting once again took a defensive stand. "It's not our contention that it's a synthetic issue," wrote the editor, "although we feel much of it is being fed by those who would put commercial radio in a straight-jacket."24

In November the tone changed again when the reform was advocated not by a natural enemy of the broadcaster such as the newspapers or the

23"Stop, Look-They Listen," B, March 5, 1945, p. 42.

FCC, but from within the ranks. Bryson Rash, then special events director of WMAL Washington, D.C., had written a column in a local newspaper which called the hitchhike announcement "a trick method of punching a commercial message" to an audience lulled by a pleasant program. He insisted that radio could be better than that. Broadcasting emphasized that Mr. Rash was a "toiler in the craft" whose "devotion to its future is sincere and believable." The editor admonished readers that "it is time to sit up and take notice," warning that if "the listeners believe as does Mr. Rash... then we cannot be oblivious." 25

In all the advertising practices editorials in 1945 the basic position was one of support for fewer commercials and "better quality" commercials which did not offend audiences. The chief arguments soft-pedalled criticism from "outside" the industry, and used criticism from within as persuasive appeals. The ultimate appeal, however, was to the power of the listeners—if they are displeased, then something must be done.

Three of the four editorials on these categories appearing in 1946 and 1947 advised broadcasters to reform their advertising practices. Twice in 1946, the editorials cited public reaction; the third, in 1947, added the voice of advertising agency executives as the motivation for action.

The first of these advertising practices editorials appeared two weeks after publication of the Blue Book as part of what would become a series of fourteen editorials in response to the Blue Book. While agreeing

25 "By Courtesy of..." B, November 12, 1945, p. 54.
in part with some of the Blue Book comments on commercial practices, the editor stoutly resisted the Commission's right to comment on them at all. Instead, the editor's argument was based on a public opinion survey commissioned by the magazine which showed that one out of three of those interviewed was critical of commercial announcements. The editor's reaction was unequivocal in this matter.

American broadcasters are not fulfilling their obligation to the listening public, nor, for that matter, to themselves, as long as one of three listeners disapproves of the commercial messages which form the foundation of the art's freedom from Government subsidy.26

Like the newspaper publisher, he claimed, licensees are the "custodians of the public interest" and must "keep in mind always the commonweal. As such custodians, they cannot take the pulse of the public interest on the keys of an adding machine."27

Broadcasting advocated reform by individual broadcasters upon whom rested the "responsibility to make themselves presentable in the eyes of the public." Once this was accomplished, the magazine asserted, "any effort to suspend above them a sword of Damocles on a frail thread of 'public interest' will avail nothing." The reforms were those already discussed in earlier editorials: excessive commercialism, hitch-hikers, cow-catchers "isolated cases of advertising that offends." With it all, however, there went a recurrent admonition that the obligation was to the whole public not to seven members of it and their advisors who sat on the FCC.28

---

27 Ibid.
28 Ibid.
In October of the same year, the publication of the study of American radio audiences, *The People Look at Radio*, confirmed some public disenchantment with advertising. *Broadcasting* again editorialized urging broadcasters to "undertake immediate improvement of his product in the direction those listeners indicate." 29

The following January, a *Broadcasting* survey of advertising agency executives revealed that 51 per cent felt there was too much commercialism in radio and were critical of the quality of advertisements, the inexpert integration of messages with the production, the "crude and objectionable" nature of some commercials, and, finally, the degree of repetition found in commercial presentation. The view of the professionals corresponded with the audience, thus giving *Broadcasting* a double argument for improvement. Unlike the October editorial, however, urgent action and unequivocal admonitions were not in evidence. After indicating that the broadcaster should be the one to resolve the problem by instructing sponsors in the proper use of the medium, the Editor then sounded a familiar theme. Such a problem, he claimed, does not exist with regard to the large advertisers for they have long ago "discarded outworn commercial practices." The ones needing guidance are the "newcomers." The position is similar to the oft-repeated argument heard in the thirties that a "fringe" of operators were responsible for poor practices. At any rate, the editor advocated "self-improvement" by strengthening program operation down the line—with heavy emphasis on continuity acceptance." 30


Rate-Cutting, Unfair Competition and Ethical Advertising

Five editorials were written on these three subjects during the period as opposed to fifteen during the 1933-35 period. According to Broadcasting, rate-cutting business deals had all but disappeared during the war years, but the loosening up of air time and the rise in the number of stations had revived the practice. Once in 1946,31 and again in 1948,32 Broadcasting urged station managers to "set up suitable safeguards against time-chislers," and reminded them that these advertisers "can't exist unless stations do business with them." The practices and the rate-cutting deals had changed little since the thirties and thus the editorial arguments were much the same. The chief difference was in the small amount of attention paid the problem in the forties, indicating that the extent of this practice was not great.

The single editorial which attacked unethical advertising practices appeared in 1947, and criticized a firm of so-called "merchandise brokers" which solicited products to be used as prizes or giveaway shows. One company asked manufacturers for three merchandise gifts and $150, for which the donor would receive a plug on a nationwide program. The editor deplored the practice in unequivocal terms saying that if prizes are required for a program, the sponsor should buy them, and that if "trade-names of non-advertising firms are to be mentioned on broadcast programs, then straight commercial rates should be charged."33

Unfair competition warranted two editorials, one of which criticized the suggested use of unattended repeater transmitters to bring medium range stations into new markets. The other deprecated the misrepresentation of station ownership as an improper practice which could result in licensees without financial, technical or character qualifications.

To summarize, Broadcasting magazine paid little attention to Trade Practice issues during this period. What little was written was focussed largely on questions of Taste in Advertising and Over-Commercialization. In general, the editor condemned advertisements placed in the body of newscasts, comparing it to finding an ad in the middle of a newspaper story; supported some station's efforts to use only "appropriate" advertising for news programs; urged a ban on hitch-hiker and cow-catcher spots, particularly ones not in keeping with the mood of the program. Broadcasting advised broadcasters to clean their houses of bad practices as the duty they owed their public with the reminder that the "public interest" could not be found "on the keys of an adding machine."

In general, there was continuity in the editorial position and the arguments used through the roughly two-year-span during which these issues were discussed. The editor generally disapproved the same things, and appealed for reform on the grounds that the audience should not be offended or alienated by commercial practices. The position was basically the same as earlier arguments (1933-35) on Ethical Advertising, but without the


direct appeal that it was good business to comply. There was some continuing sense of the threat of FCC intervention, but it was not the dominant appeal in most editorials dealing with advertising practices. More often, audience considerations dominated the argument.

Program Practices

In 1945, a number of editorials in various categories of Program Practices reflected wartime themes. Some were lofty compliments on the service broadcasters had performed, while others urged care and accuracy in news treatment.

Once the Blue Book appeared in early 1946, a shift of emphasis and tone could be detected in the editor's treatment of a number of categories. The immediate editorial goal was to counter the FCC—often without explicit reference to that aim. Editorials ostensibly on news or program-quality subjects implicitly attacked the propriety of the Commission's action in issuing the Blue Book.

From March 18 to June 15, 1946, Broadcasting magazine published fourteen editorials under the heading "Program Report;" discussing issues surrounding the Blue Book. Less than half of the reports made any direct response to the question of Broadcaster Responsibility. The majority attacked the Commission, the framers of the Blue Book and the right of the FCC to comment on programming. While the editorials did not totally whitewash the criticisms contained in the document, they tended to minimize them with praise for the "best system in the world" which "could be made better."
Gradually, through 1946 and 1947, the direct impact of the Blue Book waned and editorial energies shifted toward urging organization of broadcasters to better control their own business or criticizing some program practices in the industry. Once again, there is a discernible shift in Broadcasting's editorial emphasis depending on circumstances. When the FCC attacked, the editor tended to soft-pedal problems he himself had already criticized. The analysis that follows should illustrate these trends and patterns in greater detail.

Public Service

Of six editorials in 1945 discussing the Public Service performed by radio, three were in praise of the role broadcasting had played in the war effort and would play in the peace effort. In February, Broadcasting speculated on the future role of radio once hostilities ended and saw in it a continuation of significant service not only to the public on the home front, but also a continuing service to the armed forces in other parts of the world. The editor waxed philosophical in his summary of the accomplishment and promise of the radio medium.

What radio has wrought in this war is being told with every move of our military forces. The map has shrunk to a day's hop from almost anywhere. And the voice of radio from anywhere is instantaneous. Inevitably, after the peace is written, it will be the radio voice that must hold together this new One World.36

The theme was sounded again in March when Broadcasting proudly chronicled the historic broadcast of an historic event—General Douglas MacArthur's fulfilling his pledge and turning the liberated capital of the Philippines over to its President. The ceremony was carried on all the networks and overseas via short wave and symbolized, to the editor, the future of the medium. "As nations are liberated, the world will eavesdrop. And when the map of the world is redrawn, radio will be there."

When the "peace is written," proclaimed the editor,

it will become free radio's big function to help maintain the peace by keeping the world informed, and by overtaking the lies or half-truths of upstart aggressors. 37

In August, when Japan was on the verge of total surrender following the atomic bombings of Hiroshima and Nagasaki, Broadcasting looked back over the war years and congratulated the broadcast industry for giving its best in the "nation's hour of crisis" by supplying time and personnel with "little regard for cost." But the future, it claimed, held more glory and greater challenges.

As the nation turned to its loudspeakers during the war to keep informed and entertained, so it will turn to newer and better loudspeakers— and viewers— to learn and to laugh and to weep as history is unfolded hour by hour. The responsibility is a heavy one. The facilities made possible by the American system of free enterprise have completed their part in the task of saving democracy from tyrannical dictators who used the State to advance their selfish cause. Now American radio faces the job of helping a democratic nation through troubled years. 38

37 "Delivered, via Radio," B, March 5, 1945, p. 42.

38 "Well Done, So Far," B, August 20, 1945, p. 48.
The appeal of the editorials was almost ceremonial in nature—a celebration of the triumph of the nation over its enemies expressed through praise and challenge of the radio industry. No details of future service were given, merely an abstract promise that radio would serve as it had in the past to bring the world and the nation together through its ability to inform and entertain.

Three other Public Service Editorials appeared during 1945, each with a slightly different emphasis. Local service was lauded in May, on the occasion of the first annual Radio Week sponsored by Kiwanis International. Local stations all over the country were given awards for their public service, and Broadcasting used the opportunity to remind broadcasters of their roots and advise them of their priorities.

The backbone of radio service is local. Those stations which afford means of local self expression, and which therefore are vibrant, integral parts of their communities, have made radio an indispensable factor in the American way of life.39

This same occasion also featured a major policy speech by then president of the NAB, J. Harold Ryan, which as we shall see in our examination of the industry context, did not dispute the above statement but certainly provided a different emphasis.

The second editorial was in praise of the Institute for the Study of Radio held annually by KOIN, Portland, Oregon, for the enlightenment of educators. Broadcasting quoted, and then seconded, the Institute's

definition of public service, claiming it "might well be a shining slogan for all stations." First the definition:

We define public service as the successful communication of local and national ideals (economic, social and cultural), according to the peculiar needs of each station's listening audience. It is democratic in function, free from bias, or selfish interest, and inseparable from every phase of station operation.40

The slightly defensive tone of the editor's closing comment reflects some of the long history of antipathy between broadcasters and educators critical of the mass medium.

Educators will leave such institutes of study with a keener appreciation of radio's contribution to our cultural life, and with more sharply defined ideas of how our kind of radio can be utilized in our kind of educational world.41

The third editorial argued against the FCC program service evaluation which classified some sustaining features as public service and any sponsored program as commercial. The editor urged stations to adopt a new credit line for sponsored programs in the public service category like "market reports, weather, news, forums, perhaps symphonies." The credit would read simply: "This program is (has been) presented as a public service by the Local Electric Co."

"That," claimed the editor, "is public service."42

Public Service editorials in 1945 reflected the times and a certain pride in radio's participation in significant events. In one sense they were euphoric and relatively confident in tone with echoes of idealism in

---

40 "Slogan for All," B, July 2, 1945, p. 44.
41 Ibid.
the great service to be rendered by the broadcasters in the future. Indeed, most of the categories of Program Practices reflected this same "upbeat" feeling with only occasional reminders of the kind of pitfalls awaiting the unwary. The Blue Book changed that.

Beginning in March of 1946, and lasting until December of that year, the major theme of Public Service editorials was the Blue Book. Implicitly or explicitly the editorials defended the record and practices of the broadcaster and castigated the FCC for its intervention. In December of 1946, and lasting through 1947, the editor argued that the broadcaster should understand his audience better and should reaffirm his authority and responsibility for programming his own station.

The first Blue Book response took the entire editorial page on March 18, 1946. It itemized the creation of the report "under a camouflage of innuendo" and questionable tactics, and questioned how the Commission was to determine the public interest. "Is it in the public interest that Congress should defeat the GI housing bill? . . . Is it in the public interest that newspapers carry comic strips? Or that Esquire should publish the Varga girls?" No one man or no seven men can answer those questions, claimed the editor.

The public determines what is in its interest, and rejects that which is not. The public has not rejected American radio. There is evidence, on the contrary, that it has acclaimed it—in a survey which appears in this issue.

At the same time the editor admitted that "there is need for improvement" as "what art, what profession, business or governmental process cannot be improved?" The solution to the problem was in the process of natural selection.

It's time the Commission cleaned up its docket. The more stations it authorizes, the keener will be the competition. Then the public, with its own interest in mind, will decide the fate of those licensees who are guilty of "excesses." Just as in its admonitions to broadcasters about advertising practices, Broadcasting used the public as the keystone of the argument and free competition as the vehicle for change.

Various forms of defense and argument appeared over the next six months as Broadcasting sought to deal with the many challenges raised by the Commission report. In May, Broadcasting reported that many stations were cancelling commercials and "donating time to questionable causes" to improve their sustaining time "showing." The editor rebuked them mildly and castigated the Commission for its time classifications.

Stations, in the aggregate, need make no apology for their public service. They should not for a second consider degrading their standards of program acceptance to appease pressure groups or to satisfy the FCC. There's nothing wrong with commercial radio except that FCC's wholly fallacious definitions as set forth in the Blue Book.

To prove this, the editorial cited a report released by the Advertising Council entitled "The First Hundred Days" which was a survey of public service advertising during the first three months of 1946.

---

44 Ibid.

showing that a sizable number of non-commercial spot announcements and unsponsored programs had been presented—"four billion listener-impressions" or the equivalent of "forty messages per listener." 46

Two weeks later, another tack was taken. A kind of testimonial from a station manager—"one of the radio art's average well-known executives"—was presented. The manager of a regional station in a one-station city claimed to have studied the Blue Book carefully and decided to try and do something about some of the shortcomings on his own station. He mounted a local discussion of veteran's education with all care for professional quality and featuring top educators in a discussion of the question. Three top network shows were pre-empted for the ninety-minute special and the manager had a telephone survey taken of the audience. In the first five minutes it was the usual audience, 42 per cent; in the final ten minutes it had dropped to 4 per cent. "There's the Blue Book in action," crowed Broadcasting.

This hour and a half program was replete with local talent. It was a sustaining community broadcast at an excellent time produced by capable professional broadcasters to the best of their ability. It sabotaged the audience. 47

And then the editor hit with the clinching argument, one that had been employed in one form or another countless times during the class allocations controversy in the thirties: "You cannot serve the public if the public isn't there." 48

46 Ibid.


48 Ibid.
Events of national import offered Broadcasting another argument. On May 25, President Truman, in order to head off a crippling railroad strike, went before Congress—and before the nation via radio—to request permission to draft strikers into the army in order to keep the trains moving. He did not need to execute the request for the strike was settled within the day. Radio's part in "halting the 'aggression' within our own nation" was seized by the magazine's editor as further proof of the importance of a "free system of broadcasting" in serving the nation in times of crisis. The language and argument mixed the patriotic paens of 1945 with an attack on the FCC. "Could you do this on any but a free radio? Would the words of the administration's leader be as unassailable on a medium subject, even in a degree, to administration control?" Of course not, implied the editor. The final comment was the by-now almost obligatory, "We acknowledge that there are some excesses on American radio which must be corrected," but with this added cliche: "There also is an abundance of democracy." \(^{50}\)

A month later the editor printed a detailed accounting of time and money spent, mostly by the networks, in serving the American people. In 1945, claimed Broadcasting, nearly five million dollars in advertising income had been sacrificed by the broadcast industry in order to "broadcast programs in the public interest." This, the editor felt, proved that

\(^{49}\)Morrison, Commager & Leuchtenburg, p. 622.

"Where public interest and personal gain conflict, the American broadcasters give public interest the right of way." 51

In September, another editorial praised the work done by advertisers, agencies and broadcasters during and after the war in developing programs and spots for support of the government. The editor cited a success story for Lipton Tea. The company had sponsored March of Time feature on CBS called Hunger Marches On, which had received great praise and brought much good will to the company. Broadcasting praised the practice and commented that a number of advertisers had found that so-called "public service" donations were "paying an unexpected dividend by creating demands for the goods of sponsors." This was followed by a promotion for radio: "With the appropriate program, there is no better institutional or prestige-building vehicle than the spoken word of radio." 52

Unlike earlier comments, this one seemed more prescriptive than defensive, even though part of its message was rooted in the now-familiar "see-what-radio-has-done-for-the-nation" argument. The emphasis was on the positive steps some have taken to accomplish better service, held up as an example to others, rather than as a direct counter to the FCC. This approach foreshadows the emphasis found through 1947.

A secondary theme appearing in two 1946 Public Service editorials was the need for absolute fairness in treatment of politics and political issues.

51 "Who does more?" B, July 8, 1946, p. 46.

in the election year. One in June warned station managers not to "kiss off the problem" but to voluntarily provide acceptable time for politics to answer commentators. Broadcasting called for action.

We're for an immovable sustaining period voluntarily provided in peak time for networks which play with firebrands so the other side may be heard. It's logical, it's healthy and it's right.53

In support, the editor grew eloquent about the power of radio to make a "tremendous impact on the voter's consciousness."

Having such influence, radio's voice should seek impartiality. It should endeavor to give fair attention to all. It should, in its wisdom, present to the American voter—as no other medium can be said to do—a political prospectus replete with facts upon which he can base his decisions.54

This position in regard to political questions consistent with the editor's position in the thirties as well as in fifties and sixties. Part of it is based on recognition of the political realities of government regulation and control, and part on what seems to have been a genuine conviction that radio, unlike the newspapers, should not ally itself with political parties but maintain neutrality. These were the only two editorials published on this subject during the period which clearly advocated the duty of the broadcaster.

As indicated earlier, by the end of 1946, the defensive attitude had taken a somewhat different course and more attention was paid to urging broadcasters to improve their service and to take greater charge of their own programming.

53 "Don't Laugh It Off," B, June 3, 1946, p. 50.

54 "Political Question," B, August 12, 1946, p. 50.
Any way you look at it, the most precious right a station operator has is the privilege to program by his own lights, reflecting the wishes of his audience. Some of that privilege has been wrested from him by commercial interests. More of it has been wrested from him by the Government. He must regain it. 55

At this point, editorials in the Public Service and Responsibility categories began to overlap in some aspects. The editor advocated and supported others who advocated the establishment of means to find out what the "public's interest" was in radio, and at the same time to press broadcasters to insist that all programming decisions were his, not those of advertisers or bureaucrats.

So we find, on February 17, a rather detailed account of a speech by Robert F. Elder, a vice president of Lever Brothers and inventor of the A.C. Nielsen Audimeter for audience measurement. Mr. Elder was quoted by the editor as saying that we advertisers and broadcasters "are false to our trust if we seek temporary individual profits at the expense of the public goodwill or radio as a whole." He went on, that the most serious charge against radio was that advertisers, agencies and broadcasters did not know where they stood with the public. He advocated a "comprehensive" and "unbiased" study of public attitudes. Broadcasting affirmed the proposal:

Public interest is the public's interest. Find out what that is and the marginal critics will be stilled forever. 56

One month later an editorial praised the idea of establishing a broadcasters advisory council made up of advertisers, agencies and


broadcasters to make recommendations to the Standards of Practice committee of the NAB on ways to improve radio.

Certainly all those in radio do not feel that optimum service is being delivered. Even with radio's wealth of research and audience survey activity, not enough is known about public program tastes. There should be a continuing study of public acceptance of programming, paralleling or going beyond the continuing newspaper study.57

The "brisk competition" of the many new stations and the criticism of reformers aiming their "big berthas" at radio advertising, concerned the editor and he felt an advisory council could help deal with these problems and others. Such a group, he asserted, could clear up the confusion about commercial credits and "strong-selling" commercials, and "end the bickering about continuity acceptance, and place the responsibility where it must report—with the broadcaster."58

This last comment reflected the secondary theme running through a number of editorials of the period. Part of the problem confronted by broadcasters in reforming their practices was the resistance of advertisers and agencies who had gained a strong hold on parts of the radio industry. Thus Broadcasting, and some others in the industry, as we shall see later, urged broadcasters to take responsibility for their stations, programming, and advertising. The most explicit call came in February, 1947.

The responsibility is the licensee's, and he should not only accept the burden but eagerly take it up. It is his alone. This is the responsibility to offer by virtue of the franchise he holds the best that is in him to give. A responsibility of


58. Ibid.
of such high order cannot be shared, for then it ceases to be a responsibility, but rather becomes an empty chalice to be held to the lips of all who shout "Share it with me."59

The editor continued, in this somewhat pontifical tone, to outline the challenge of this "high calling" if one aspires to "greatness and goodness" in such a role he shall "feel on occasion the chill wind of criticism."

Let them say that you fail in your public responsibility to improve the art. Let them say it and listen to them for their voices are important, but make them acknowledge that the responsibility is yours, unshared.60

In this appeal can be detected a number of strands of defense woven into a positive proposal for action. The FCC, the advertisers, and reformers had been impinging on what the editor perceived to be the arena of decision exclusive to the broadcaster, and the broadcaster had too often acquiesced. The call for accepting full responsibility was an attempt to move managers to resist, with honor, the incursions. An editorial in April, 1947, lauded NBC for cutting some comments off the air during a Fred Allen program. Broadcasting's argument in this relatively small incident followed the same line: "Radio has a responsibility as to what fare is sent into the nation's homes. That isn't delegated to the performer, the advertiser or his agency."61

A more serious issue emerged in February, 1948, but the basic argument for broadcaster responsibility was the key to response. The FCC had


60 Ibid.

affirmed in the Port Huron case\(^\text{62}\) that licensees could not censor political broadcasts by candidates and accordingly could not be held liable for libelous statements made on such programs. Broadcasting feared that broadcasters would have to carry anything—whatever "any wild-eyed politician wants to spout"—including obscene, libelous or subversive statements. The other alternative might be that stations would not broadcast any political programs at all. Neither alternative was palatable, and the editor pointed out the irony of the situation.

The licensee, charged by law and the FCC's own rules with final and undelegable responsibility under pain of revocation, must delegate every shred of responsibility when political broadcasts are involved.\(^\text{63}\)

The service of the broadcaster was, according to Broadcasting, being jeopardized by practices over which the broadcasters did not always have control, so, the magazine argued, the broadcaster needed to insist on control. The plea for broadcasters to take charge of their destinies more firmly had the added advantage as an argument that it could be used as a critical wedge against critics and "usurpers" at the same time as it was used as a positive goal for the industry.

The two remaining editorials under the Public Service category appeared in 1947, and both were directed explicitly at the Blue Book. The first, in April, quoted at length the Governor of Texas who praised radio for its help in the wake of a disastrous storm in the panhandle and a

\(^{62}\) Port Huron Broadcasting Co. \(12\) F.C.C. \(1069\) (1948).

\(^{63}\) "Political Mischief," \(B\), February 9, 1948, p. 50.
"catastrophic explosion" at Texas City. News and appeals on radio speeded relief and aid from thousands around the country. *Broadcasting* pointed out that commercial radio donated its time to help.

That service was rendered spontaneously as a matter of duty by commercial stations operating under the American plan. It took no Blue Book calculations of commercial vs. sustaining or government fiat to get action. . . . That is the way of free enterprise. That is the tradition of a free American radio.64

The second, in August, discussed a survey of sustaining time conducted by the NAB. The results indicated that less air time was devoted to sustaining programs than the Blue Book had said, but that at 34 per cent it was still far more than the 20 per cent some had argued was the bottom limit. *Broadcasting* felt that as more stations came on the air, the amount of sustaining time would increase as competition for income became greater. "That is the way it should be accomplished, if at all" asserted the editor, not by government quota.65

Both editorials were reactionary and defensive in their proclamations about the correct criteria of public service by broadcasters and showed clearly the continuing impact of the Blue Book. Though the editorials had shifted to more positive tones for the most part, the editor could not bypass the opportunity to blast the Blue Book.

To summarize, the editorials in the Public Service category reflected Broadcasting's pre-occupations during the period. In 1945 they tended to

64"Hour of Need," *B*, April 28, 1947, p. 48.

praise radio's war record and forecast new challenges and new triumphs during peacetime. Direct criticism of public service philosophies or program practices was non-existent. The criticisms were implied, however, when the editor held up a particular station or idea for praise and attention and proclaimed it a good thing.

In 1946, after the Blue Book, the tone and approach changed. With a regular, almost obligatory, nod that all was not perfect, the editor set out to discredit the FCC and the Blue Book, by insisting that the public should be the arbiter of the proper program balance, and that the cold dictation of standards by seven men in Washington was not acceptable. Examples of radio's voluntary service were cited. It became evident, however, after seven or eight months that stations were capitulating to the Commission in making changes, and Broadcasting shifted emphasis and began to urge broadcasters to (1) find out what the public was interested in; and (2) to take the reins of responsibility away from advertisers, agencies and bureaucrats and make programming decisions themselves. As we shall see later, the first point reflected the industry's growing interest in audience research as a basis for programming decisions, as well as for a defense of existing practices.

We shall see also that these particular recommendations lead easily into the process of Code building editorialized about rather heavily in late 1947 and early 1948. But before discussing this evolution, we shall examine the News and Program Quality categories which were the second and third most discussed subjects during the period.
News

The issue of responsible news broadcasting was hardly discussed in the 1933-35 period; and when it was, it tended to be a defense of the right of radio to present news. The years between 1935 and 1945 had made such arguments unnecessary. Radio news had reached puberty during the war years, and though competing print media like newspapers and news magazines were frequently critical of radio's brevity in presentation, all had adapted to its existence. Consequently Broadcasting devoted substantially more editorial space during the 1945-48 period to discussion of radio news responsibility than during the earlier period and the editor's comments were often paternalistically critical of the adolescent.

Unlike the Public Service category, News editorials were reasonably consistent in their themes and subjects during the period. Seven of the eleven editorials in which News responsibility was discussed, commented on specific questions of news standards; two of the remaining four discussed recognition of the radio medium as a partner in the freedom of the press guarantees of the Constitution; one offered advice on coverage of national news events; and the last one discussed self-censorship in the interests of national security. All these editorials seemed to be responses to specific events and not to any general campaign being waged by the magazine—as in the case of the anti-Blue Book commentaries already discussed.

Three editorials in 1945 reflected the problems of reporting the war effort. All three admonished broadcasters to restrain their inclination

66See above, Chapter 7, pp. 167-69.
to be the first to broadcast big news—specifically, announcements of the war's end. In April the editor predicted:

The world's all-time, winner-take-all, champion [sic] journalistic sap is going to be the chap who goes on the air and announces to a waiting audience that the war is over in Europe—BEFORE THE WAR IS OVER! 67

Reminding its readers of the "responsiveness of audiences to the broadcast word" as illustrated by the Orson Welles "War of the Worlds" broadcast in 1939, Broadcasting urged "a cool head" and a "dispassionate eye on that news wire, which has its own limitations" since fallible humans write the words it carries. "No matter what the source, check it," the editor advised. "Radio must do this job with poise, with dignity and with memorable good judgment. That is possible at no cost to news enterprise." 68

Early in May the editor's prediction was realized when an erroneous announcement of Germany's surrender was sent out on the Associated Press wire, and broadcast hastily by many stations. "Radio's greatest virtues—speed and clarity," warned the editor, "likewise constitute its greatest danger and temptation." He claimed that since radio did not have to wait for an "extra" to be printed as did the newspapers, it had more time to check stories before airing them. And the legend of the "scoop" carried over from the newspapers "has no place in radio. It is outmoded." Broadcasting's final admonition was:

Whether it's for press or radio consumption, let's have a permanent armistice on rumors. 69

67 "When in Doubt, Don't," B, April 2, 1945, p. 46.
68 Ibid.
A premature announcement of victory over Japan was described in the August 20 issue, and once again Broadcasting was critical of radio in jumping too quickly to "scoop" the opposition. The editorial pointed out that in newspapers, wire service copy sifts through various editors and often is stopped or slowed until some confirmation appears. "But if radio establishes no editorial barricade between that news service and its listeners, it might as well be without editors." 70

Two editorials appearing in 1947 also dealt with the question of accuracy. One described a hoax or simulation broadcast by an Armed Forces Radio Service station in Japan. "News" bulletins about the sighting of a sea monster in Tokyo harbor had "thrown Americans in the Japanese capital into a frenzy." The captain in charge of the station had no previous radio experience and admitted he had not thought about the possible results. Broadcasting's conclusion was that dramatizations should not use terminology like "flash" or "bulletin" and real places and names should be avoided.

The editor concluded:

The Tokyo incident proves another thing: Radio is a highly skilled profession, more sensitive than any of the other media. It cannot be entrusted to amateurs. 71

A second editorial appeared in September and led with this observation: "The day of the hopped-up domestic news story for headline purposes during dull news spells is on the way out, thanks to radio." The stimulus for the

70"What is a Scoop?" B, August 20, 1945, p. 48.

comment was an occasion in which a news service report about a hurricane blowing up in the southwest went on the network back to the area where the storm was supposed to be. By the time the report had gotten on the news wire and been broadcast on the network, the storm had blown itself out. Local stations objected strenuously to this distortion of news reports. Broadcasting outlined the lesson to be learned:

These recent incidents...point up the need for a high degree of accuracy in reporting of local events deemed worthy of national distribution. Give radio an assist in the incessant campaign for more faithful news reporting.72

These five editorials criticized, with no equivocation, specific news practices considered by Broadcasting to be less than responsible. The editorials were similar in that they recommended careful, accurate, and non-sensational news reporting by stations and networks. They also tended to be critical of the wire services for excessive competitive zeal and resulting inaccuracies, but responsibility for mistakes was placed, in each case, on the broadcaster.

Radio commentators came in for criticism in one editorial in 1945 and another in 1947. The first, revealingly titled "Wrath & Ratings," discussed the reasons why "radio's chronic headache boys—the likes of Winchell and Pearson" were not headaches for newspapers which carried their columns. Broadcasting pointed out radio's "terrific impact," "dramatic incisiveness," and the fact that newspaper copy editors have the opportunity "to edit fancy flights of writing" before publication.

whereas live radio does not provide such safety valves. The editor was critical of the "sharp and flamboyant mouthings" of "pundits" who "carry on their own political and personal vendettas, upbraiding those they don't like, while showering glory upon their favorites." The editorial urged "radio as a whole," to "recognize certain minimum standards on news reporting. There should be proper safeguards voluntarily invoked by radio as an entity." 73

Two-and-a-half years later, one of the "headache boys" Drew Pearson, was criticized sharply for using the ABC microphones for what Broadcasting felt was a personal issue. Congressman Robert F. Jones had been nominated to fill a vacancy of the FCC. Pearson testified against confirmation in Senate hearings, leveling charges of misconduct against Representative Jones. He repeated the charges and his opposition in a radio commentary. Broadcasting insisted that Pearson's motives were "personal" and "selfish" since he and others were applicants for the license of WBAL in Baltimore, the Hearst-owned station which had been referred to frequently in the Blue Book as an example of various bad practices. Pearson's application was specifically premised on this Blue Book criticism and his challenge to take over Hearst's license was seen as a bad omen for broadcasters. With this as background, the editorial denounced Pearson for his commentary and suggested that Representative Jones should have time to reply on ABC. While carefully explaining that Broadcasting had always felt that "radio

would be better off without the tawdry sensationalism of some commentators," and that the editor, in the past, had considered such decisions to be a "purely management matter," he felt the Pearson affair had dangerous ramifications. "Sentiment builds up in Congress . . . in support of . . . legislative restrictions which impinge on freedom of the air," the editor warned, and the Pearson commentary gives radio "another black eye." As a result, he claimed, "Years are added to radio's quest for full freedom. We think it bad journalism and bad radio."

In the final paragraph, the editorial, interestingly, did not make a summary plea for restraint or restriction by either ABC or Pearson, but instead urged Pearson to "withdraw from participation in the application for the WBAL facilities" since he had involved himself in the internal affairs of the FCC. What began as a discussion of the propriety and responsibility of sensational commentators ended as an appeal to Pearson to withdraw his license challenge.74

In October, 1945, a brief editorial criticized a recent occasion when an announcement by the Secretary of State concerning a major meeting involved with "settling the peace" was not accorded full, four-network live presentation, which Broadcasting felt it warranted. The editor was careful not to suggest that all cabinet officers should receive such treatment, but urged that some events should be presented via all channels for the good of the public.75 This was the only instance in which the editor of


75 "Tandem Hookups," B, October 13, 1945, p. 54.
Broadcasting attempted to project his news judgment on the networks, except in criticism of news inaccuracy or distortion.

Three editorials discussed the general area of "press freedom" as it related to the public's right to be informed. One appeared in 1945 and was reminiscent of the "Press-Radio" conflicts of a decade earlier. The editor bemoaned the fact that among a number of more minor slights, radio had not been asked to participate in a "press-Congress inspection of Nazi horror camps." After claiming radio's right to equal consideration from all government sources, Broadcasting urged broadcasters to assert "their hard-won position in the news field more militantly." Without recognition of this equal status, the magazine insisted, "freedom of speech and the press suffer." 76

A similar chord was struck in 1947 after the House Unamerican Activities Committee began its hearings on the alleged Communist subversion in Hollywood. The editor discussed the concept of a free radio as a right which "can't be taken for granted," because "it is freedom of speech that is involved and that must be defended constantly." While not taking a position on the Committee or its methods, Broadcasting agreed with Paul V. McNutt, counsel for the Motion Picture Association, that the issue basic to the inquiry was not Communism, but freedom of speech. It commented that, unlike other media, radio was constantly fighting government restrictions on its freedom. Then a familiar theme was sounded:

It has taken time and travail to impress these older media with the danger to all in radio's plight. If all media for mass communication unite there can be no failure. The public would not condone it. But the public must be kept informed and only by maintaining a free flow of speech, by whatever means it is conveyed, can the public know.77

The appeal to unify and oppose restrictions on media freedom—particularly radio's freedom—cloaks what appears to be a conflict between the Editor's concern with the cold war threat of internal Communist subversion, and his belief in a radio free of government program control. World War II had supplied a model and precedent for cooperative control of news in a system of voluntary censorship. This was the topic of an editorial in April, 1948. Reminding the readers of radio's record of accomplishment during the war, the editor talked of the broadcasters right to present news in full and praised the quality of men engaged in radio news.

While broadcasters are zealous in presenting full news coverage they also recognize their responsibility as Americans to safeguard the nation first. The secret of a new defense weapon must be guarded as carefully by every broadcaster as though a code of censorship did exist.78

Issues similar to those raised in these last editorials, which dealt with News and Security, also appeared during 1947 and 1948 under another category. Three editorials classified under the category National Security expressed the editor's concern about the Communist threat and meshed with the issue of the broadcaster's responsibility to "safeguard the nation." Instead of being concerned with news accounts exposing military secrets, the National Security editorials focused on the threat of infiltration of


78"Sense or Censorship," B, April 5, 1948, p. 56.
alien ideas. In January, 1947, quoting a pamphlet published by the Chamber of Commerce of the United States, Broadcasting described a conspiracy to establish the American Author's Authority which would be the exclusive agent for marketing the writings of the leading authors of the United States. In this way, according to the pamphlet, the Communist writers would be able to dictate their philosophy to all the agents of public opinion. Named prominently as "Communist dominated" were the Screen Writer's Guild and the Radio Writer's Guild. Broadcasting criticized the proposed Authority and linked it philosophically with the "Communist creed of regimented thinking" which was "diametrically opposed to the precepts" of democratic government. "Its acceptance can be interpreted only as surrender to forces which would destroy liberty as we know it." The editorial closed with a strong statement of the broadcaster's duty.

Broadcasters should employ their full capacities in resisting this organization and any others of its definition which might enter into the radio field.79

Three months later the warning was recalled when the Radio Writer's Guild began to talk of a strike against the networks. Broadcasting reiterated the basic philosophy of "regimented thinking" attributed to the American Author's Authority, and by implication the Radio Writer's Guild, and then warned:

Radio's use as an instrument of psychological warfare lies too recent in the memory of all of us to be ignored in any development which may be even remotely susceptible of being used to control the thinking of Americans.80

---

80 "Lest You Forget," B, April 21, 1947, p. 52.
Specific mention of the Author's Authority did not appear again, but in December, 1948, the editor called upon the networks to take the responsibility for responding to the charges of Communist infiltration of radio by screening "personnel charged with program origination or production, just as the government now is requiring a loyalty check." Stations and networks have this responsibility to their public, the editorial maintained, and if the facts warrant action, it should be taken. "Those who may be Communists, or who lean that way, should be dismissed."\(^{81}\)

Clearly, by this time, the editor had accepted the fundamental position that Communism was a threat to national security and that it was part of the broadcaster's duty to, in a sense, censor his own programs, and clean his own house of subversive elements, just as he would voluntarily refrain from reporting news of secret weapons in order to "safeguard the nation."

The News category, and the related issues under the heading of National Security offered some of the most clear cut and least equivocal statements of what the editor of Broadcasting felt to be the duty and the responsibility of the broadcaster. The most common theme stressed by the magazine was for careful, accurate and non-sensational news reporting by stations and networks. A variation was found in editorials critical of radio commentators who stepped beyond what the editor felt to be "minimum

standards" of news reporting to "carry on their own political and personal vendettas.

The implication of the editor's advice was clearly that the responsible broadcast station and network should present accurate unbiased news and provide time for accurate and moderate commentary on that news. Generally the arguments were that broadcasters should measure up to the standards of press performance built up over the years by the print media and the news services. It was evident in editorials on standards, as well as those on the rights of "free radio," that the editor had a deep tie to the traditional libertarian concepts of the role and responsibility of the press to be a free and independent voice in the operation of the democracy.

At the same time, the demands of national security required certain self-imposed restrictions on that freedom in order to "safeguard the nation." Among them were self-censorship of cold war military secrets, and the duty to protect the public against subversive propaganda from the Communist enemy. The latter imperatives were not limited to news programming, but were considered a vital concern for the responsible broadcaster.

Program Quality

Editorials classified in this category tended to be generalized and idealistic in their expectations of the future accomplishments of radio during the first year of examination, and somewhat more defensive after the Blue Book. Some specific issues were criticized—the shift to transcribe
programs and the overabundance of awards for program quality, for example, but more often the editor remained general in his defense or his advice.

Two editorials in 1945 advised broadcasters to build better programming for their audiences. The first argued that the end of hostilities would bring increased competition from the newspapers and magazines, and to survive, broadcasters must "build to meet it." The best way to do that, claimed the editor, "is to improve programming. He pointed out that the best production people were returning from the war and the time was right for improvement to hold the audience against the inroads of competitors. 82

The second editorial appeared the following week and discussed the need for all broadcasters to review the quality of their programming and remove from it "any fare that might embitter the listening public." The editor advised the station manager to "redouble his efforts to improve his overall schedule, attaining a wise balance of entertaining and informative productions." His argument was the now-familiar appeal to fear of government intervention: "Here is the defense against unfair Government regulation--for the public, not the FCC is now the acknowledged arbiter." 83

After the Blue Book, one editorial appearing in June, 1946, defended the quality of American broadcasting in general against the implications of the FCC's report, with the standard qualification.

82 "This is Tomorrow," R, September 3, 1945, p. 46.

We have made no unqualified apologies for broadcasters beyond saying that they produce now the best in the world radio, and the best can be improved. The editorial then went on to decry interference by the government in regulating program content, but made no more specific statements about the way in which American radio could be improved.

Two editorials during the summer of 1946 reacted to specific issues of the moment and did not relate them to any larger pattern. One in June, while confirming the importance to the industry of award recognition for programs of quality, blasted the "frenzy for collecting awards" as making such recognition meaningless. The other questioned whether the public would accept pre-recorded entertainment radio programs as was being planned by the producers of the Bing Crosby Show. Broadcasting felt that this development would detract from radio's "flexibility as a spontaneous medium" and would "undermine its growth, stifle initiative and head it toward glorified juke-box operation."

The following November, another response to the Blue Book found the editor's position shifting somewhat. The editorial commented on the results of a Broadcasting survey of station managers which revealed that managers were "thinking in terms of better programming" and that they were convinced that audience response would guide them toward that improvement. The editor

85 "ATS Awards," B, June 24, 1946, p. 54.
86 "Bing's Big Bang," B, August 26, 1946, p. 50.
indicated that the station managers, by their own replies, "have permitted themselves...to be driven toward bad programming by their clients."
The managers recognized their duty to correct this situation.

Conscious of this responsibility, we can foresee that they will take the initiative in resisting unusual and destructive demands from advertisers and agencies alike.87

The editorial also urged the NAB to take a more aggressive role in backing better programming in order to dull the influence of the FCC in those matters.

A similar point appeared in the Spring of 1947 in an editorial advising the NAB on its planned public relations campaign on behalf of radio. Broadcasting urged that since the objective of public relations was to "promote the merit of a product or service," all the energies of broadcasters should be devoted to improving programming and then "bringing to the attention of the whole public the fact that radio is working toward a fuller life for all."88

Two editorials rapped critics and reformers who wished to rebuild the American system of radio to give the audience what it should have rather than what it wanted. The editor argued that the public should decide the kind of programming it wanted and that to be successful, the practical broadcaster knew his programming should appeal to all segments

of his audience. Once again, Broadcasting insisted that broadcasters did not have closed minds, but that criticism must be the constructive kind. 89

In 1948, the editor attacked what he felt was a bad program form—the give-away. This particular editorial argued that the kind of program which "depends upon exploitation of the nation's incurable urge to grab a fast buck" could destroy the quality of industry programming.

More and more talent and money in radio are being diverted toward the development of give-away shows, which means less of both are engaged in creating programs which made American radio best in the world. 90

Six other editorials treated give-away shows and all were critical on explicit ethical grounds. This one was the only one which discussed the program type in relation to the quality of programming.

During this period it is clear that while concern about program quality was expressed with some consistency (albeit not in great volume), few specifics were offered by the editor to aid the broadcaster in defining what "good quality" was. Early in the period broadcasters were urged to "improve" the quality of their programming schedules to hold their audiences; later they were urged to improve their programs to forestall further government regulation. The pattern, like the Public Service category, showed a shift from a positive, idealistic view of the broadcasters' 5


position and responsibilities, to a somewhat negative and defensive stance in regard to the job being done by broadcasters. On most counts, the argument seemed to be that if improvement was to be made, it should be done by the stations in response to public opinion. Only in regard to the giveaway show did the editor take an unequivocal stand on a specific program practice deemed to be counter to his notion of good quality programming. The broadcaster then, was responsible for "improving" his already best-in-the-world product, and to do it in response to public comment, not critics or government "reformers."

The Code

As was suggested in the discussion of the Public Service category, the new Code of Good Practice was developed by the National Association of Broadcasters in reaction to the pressure from the FCC and industry critics. The call for a code came from William Paley at the 1946 NAB convention, in direct response to Blue Book pressures, as we shall see later in this chapter. It was developed by a committee and presented to the membership in the convention of September, 1947, where it was challenged by representatives of the smaller stations. After re-evaluation and rewriting, the Code was again presented at the 1948 convention, held in May, and was accepted. It became effective in July, 1948.

Seven of Broadcasting's eight editorials on the Code appeared between September, 1947, and May, 1948, the period in which the Code was under scrutiny. One of the arguments running through many of the editorials on the Code was outlined in May, 1948.
Standards are the necessary first step toward voluntary self-regulation. Self-regulation is the necessary first step toward retrieving for radio its full freedom, i.e., removing the government from the forbidden field of program control. To remove the FCC from program control now entails remedial legislation. You can’t get legislation until radio affirmatively roots out program and commercial abuses. 91

This argument was first sounded in November, 1947, when the editor insisted that "Radio’s freedom is threatened by restrictive legislation because Congress has not been convinced that radio has tried to help itself."

Then he warned that "unless there is a code radio won’t stand a chance of getting the kind of law it seeks." 92

A second argument for the Code was advanced a week later when Broadcasting condemned the "healthy" controversy surrounding the formulation of standards but urged that something be gotten on the record "that will prove to a do-gooder influenced public that radio, as a phalanx, is running its own affairs...A code, or a creed, is good public relations, which radio sorely needs." 93

A third appeal was rather gloriously stated in April, 1948. The editor praised the document resulting from months of dialogue. He felt it was an "affirmative" Code "under which all in radio can live—and live with pride and dignity." Then he made this claim for a self-regulatory code:

A code, judiciously contrived and observed, will give to radio the virility, health and stability it must have to condition it for any eventuality. 94

The editor's wish to sell radio industry on the importance of the Code, perhaps at times, pushed him into over-stating his case. In none of the eight editorials did he use moral or ethical arguments to persuade his readers to adopt such a Code. No criticism of current practices was included in any of the editorials on Code-making. Neither were there any specific recommendations as to what should be included in such a Code except to urge that it be "affirmative" and not full of "Thou-shalt-nots." 95

All arguments were either based on threats—without a code the government will intervene—or as a tool for self-aggrandizement, a public relations vehicle.

Once the NAB membership accepted the Code, two editorials discussed the problems of making it an effective instrument, but with little substantive commentary on how that should be accomplished. The week following convention ratification, the editor pointed out that Code approval was the keystone of the campaign to "achieve for radio a professional status that will lift it above the innuendos and the calumnies heaped upon it" by critics. "The next step," intoned the editor, "is code observance." 96

Six months later, another editorial titled "Only the Beginning," commented on the relative quiet which had prevailed on the Code issue since


95Ibid.

the convention. It explained that this was "the era in which the educational and interpretive processes will be set in motion" and that the NAB board had a difficult time ahead in dealing with the "apparent lack of interest at the local level coupled with the very real problem of persuading businessmen to comply even if it hurts." But the editor was confident that the "best efforts of earnest men" could make the Standards of Practice an effective self-regulatory tool.97

Neither editorial made a strong appeal to the membership to comply with the Code or live within its laws. The editor offered no advice or arguments to broadcasters in general about supporting the Code, other than the off-hand remarks about "code observance" already quoted. It was as if the adoption of a Code was the end rather than a means to the end of an improved broadcasting service. Such an interpretation may be supported by the fact (already pointed out) that arguments for the Code were generally rooted in reactionary appeals and not based on moral or ethical arguments.

**Ethical Program Practices**

There were some practices, however, that Broadcasting consistently questioned during this period and which fore-shadowed the great program "scandals" of the late 1950's about which we will talk more in Chapter IX. In the vernacular, the practices were "payola," and what Broadcasting called "give-aways." Payola refers to the practice of slipping favors—financial or material—to disc jockeys to feature certain recordings. The "give-aways"

97"Only the Beginning," B, November 15, 1948, p. 60.
were programs which offered listeners the opportunity for winning prizes simply by listening to the program and being called on the phone. Broadcasting magazine unequivocally denounced both of these practices in a number of editorials, particularly during 1948.

The first reference to "give-aways" however, was in 1946, when Broadcasting found that a program called "Pot O'Gold," which had been taken off the air in 1940 after the FCC asked that it be prosecuted as a lottery, was set for a revival on the CBS network. The editor warned that "legal or no, it is fool-hardy for stations or networks to venture dangerously close to infraction of established law." But beyond this, the editor raised an ethical issue and firmly committed himself.

Pirating of audience through appeal to gambling instincts, in our judgment, doesn't build prestige for radio. . .We think the leadership of radio would be well-advised to institute immediate steps to root out the money give-away before the infection spreads.78 He suggested that it was a job for the NAB. If it isn't, "then expect the FCC to move in again."79

The issue was quiescent until June, 1948, when Broadcasting took up the cudgels with vigor after the Standards of Practice had been approved. The editorial claimed that radio stations and networks would give away more than ten million dollars that year and the trend was continuing to grow. It criticized the practice and then offered this advice.

---

79Ibid.
The cycle is bound to run out. The longer the artificial stimulation of audience continues, the tougher it will be to return to normal, ethical pursuit of listeners through good programming and exploitation. Radio's function is to sell time for appropriate programs which, in turn, will sell goods or services. The current garish maladjustment will be corrected only when the broadcasters themselves decide it isn't good for radio and it therefore isn't good for radio's audience or clients.100

In early August, a note of sarcastic criticism crept into an editorial which claimed that since the FCC had begun taking a careful look at the legality of give-away shows "a remarkable number of highly-placed broadcasters have let it be known that their aversion to that sort of program antedates the FCC's." The editor continued:

One wonders that the chorus can swell to such a volume in a week, considering that its silence was almost absolute in the months preceding the announcement of the FCC.101

His rebuke was specific and to the point:

It does not take great artistic or ethical courage to comply with a law. If these broadcasters regarded the give-away as undesirable, it is, and has been, their responsibility to rule it off their own air.102

Two weeks later a more positive admonition was presented by quoting the Standards of Practice which advised that programs designed to "buy" the audience by hopes of reward rather than quality of entertainment should be avoided. Broadcasting argued that following that precept would

100 "Garish Give-aways," B, June 14, 1948, p. 52;
102 Ibid.
achieve in one fell swoop "everything the reputable broadcaster has sought for a quarter of a century."

It will make good programming the yardstick. It will disarm the government's crusade toward greater program controls. It will quell the Congressional clamor for tightening up the law. It will end the free rides of manufacturers who give things away like mad for the air credits. It will create new business for radio. It will put pants on the code.103

The appeal evidently was not effective, for in October, another editorial with the same kinds of arguments appeared, indicating that the growth in give-aways was still burgeoning.104

An editorial in August and another in September, 1948, attacked the practice of payola, but in somewhat more general fashion. Part of the attack was directed at an old enemy, ASCAP.

In early August, the spectre of payola to disc jockeys by ASCAP publishers was raised and deplored by Broadcasting and then a solution was suggested.

The remedy, it appears to us, lies in setting up management control, so that popularity polls are channeled through program or front office management, and not left to the uncontrolled discretion of the platter-turner, whose status is show business, not business management.105

Six weeks later what had been a suspicion was confirmed and the editor charged "without equivocation" that some publishers were "showering gifts" on disc jockeys in key markets in order to influence the record popularity polls. He linked this to ASCAP's contract renewal campaign

103 "What are We Waiting For?" B, August 30, 1948, p. 46.
saying that the copyright organization was using these tactics to convince broadcasters that their songs are the most sought after and thus their service more valuable than the broadcaster-owned BMI. "What's needed," claimed Broadcasting, "is an objective, uncontrolled, uninhibited method of popularity rating devoid of song-plugging, press-agentry and other cultivation." The editorial concluded with a categorical statement: "Payola is as corrupt as the throwing of a baseball game. It isn't the American way."106

The Ethical Program Practices editorials are notable for the directness of their criticisms of major segments of the broadcasting industry, not just the so-called "marginal" operators who received the brunt of advertising criticisms during this period as well as in the thirties.

The basic criticism and the fundamental argument against payola and give-aways was that both were "unethical and improper activities for broadcasters to be engaged in." Only secondarily were economic, or government intervention arguments incorporated.

Another characteristic of these editorials worth noting is that rather than being reactions to specific events or revelations they were instigated out of the editor's conviction that such practices were wrong and should be rooted out. Indeed, on the payola issue, Broadcasting raised the issue first and suggested solutions rather than reacting to charges by the FCC or critics. Thus these editorials were atypical of others during the period in that they were essentially leading the broad-

106 "Dead Herring Alley," B, September 13, 1948, p. 52.
caster and urging responsible action on him before any threat or resounding public criticism made such a move necessary.

Broadcasting, during this period, showed substantially more interest in questions of program practices and substance than in trade practice issues. The dominant program issue was that of Public Service Broadcasting sparked, as it was, by the FCC's issuance of the Blue Book in 1946. This event had a significant influence on the tone and style of Broadcasting editorials dealing with program practices--forcing them into a defensive posture which only began to shift during 1948, after the Code was adopted and when it had become clear that the Blue Book was not going to be enforced stringently by the Commission.

Conclusions: Broadcasting Editorials, 1945-48

Analysis of the editorials during the period revealed the following general patterns. (1) Once again, broadcaster responsibility was not often a subject for editorial comment by Broadcasting, which devoted only about one-eighth of the total editorials of the period to it. This is compared to one-fifth of the total in the 1933-35 period. (2) Numerically and substantively the predominant theme of broadcaster responsibility was programming, by a wide margin. Within the Trade Practices classification, two-thirds of the editorials dealt with questions of over-commercialization and tasteful presentation of advertising. This, too, was a sharp shift from the 1933-35 period.
(3) The Public Service category dominated the Program Practices categories and with the Program Quality category, underwent a shift of style and tone from essentially confident and laudatory in the last year of the war (1945) to a strongly defensive and reactionary posture in the year following issuance of the Blue Book in March, 1946. A further shift in attention occurred in 1947 and 1948, as the industry responded to the Blue Book pressure by resurrecting and fleshing out its Standards of Practice.

(4) Four types of practices brought specific and forthright criticism from the Editor during this period: Advertising that was excessive or in poor taste, particularly in connection with news programming; inaccurate or biased news reporting and commentary; programs which gave money away to gain listeners; and the practice of accepting 'payola' to feature certain recordings.

(5) Chief trends during the period were the shifts in concern away from specific questions of program quality, public service and news, observed during the first two years, toward a more general response which supported development of a Code and urged broadcasters to take full responsibility for their own programming and advertising decisions. A similar pattern will be seen in the examination of industry context to follow.

(6) In general, the editorials reflected a strong and consistent resistance to government intervention. Particularly after the Blue Book, anti-FCC comments took on a tone of urgency and appeared more often—
particularly through 1947. This was a change from 1933-35 when there was a stronger appeal to cooperation, understanding and acceptance of the Commission and its members.

**Analysis of Industry Context**

As in the earlier period, the general pattern of industry concerns between 1945 and 1948 seemed to parallel those expressed in the *Broadcasting* editorials. In 1945, the focus was on the war, as it ended, and many statements reflected a kind of self-congratulatory aura as broadcasting spokesmen looked back over the war service of the radio industry. Some reaction to criticism of over-commercialization surfaced, but it was minimal. After the Blue Book appeared, the NAB particularly mounted a forceful attack on the FCC, and at the same time, stepped up efforts to inform the public of the service radio offered.

The networks, under the leadership of William Paley of CBS and his young protege Frank Stanton, shifted attention in late 1946 to the process of self-regulation and the formulation of a new Code of Good Practices. This, then, influenced the nature and direction of the industry efforts for the following two years until the eventual ratification of the Code in 1948. The phrase "enlightened self-interest" began to be used to describe the way the broadcaster should operate his business, and at the same time, a great deal of attention was being paid to surveys of audience opinion. This latter development, as we have seen earlier in this chapter, was supported by *Broadcasting* and the editor used this research to bolster his editorial positions.
As was true in the 1933 to 1935 period, differences of detail, emphasis, and, occasionally of substance, appeared in the statements of various spokesmen of the industry. The networks tended to be more ready to admit culpability in program practices, and to offer solutions, than did the NAB—whose main focus after the Blue Book was largely on attacking the position of the FCC and ignoring the nature of the criticisms. But beginning in late 1946 and lasting through 1948, the networks and the NAB began to present a more unified front to their critics.

For the most part, the attention of the industry spokesmen was on the issues of public service, the Code, and, occasionally, specific news or program practices. Little time was devoted to comments on trade practices issues, which is a sharp contrast with the 1933-35 period when those categories prompted the most comments.

1945: Trade Practices and the Code

The general emphasis of industry concern and comment on the responsibility of the broadcaster can be seen in terms of three time periods: 1945, when trade practice issues were discussed; 1946, when many elements were included in defense against the Blue Book; and 1947-48, when attention was being centered on Code issues.

During 1945, industry spokesmen tended to be strongly supportive of the role and function being served by the radio industry. NAB Reports seldom raised questions about Trade Practice issues, and the speeches and comments of NAB president J. Harold Ryan reflected a conviction that the
vast majority of broadcasters were operating stations for their communities in a responsible fashion and did not deserve the criticism they were receiving.

In a speech at the 1945 Peabody Awards ceremonies, he defended commercial radio in general and singing commercials in particular. The latter had recently been under attack as being in poor taste. Ryan cited a letter from a listener, claiming that musical jingles had taught his children harmony and rhythm. Ryan lauded the double function of advertising: to sell a product and at the same time to be the "music teacher to the children of America." He then took up the issue of sponsored news programs. Arguing for independent decision by individual stations, he attacked the St. Louis Post-Dispatch, licensee of KSD, St. Louis, for its campaign to rid radio newscasts of the middle commercial, and to limit the kind of sponsor allowed to advertise on news programs. Mr. Ryan argued that no such rigid rule was appropriate. He insisted that "text, handling, length and type of commercial announcements in news broadcasts," must be the responsibility of the individual station management. He felt "compelled to resist anyone or any committee of the NAB" which might attempt to impose any program or advertising policy on any station in America. Then he defined his view of the place and role of the NAB Code of Good Practices.

107 "The Broadcaster's Responsibility: Operation in the Public Interest," an address by J. Harold Ryan at the George Peabody Radio Awards Presentation, April 10, 1945; Reprinted as NAB Special Information Bulletin No. 18, April 13, 1945, p. 3.

108 See above, pp. 201-04.
The NAB Code is merely a collection of suggestions of independent broadcasters and is altogether advisory in character. 109

Throughout the speech, his concern was with criticisms of so-called "commercial excesses," by which he meant both over-commercialization and questionable taste in advertising. His argument was that "each station in each locality has its own concept of what is in the public interest," and this "independence and integrity" must be preserved for it is here "where responsibility rests and where more honors should be awarded. His defense was largely one of citing past achievements of radio, and discounting those few irresponsible managers who reflected poorly on the rest.

The following month, in an address to the Kiwanis Club of Omaha, Nebraska, President Ryan brushed aside those critics who would perpetuate "the legend" that "a radio station is some kind of an art center,"

American radio today is the product of American business! It is just as much that kind of product as the vacuum cleaner, the washing machine, the automobile and the airplane. . . .The first official act of the second quarter century of radio's life should be to list it along with the local dairies, laundries, banks, restaurants, and filling stations as a member of the town's business family. 111

With that as prologue, Ryan chronicled the businessman's role in the development of broadcasting, and broadcast advertising, extolled the

109 Ryan Speech, p. 5.
110 Ibid., p. 6.
111 "Broadcasting and the Business Man," address before the Kiwanis Club of Omaha, Nebraska, May 16, 1945; reprinted as a supplement to NAB Reports, May 25, 1945, p. 2.
service performed by individual stations and advertisers and concluded
with a broad statement of the place of commercial radio in the American
free enterprise system.

Radio has become a recognized guardian of the public
interest. American business, with its own principles
of freedom and public service and a war record which
places it high among the glorious institutions of this
earth, likewise has become a guardian of the public
interest.

Ryan prophesied even greater use of radio by business to "find new ways
to sell itself and its products to the American public," and "stronger
safeguards of free expression and a greater fulfillment of public service
by means of the union of broadcasting and the business man."112

In August, Ryan again sounded a general theme of defense in his
annual report to the membership. He reiterated his belief that "the vast
majority of broadcasters have a very clear conception of their responsibilities
under the radio law," but was concerned that they have not been given credit
for the money, time and effort spent on making "the American system of
broadcasting the finest system in the world."113 Once again, though
commenting on the service the broadcaster performs and the "inspiration"
he should provide, Ryan devotes the bulk of his report to examination of
the financial successes of broadcasters, and a general defense of the
"business of broadcasting." The implication of Ryan's statements seems to
be that, though the broadcaster should be responsive to his community and

112 Ibid. p. 5.

113 Annual Report, NAB Reports, August 3, 1945, p. 560.
to criticism, his primary mission is as a businessman. His first responsibility is to operate a successful commercial venture. To do this, he must have the support of the public. To get that support, he must offer programs they like.

In the fall of 1945, the National Association of Broadcasters chose a new President, former Judge of the Court of Appeals of the District of Columbia, Justin Miller. New leadership provided a slightly altered perspective. This was reflected quite early when "Judge" Miller, in his inaugural address, levelled some criticisms at the industry, which former President Ryan had avoided.

Many people would consider it in bad taste for a speaker to tell an off-color story in the midst of a memorial address. Some of us think it is equally poor taste to insert a nauseating plugugly in the midst of a serious news commentary.114

The new president suggested that "canons and codes" were not completely effective in overcoming the reluctant and recalcitrant who did not live up to industry standards. He recommended "eternal vigilance," and a "process of education" to bring them into line. At the same time, President Miller lauded the industry for its accomplishment and its importance to the nation, and affirmed his belief that "radio must meet the challenge both of the balanced program and the balance sheet."115

114 "Public Interest, Self-Discipline and Good Business," an address by Justin Miller at the NAB Convention, October 2, 1945; reprinted in the NAB Special Information Bulletin No. 20, October 5, 1945, p. 3.

115 Ibid., p. 4.
The thrust of his speech was in support of the basic free enterprise, free speech, free competition, tenets of broadcasting, and he argued for specific legal changes in the governmental regulatory process. His criticism of "plug uglies" and his appeal for balanced programming comprised only a small part of the principal content. Even that small expression, however, was more explicit than had been common, and indicated a shift toward a more active role to be played by the NAB in regulating its membership.

Outgoing President Ryan, in a speech at the same convention, offered advice to broadcasters on their responsibility to program in the public interest. He gently advised the "careful broadcaster" about advertising inappropriate "for air presentation;" he reminded "the prudent station manager" to see that his station not offend his listeners with too many commercials, and urged them to upgrade the quality of their public service programs. In his speech, too, the main substance was basically congratulatory, with light admonitions of duties for program upgrading and care in advertising.

In the priorities of their speeches, the issue of responsible trade practices ranked very low, as did that of program practices. Miller's reference to the Code was general and vaguely critical. Ryan reiterated his position outlined in earlier statements where he emphasized that all

---

116 Address by J. Harold Ryan at the NAB Convention, October 2, 1945; reprinted in the NAB Special Information Bulletin No. 20, October 5, 1945, p. 5.
stations must make their own decisions on questions of taste and volume of commercials, and that the Code was "purely advisory."^117

The NAB had formulated a Code of Good Practices in 1939, and then updated it in minor ways on several occasions prior to 1945.\textsuperscript{118} One portion of the Code was rendered invalid in 1945, when the FCC ruled in the WHKC case that it was inconsistent with the concept of the public interest to exclude the sale of time for the discussion of controversial issues.\textsuperscript{119} In response to this, the NAB changed that provision of the Code which restricted such time purchases and made some small alterations in its "advice" to stations on commercial lengths, reducing the recommended amount of commercial time in daytime programs to match that recommended for evening programs.

\textit{NAB Reports} during the period of controversy followed the process of revision, but in little detail. The most extensive comments were reserved for the announcement of acceptance of the new Code in August, 1945, when it printed the new Code and a statement by then-President Ryan which once again reiterated his democratic approach to self-regulation.

The Code of the National Association of Broadcasters was first adopted in 1939. While its language was mandatory, it was always construed by the Association as being advisory to station management, upon whom the obligation rests by law to make the selection of programs within the framework of public interest, convenience and necessity. \textit{[The Code]} is intended as a

\textsuperscript{117}Ibid.

\textsuperscript{118}See above, Chapter III, pp. 68-9 for an overview of this process.

\textsuperscript{119}See above, Chapter III, p. 69.
guidebook to help management in its decisions to the end that discussion of all matters of public interest may be as free as possible. . . . 120

Trade practices were, at best, a minor issue with the NAB during 1945, and the Code questions raised by the FCC decision, were treated with easy Code changes and a limited response. The chief direction of comment on broadcaster responsibility seemed most often to be as a counter to criticism. The tactic was to minimize the validity of criticism and to argue that broadcasting was a business not an art, and should be treated as such. At the same time, the spokesmen recognized the duty of broadcasters to operate in the public interest and they were urged to do so, but not many words were printed in the organization’s newsletter, or appeared in the available speech texts, to emphasize or reinforce that responsibility.

Similarly, the networks seemed to have little to say publicly about such questions. Most of their communications were pointed toward the end of the war, the transition to new services (TV and FM) and the promise of industry expansion. 121 The sense of equilibrium and relative stability reflected in the NAB and to some extent in the networks was jolted with release of the Blue Book in early 1946, and the activities and communications of the spokesmen reflected this shock.

120 NAB Reports, August 10, 1945, pp. 356-357.

The report on "Public Service Responsibility of Broadcast Licensees," galvanized the broadcast industry to an attack on the report's validity. Justin Miller's first statement set the shape of the NAB's reaction to the document. He claimed that the report reflected "a philosophy of government control which raises grave questions of constitutionality," and that it completely overlooked "freedom of speech in radio broadcasting, which was a primary consideration in the mind of Congress when it passed the Communications Act."122

He went on to defend broadcasters, claiming that they "fully recognize their responsibility to the American people," and that their record in developing standards of performance was better than "any other industrial or professional group." He admitted they would continue "to improve both their programs and other phases of broadcasting." He concluded with a promise to resist "bold steps toward government domination which may eventually deprive us of fundamental rights."123

Through the next several months, the NAB, through its newsletter and public statements by Justin Miller, kept up the attack on the constitutional question, and urged its members not to acquiesce to Commission pressures. At the same time, Miller expressed disappointment that a number of stations had admitted bad conduct and changed their programming practices to comply with FCC suggestions. This was seen as an affirmation of the Commission's right to dictate programming. 124

---

122 NAB Reports, March 11, 1946, p. 167.
123 Ibid.
In a statement printed in the New York Times, Miller reiterated the Constitutional questions involved, attacked the "intellectual smart-alecks and professional appeasers who play down the danger involved in such encroachments," comparing them to those who, prior to World War II, were "carrying their umbrellas and assuring us that there would be no war." At the same time, he insisted again that the NAB and the broadcasters were "vitally concerned with the continued improvement of radio programs" and with "constantly improving cooperation" with all organizations and interested groups such as educators, advertisers, or listener's councils. Miller repeated the same basic arguments on a number of occasions through the spring and summer of 1946. Most often, their focus was the legal question, with only passing reference to the criticisms of programming and advertising practices embodied in the FCC report.

While this was going on, however, certain changes occurred within the NAB. In May, the members' newsletter—NAB Reports—was reorganized and new departments added. Prominent among them was a section called "Public Interest Programming" which, each week, described non-entertainment programs being presented by stations in various parts of the country. In June, it was announced that a new staff member had been added to the NAB leadership as executive assistant to the president, and vice-president of the NAB. His special duties would be to handle public relations. The man chosen, Edward J. Heffron, was a lawyer and had spent the previous


126 First appeared in NAB Reports, May 13, 1946.
fourteen years as head of public relations for the National Council of Catholic Men, where he had been responsible for developing that organization's network religious programs.\footnote{NAB Reports, June 10, 1946, p. 450.}

Thus, in addition to the legal attack on the FCC, the NAB had begun, through the newsletter, to provide its membership with examples of service which could either be emulated or used as evidence in defense of the status quo. The expansion of their staff with a public relations specialist was an indication of their desire to improve the public image of the broadcasting industry. But through summer and into the fall, statements in NAB Reports about programming or advertising continued to be general defenses of industry practices and specific criticisms of the FCC and the "reformers." Specific discussion of the elements of the broadcaster's responsibility were almost non-existent. The NAB Convention in October of 1946, changed that pattern.

The Code

The principal speakers at that year's gathering were Justin Miller, president of the host organization; Niles Trammell, President of NBC; and William S. Paley, President of CBS. Each of them, in their own way, sounded similar themes and urged broadcasters toward a more pragmatic examination of their role and responsibility in regard to their audiences. Each of them defended the rights of the free broadcaster against government incursion. Each praised the broadcaster for the service he had performed
and would continue to perform. And then each of them, with varying degrees of ardor, attempted to impress upon the convention the need for improvement.

Justin Miller concentrated on the burden of responsibility resting on the broadcaster: "No group of people have it more within their power to shape the public opinion of the country than have the broadcasters." Such potential for influence places the broadcaster in a "position of trusteeship, so far as the people are concerned," because each licensee "has the power to say that this program shall be broadcast and that shall not."

It is as if you stood at the headgate which controlled the city's water supply with power to determine whether the flow should be pure or polluted. 128

Miller's argument was that this kind of life and death responsibility placed the broadcaster in the same category as others licensed to perform "service in the public interest," such as physicians, lawyers, teachers, engineers, and nurses. Each of these "professional" people has a license and an obligation. If at any time he "betrays his trust and reveals his inadequacy, he may be removed from the profession by the governing power which licensed him in the first place." Miller asked, "Is there any reason why if a broadcaster neglects his responsibility he should not, similarly, be removed?" He concluded by urging broadcasters to become the new professionals "conscious of their duty to serve in the public interest, willing to assume a fair measure of responsibility." 129


129 Ibid., p. 5.
Miller's advocacy of professionalism and responsibility and his explicit support of removing licenses from the irresponsible, mark his strongest and most direct criticism of broadcasting since the beginning of his tenure a year earlier. It seemed to be the first substantive criticism of broadcasters made by him since the Blue Book was issued.

The network spokesmen, too, were critical, after being, in turn, laudatory and defensive. NBC President Niles Trammell's speech was entitled "Advertising in the Public Interest," and began with a review of the development of radio advertising, its role in American life as a motivator of and contributor to social and economic progress and as the bulwark of a free radio. In his exploration of the place of advertising in the public interest, he enunciated the following definition of public interest programming:

The broadcasting of any radio program which a substantial proportion of the available audience wants to listen to at the time it goes on the air is an example of broadcasting in the public interest.130

He then recognized some specific criticisms of broadcast advertising, deprecated the seriousness of the problem, but urged against complacency in regard to criticism. Then he gave some more specific advice.

It is clear that the advertisement broadcast over the air should have brevity and tact and good manners to a degree that is not demanded of publication advertising.

130"Advertising in the Public Interest," an address by Niles Trammell to the NAB Convention, October 23, 1946; reprinted in NAB Convention Information Bulletin No. 16, November 25, 1946, p. 2.
Constant vigilance must be exercised to control abuses and maintain a high ethical concept of the advertising function. Our basic standard must be "Truth in Advertising." Good salesmanship is not enough. It must be truthful salesmanship—truthful not only in what it says but also in what it implies.

The content of the advertising message, its length, its placement, and its blending into the rest of the program, require extensive research and the best efforts of all who are interested in making broadcast advertising more effective. 131

He advised the broadcasters to "be vigilant" in preserving the good name and reputation of radio and urge the industry to unite "in the conviction that the only kind of advertising which serves the best interests of broadcaster and sponsor is that which serves the best interests of the public." 132

Unlike Miller, Trammell did not end his speech with the above appeal, but rather returned to his argument for the competitive system and the place of advertising in that system, claiming that, not only is advertising necessary in our industrial society, but "it is the very keystone of the expression of the free competitive spirit which has made our standard of living." He closed with a rising note of conviction and dedication.

Therefore, not only in advertising in the public interest, but it is the very expression of that interest—interest in all that is new, all that is better, all that inspires,

131 Ibid., p. 3.

132 Ibid., p. 3.
stimulates, and drives us to make this a world of peace, of strength, of freedom, of equal opportunity for all.133

While he offered standardized general prescriptions for advertising "in the public interest" in the body of the speech, the emphasis overall was to praise advertising and ennoble the position of the commercial broadcaster within the system. His stance was not critical but mildly advisory and offered no new directions or fresh solutions for the industry under criticism.

William Paley, on the other hand, while being self-congratulatory at the outset, attempted to set the groundwork for an extensive campaign to counter what he called the "stream of propaganda" against radio emanating from some sectors of the public and the government. In building his argument he reiterated his basic conceptions of radio's function in society which he had expressed in the 1933-35 period, i.e., that as a mass medium, radio must primarily serve the majority of people, and secondarily serve the specialized interests of minorities. Too often, Paley insisted, critics do not recognize this basic division of radio time and priorities, and demand of radio what it cannot be—"all things to all people at all times."134

With that premise, Paley proceeded to assess the merit of the criticisms. He concluded that many were justified, and that the broadcaster must take the responsibility for these transgressions. He then itemized the criticisms he deemed valid and suggested courses of action for the broadcaster.

133 Ibid., p. 4.

He felt broadcasters were guilty of presenting "too high a percentage of commercial copy or material which is irritating, offensive, or in bad taste," and should "frankly face and recognize" this condition and seek a "forward looking and workable solution" to the question.135

Much of the criticism of crime and mystery shows hinged on their supposed contribution to the increase in juvenile delinquency. While Paley felt this was too quick and superficial an argument, he nevertheless advised broadcasters to construct such programs carefully so as to avoid situations "which create self-identification of the listener with the criminal, rather than with those on the side of law and order." He urged that all broadcasters "turn a deaf ear to any promises of increased ratings at the expense of social responsibility."

The CBS President also agreed with some critics of public affairs programs.

Perhaps our real failure has been in not devoting to them the same high quality of showmanship, of good writing, of ingenuity and imagination as we devote to entertainment shows... The application of new and sparkling ideas in the presentation of educational, documentary and controversial issues is one of our greatest challenges today.136

He indicated that CBS had just formed a special program unit to tackle the problem.

After discussing these basic faults in the existing system, Paley moved to the central message of his speech which was that the time had come when "it is incumbent upon the whole industry to be concerned with

135 Ibid., p. 4.
136 Ibid.
the good name of the whole industry." For too long, he claimed, "we have tolerated, with too much good nature, the cynical and irresponsible ones among us." The solution he proposed was an industry-wide plan of action to "improve our standards and to counteract our collective failure in answering our critics."

Our real task is to earn and hold public confidence by deserving it, matching with our own responsibility the responsibility we ask of critics. All this spells out a strong case to me for a strengthened, extended and better enforced Code of Standards. Not a code which limits and narrows, but which stimulates and encourages the whole industry to broader accomplishments on a still higher plane.\(^{137}\)

Paley proposed that the NAB formulate with great care a new code to prohibit practices which detract from radio's good name, and that the Code be rigidly enforced by using the "spotlight of publicity." An informed public, he said, can bring pressure to bear on an offender to bring him to the acceptable course. He suggested further that it might be desirable for the NAB to supplement such publicity with "official actions."

He restated the impossibility of the station or network operator following his own independent course without regard for his fellow broadcasters and he insisted that ignoring the criticism would not solve the problem. And, "a policy of having no public relations policy as an industry will no longer do."

The fact of the matter is that a medium which gives most of the people what they most want most of the time is being widely attacked. It is imperative that we find a

\(^{137}\)Ibid.
cure for this situation. The cure must ultimately be found in the field of public opinion. A strong Code, strongly supported and strongly publicized, will lead directly to that goal.138

The convention and its message to the industry seemed to reflect some unanimity among the networks and NAB leadership. Miller urged an abstract ideal of professionalism and personal responsibility for upgrading the broadcasting service; Trammel defended the advertising process as vital to the public interest, but also argued for responsible practices. Paley tied the bundle together by describing specific advertising and programming practices he felt to be questionable, then provided a direction and goal for the industry. Effective self-regulation through development of a meaningful industry code and a more energetic program of public relations. These two lines of activity became a prominent part of the post-1946 programs of the NAB and were reflected frequently in the statements of network leaders through 1947 and into 1948.

In March, 1947, a step toward self-regulation as well as good public relations was taken. NAB Reports announced the establishment by the broadcasting and advertising industries of a "Broadcasters' Advisory Council" whose functions would be to (1) "inform broadcasters about public attitudes and their obligations to serve the public interest," (2) to develop standards of practice for broadcasting; and (3) to engage in a "program of continuing research into public acceptance of broadcasting."139 Emerging from the Council's report was a new phrase to describe, or justify, the

138 Ibid., p. 5.

139 NAB Reports, March 10, 1947, p. 189.
self-regulatory mechanisms being established; the council was acting "in a spirit of enlightened self-interest" in formulating policies. The phrase with its appeal to unity of purpose appeared frequently in statements by NAB leaders to broadcasters.

For example, vice-president of the NAB, A.D. Willard, in a speech to the convention of the Association of Women Broadcasters, praised the industry and predicted an improvement "impelled by the same enlightened, intelligent self-interest which has made it what it is today--the greatest and most beloved means of mass communication in all the world." 140

Another, more obvious, attempt to project an image of the responsible broadcaster and, at the same time, to blunt criticism of crime and mystery shows referred to by William Paley in his convention speech the previous fall, was also announced in March of 1947. The NAB and its members were beginning a national campaign to combat juvenile delinquency. Justin Miller launched the campaign of "public service" with a rousing statement of his faith in the power of radio.

"This is our opportunity to take the initiative. Radio is ideally situated to stem-wind the nationwide drive at the community level. Broadcasting is equipped as is no other medium to arouse public awareness of the danger inherent in our mounting juvenile crime problem." 141

Shortly thereafter the NAB leader again took radio's case to the public. Miller addressed radio listeners over the CBS network warning them that the

140 Address by A.D. Willard Jr., to the Association of Women Broadcasters, March 8, 1947; reprinted in NAB Reports, March 17, 1947, p. 206.

critics wanted to replace the nation's favorite programs with controversial quarrels over "atheism and communism and the like,"\textsuperscript{142} He admitted radio wasn't perfect but he reminded his audience that not even the weather, "which God makes for us," suited "everyone all the time."\textsuperscript{143}

In May, NAB Vice-President Willard answered critics through the Kiplinger Magazine, which had earlier reported a growing resentment against offensive commercial practices. Willard argued the same basic thesis as Miller: a small group of critics and reformers were attempting to choose the programs that the majority of people wanted, and replace them with their own idea of "uplifting" programs of information and culture.\textsuperscript{144}

Paralleling the public relations campaign, various committees of the NAB were engaged in writing a new Code of Practices for submission to the NAB convention in September, 1947.\textsuperscript{145} Though the finished Code was approved by the NAB Board of Directors, prior to the convention a group of independent station owners resisted the proposed code because they felt its commercial restrictions would be detrimental to non-network stations. The Code was not accepted and underwent revision through the


\textsuperscript{143}Ibid., p. 336.


\textsuperscript{145}A detailed description of the development of the Code was reported in \textit{NAB Reports}, September 22, 1947, pp. 759, 762-65.
following fall and winter. It was finally accepted by the membership in
convention in May, 1948.146

Justin Miller, in his keynote address at the 1948 convention,
discussed the difficulty of setting standards of practice to fit the
need of the industry. He then defined what he felt to be the proper
function of the Code, as well as the basic dilemma.

Standards must be strict enough to meet the charges of the
industry's critics, but not so strict as to make ethical
broadcasters the prey of their less ethical competitors.147

He urged broadcasters to accept the standards and to exercise their own
professional integrity to resist pressures from advertisers to accept
"third-rate scripts." He assured his audience that responsible leaders
among the advertisers and agencies were giving their "wholehearted
condemnation and assurance" to the directions being taken by the broad-
casters in cleaning their houses.148

Generally, during the rather attenuated process of developing the
Code, industry spokesmen tended to follow the lead prescribed by Paley in
his 1946 convention speech, and agree that some problems existed, but
argue for self-regulation. Their own positions were defensive of the
industry and carefully critical about questionable practices, but were
generally built on rather standard arguments.

146 NAB Reports, October 27, 1947, pp. 877-880; NAB Reports,

147 Address by Justin Miller to the NAB Convention, May 17, 1948,
excerpted in NAB Reports, May 24, 1948, p. 405.

148 Ibid., p. 407.
Frank Stanton, for example, in testimony before the Senate Interstate and Foreign Commerce Committee in mid-1947, cited research indicating that audiences were relatively satisfied with radio programming, and thought that radio was more fair than other media in its presentation of news and controversy. Stanton argued that this indicated that the broadcaster was basically responsive to his audience and that should he stray and do a disservice to the public through his programming, the situation would "correct itself economically." If his audience grows smaller, he will suffer in income and either correct his practices or be weeded out of the business.

Armed with the audience opinion study and the fact that the NAB was working diligently on "up-to-date standards of practice," Stanton could easily argue that "industry self-help" was the "democratic way to correct industry abuses and elevate its standards." This position was echoed in the same hearings by Niles Trammell of NBC and argued from a somewhat different perspective by Justin Miller of the NAB. The latter made the

---

149 Stanton was citing data from Paul Lazarsfeld and Harry Field, *The People Look at Radio* (Chapel Hill: University of North Carolina Press, 1946); a study which Stanton had urged in 1944 and which the NAB commissioned in December, 1945. The report had become a major source for general defenses of existing radio practices.


obligatory claim that radio was "cleaning up its own house," and had accomplished a great deal.

But the important point which I wish to emphasize here, is that no self-respecting body of men can be expected to assume responsibilities of the kind called for in professional controls and in self-discipline, when they are being subjected constantly to interference, reprisals, and intimidation from a government agency.153

His promise was that the industry and its new Code could, and would, deal with the industry problems.

To summarize, according to the available materials from that period, a prime concern of the selected industry spokesmen during 1947-48 was the development of a workable set of standards of practice which could help eliminate improper advertising and program practices, and which would deter criticism and government intervention. The 1946, convention seemed to be the high point of self-analysis and criticism by the industry. In the speeches, and official publications of the principal organizations (NAB, CBS, NBC) through 1947 and into 1948, little in the nature of specific criticisms were discussed. The focus turned to actively developing a Code, to publicizing the strong points of radio, and publicly demouncing the critics. The general spirit of all three organizations seemed to be one of reasoned acceptance of problems, and an intention to solve them for the best interests of the industry in general. Also evident was a coming together of these organizations in their public actions and positions so that a more unified front was offered to the public, the government and the

153 Ibid., p. 185.
critics. This was visible in the similarity of viewpoint and argument between spokesmen during the last two years of the period.

**News**

Prior to 1948, very little attention was paid to this category in the sources examined, except as it was a part of discussion of the total service of radio. In that year, however, broadcasters put pressure on the FCC to rescind the so-called Mayflower Decision which had discouraged radio stations from editorializing. The networks and the NAB offered testimony on the subject and all argued that it was the right and the duty of the broadcaster to express his opinion. NAB Vice President Willard summed up his organization's position succinctly.

*It is our firm conviction that radio must have the right to be an advocate without fear if it is to achieve its maximum usefulness.*

The same basic rationale was offered by Frank Stanton of CBS.

*Radio should have the right to advocate if it is to achieve its full potentialities of service to the people.*

---

154 The Mayflower Broadcasting Corporation, 8 FCC 333 (1940).


He predicted that if radio was given the opportunity to express opinions it would stimulate and invigorate public discussion, which "cannot fail to be in the public interest." \(^{157}\)

Niles Trammell of NBC also cited the full service principal as a basis for editorializing, and argued that radio will be fair in all presentations of controversial issues.

On this issue, we believe, and have always believed, that the freedom which a broadcaster must enjoy is accompanied by responsibilities; and from the very beginning we have assumed the responsibility of informing the public on issues of importance and making fair and complete presentations on these issues. \(^{158}\)

The testimony of all three groups reflected their unanimity on this question. The arguments were based on the notion that to be of maximum service to the public, a station must be allowed to express its opinion and to stimulate controversy. At the same time, there was a commitment that stations would be "responsible" and "fair" in their treatment of issues. The FCC ruled in favor of the broadcasters the following year when it enunciated the so-called "Fairness Doctrine" which reversed the Mayflower Decision and allowed stations to editorialize. \(^{159}\)

---

\(^{157}\) Ibid., p. 7.


\(^{159}\) In the Matter of Editorializing by Broadcast Licensees, 13 FCC 1246 (1949).
Summary of Industry Context: 1945-48

The period divides fairly easily into pre-Blue Book and post-Blue Book phases. During 1945, the statements and published comments of NAB President Ryan reflected a sense of satisfaction with the service being rendered by the industry, and a strong resistance to any centralized setting of standards for all broadcasters. He insisted that the NAB Code was altogether advisory in character," and that the responsibility for decisions was on the shoulders of the station operators. He denounced the pressure from the St. Louis Post Dispatch, licensee of KSD, St. Louis, to restrict commercial content of news programs on radio in general, saying that such actions cannot be imposed on all stations for each manager must decide for himself.

Essentially, Ryan was an apologist for, and a champion of, the existing system and the operators of that system. Thus criticism of programming or trade practices was almost non-existent and by implication, broadcasters were fulfilling their responsibility by presenting their programs and functioning as a successful business enterprise in the community.

Justin Miller became president in the fall of 1945 and took a harder and somewhat more critical line. He expressed a negative opinion about some commercial practices, and suggested that the NAB had a responsibility to take a firmer stance in regard to broadcasters who engaged in questionable practices. The expressed concern of both Ryan and Miller was to defend

160 See above, p. 254.
Filmed as received without page(s) 278.

UNIVERSITY MICROFILMS.
the broadcaster from excessive criticism and regulation. They exhibited
different personal styles, but generally similar perspectives.

From 1946 through 1948, the attention of the NAB and the networks was
focussed on response to the Blue Book. The form of response began as a
stout and indignant defense of the industry and rigorous attacks on the
FCC. The NAB and Justin Miller led the fight. At the same time, the NAB
readjusted its organization to provide more and better information about
radio's accomplishments to the public and its membership.

In the fall of 1946, the tone and direction of response was more
carefully formalized and focussed, when the leaders of the NAB, NBC and
CBS all addressed the NAB convention and proposed that the best response
was to recognize some of the faults in the system and try to correct them.
Thus, energies over the next two years were focussed on two areas: the
development of a more relevant and inclusive Code of Good Practices, and
an energetic campaign of public relations to bring the case of the broad-
caster to the people. There was recognition that the responsible broad-
caster must not only make his own decisions about advertising or program
practices, but must also work to upgrade the decision-making of his fellow
broadcasters in a spirit of "enlightened self-interest."¹⁶¹

The only other relevant issue receiving attention during this period
was the 1948 campaign by broadcasters to regain the right to editorialize
which the FCC had squelched in its Mayflower Decision of 1940. The industry

¹⁶¹ See above, p. 270.
was unified in its fight. They argued that to be of "maximum usefulness" to the communities they serve, responsible broadcasters must have the right and privilege to express their opinions on controversial issues.  

The context, then, was one of basic acceptance of the status quo, shaken to defense by the Blue Book, and solidified into a fairly unified institutional response based on code making, public relations and industry self-regulation.

Conclusions

Where *Broadcasting* devoted the majority of its relevant editorials to an examination of various program practices, commenting on questions of quality, ethics, public service commitments, and news practices, the industry material examined dealt with these questions only as part of a larger defense or criticism of the industry in general. The NAB and the network spokesmen before and after the 1946 convention, seemed to deal very little with specific issues, devoting more of their time to those activities which would draw broadcasters into a fairly unified whole. While *Broadcasting* questioned the propriety of news commentators who were not objective or fair, or denounced payola and quiz programs, industry spokesmen seemed to ignore such issues. The weekly *NAB Reports* did not discuss, offer advice or defense of such practices. Except for the speeches at the 1946 convention, the network leadership expressed

---

162 See above, p. 275.
generalized concern over the establishment of standards and effective means of self-regulation, but did not discuss specific problems.

In general, however, the positions of Broadcasting magazine on the responsibility of the broadcaster appeared to be a fairly accurate reflection of the overall direction of the industry in general. The editor discussed more issues, and was somewhat more critical of specific programming and trade practices than industry spokesmen, but the magazine's position was generally supportive of industry attacks on the FCC, of industry defenses of its level of service to the community, and of its efforts to construct an effective self-regulatory code.

The only point at which strong disagreement was evident was early in the period when Broadcasting criticized advertising excesses and questioned the advisability of allowing news broadcasts to be broken with commercials. The editor's position on these questions was that stations ought to clean up these practices and that pressure from the NAB or other broadcasters was an appropriate means to achieve that end. NAB President Ryan rejected such coercive tactics on the grounds that each broadcaster must decide on the basis of his own locality.

On the other hand, the magazine's position on the development of a new Code of Good Practices was not only supportive of the industry position but followed closely the arguments laid down by William Paley, and echoed by others in the industry. If anything, Broadcasting was more pragmatic and calculating than the framers of the Code appeared to be, in that the
magazine based its arguments totally on countering criticism of the public and providing a tool to fight FCC regulatory incursions, and seldom directly related the need for a Code to the questionable practices it was designed to correct.

As discovered in the 1933-35 period, the networks provided the leadership and the direction for the rest of the industry on questions of responsible broadcast practices. When, in 1935, criticism of advertising excesses on children's programs arose, it was the networks, lead by CBS, which announced reforms and the establishment of new standards. Other broadcasters followed. The same pattern appeared in the 1946 convention when Paley again accepted the validity of some criticism and responded to it by urging the industry code.

Broadcasting supported Paley's position in 1946 as it had in 1935, urging the industry to follow his lead for the good of all—the audience and the broadcasters.
CHAPTER IX

RESPONSIBILITY OF THE BROADCASTER: 1958-62

Historical Context

The economy grew steadily in the decade between 1948 and 1958, with the Cold War and the Korean War acting as government props. Historian George Mowry has pointed out that security costs of government between 1947 and 1957 amounted to $325 billion—more money than was spent by all of private industry for new plants and equipment.\(^1\) Coupled with an increased birth rate which placed more demand on the consumer economy and a government policy of easy credit, industrial growth was stimulated and the general standard of living rose markedly. By 1955, the United States, with 6 per cent of the world's population, was producing almost 50 per cent of the world's goods. Between 1949 and 1959, median family income rose from $3,083 to $5,657 annually, which even corrected for inflation was an increase of nearly 48 per cent.\(^2\)

Cold War competition with the Soviet Union had required the nation's continued involvement with international affairs in Europe and the Far East, and induced a species of security paranoia on the domestic scene.


\(^2\)Ibid., p. 203.
Eisenhower was elected in 1952 and practiced a laissez-faire brand of government in which the President functioned as a "moderator of differences" rather than one who aggressively confronted controversy. This kind of role, according to some historians, merely consolidated a certain image of "domestic tranquility" but advanced no national problem—from education to civil rights—toward a solution.

At the same time, the pressures of communist competition had encouraged the growth of strong conservative, anti-communist factions which found voices in the press and in government. The best-known individual, Joseph McCarthy, became a symbol of resistance to "Godless communism," among this group and, for a time, wielded enough power to generate great waves of jingoism and fear through the country. Until he was censured by a Democratic majority elected in 1954, his influence with the legislative and executive branches of government had been out of all proportion to his position as junior Senator from Wisconsin.

The Soviet Union's launch of the first space satellite Sputnik I, in October of 1957, shocked the United States into an awareness that this country no longer dominated world technology. The result was an extensive

---


4 Ibid., pp. 694-95.

revision of public attitudes to which the mass media contributed—from the popular anti-intellectual bias common to the earlier Eisenhower years, to a commitment to improve education and research in the sciences and space technology. In 1958, Congress passed the National Defense Education Act. Loans, scholarships, and grants for research in space-related areas became much more numerous. 6

A severe recession in 1957 and 1958 brought lay-offs in core industries. At the same time, the civil rights issues arose, and to top it off, the Eisenhower administration was rocked by scandal as a number of his appointees, including two on the FCC and one on his own confidential staff, were accused by a House Committee of questionable use of their influence. 7

The 1960 election brought a new party and a new style to the White House. It was liberal young John Kennedy in contrast with moderate old Eisenhower. The new administration sought out liberal-minded experts in many fields and brought them to Washington to help the new president lead the nation. The changes weren't radical, but the sense that the president was a leader of the nation, not a moderator of differences, and was a man concerned with human justice, set the style and tone of the short tenure of John Kennedy. 8

6 Ibid., pp. 594-95

7 Morison, et. al., p. 693.

Though he moved slowly at first, his support for the civil rights movement and his encouragement of more active surveillance of industry through the regulatory commissions reflected his social priorities. In addition, Kennedy was the first president to consciously employ government budgetary policy and power in the management of the economy, an economic technique still being employed.9

The kind of activist leadership symbolized by the president was reflected through many branches of the government, and manifest itself in a sharply altered bureaucratic orientation on the part of many agencies. At the same time, the president's appeal to idealism and moral commitment to human rights sparked eager responses in many sectors of society at the time. This kind of idealism, and this kind of commitment were the ingredients of calls for reform like the civil rights movement as well as the less dramatic demands to clean up the broadcasting industry.

Television and radio: 1958-62

By 1960, 87 per cent of American homes had television,10 with peak viewing reaching approximately sixty-five million people at prime evening hours.11 In 1958, advertisers spent more than one-billion, 300-million dollars to sell their products on television.12 With that much volume and

---

9 Morison, pp. 759-60; Perkins and Van Deusen, p. 799.


12 Ibid., p. 20.
that many viewers, it is clear that by the close of the fifties, television was an important medium of potential influence as well as an effective avenue of commerce. Both of these attributes put pressure on the medium and the practitioners during this period.

It was a prosperous time for broadcasters. As 1958 began, the audiences were increasing by three to five per cent a year and advertising revenue was growing. More television was moving to film products with the economic incentives from Hollywood studios and more potential outlets for syndication of film products around the world after network use. But certain problems plagued the industry.

In 1958, discovery of a questionable relationship between an FCC Commissioner and a broadcaster with business before the Commission forced the Commissioner's resignation. Later that same year, a winner on one of the numerous big-money quiz shows popular at the time claimed the show he appeared on had been "fixed." Hints and rumors of questionable practices had come to light earlier, but nothing was proven. Even so, after bad publicity the networks slowly began to drop some of the quizzes.

Early in 1959, a grand jury in New York City took testimony from nearly 150 witnesses on the subject of the rigged quiz shows. Later the District Attorney claimed that all but about fifty of them had lied.

---


14 Ibid., p. 122.

The grand jury did not indict anyone, though their report indicated strong suspicion of wrong-doing.

During the summer of 1959, the issue was taken up by the Subcommittee on Legislative Oversight of the House of Representatives, which began hearings in October. Gradually the story emerged. Contestants admitted being helped in their answers or actually being given the questions beforehand. Executives of production companies, advertising agencies and networks confessed collusion or professed ignorance of what was going on. But it was clear that audiences and many broadcasters had been duped into thinking the programs were legitimate contests, when many of them were not. 16

At almost the same time, radio became embroiled in exposure of payola—bribes taken by disc jockeys to influence them to play particular records. The scandal mounted as more stations were found to have been involved. One station, for example, received more than $36,000 from eight different record companies in a sixteen-month period to feature their releases. 17 By year's end, the credibility of the broadcasting industry was at an all time low, and considerable effort was being extended by broadcasters in an attempt to clean up their image, as we shall see later in this chapter.

The following year, broadcasters—led by Frank Stanton of CBS—convinced Congress to suspend, for the 1960 election, the equal time

requirement for presidential and vice-presidential candidates, thus clearing the way for a series of firsts in television political coverage.

In September and October, four face-to-face debates between the two presidential candidates were broadcast with an average audience estimated at seventy-one million viewers. This was the largest audience ever to see and hear two presidential candidates on the same platform, "debating," no matter how superficial some felt the confrontations were.

Because the suspension of Section 315 made it possible, and the need to re-establish public confidence in broadcasting made it desirable, the 1960 campaign was covered more thoroughly by television than any campaign before. CBS estimated that time worth $2,750,000 had been devoted by their radio and television networks to the candidates for the top two offices.

These activities "in the public interest" during the campaign tended, for a time, to assuage the criticism roused by the quiz scandals. But once John Kennedy's "New Frontier" appointments were made, things changed. Newton Minow, a young liberal lawyer from Chicago, was made Chairman of the FCC and promptly set about "straightening up the industry." His speech at the NAB Convention in May, 1961, carried his message directly to the broadcasters when he challenged them to sit before their television sets

---


20 Testimony of Frank Stanton before the Subcommittee on Communications of the Senate Committee on Interstate and Foreign Commerce; mimeograph text from CBS, New York.
from the time the station goes on the air in the morning until it signs off at night. "I can assure you," he said, "you will observe a vast wasteland." 

Minow's crusading, coupled with new NAB president LeRoy Collins' campaign to replenish the moral responsibility of the broadcasting industry, made broadcasters uneasy and defensive. As a result, a growing number of news documentaries and entertainment specials of some stature began to make their appearance on the networks and on local stations. This phenomenon carried on with diminishing intensity for the next two to three years as the pressure for reform became less urgent.

In summary, the period from 1958 through 1962 was one of major contrasts in governmental approaches and national goals. The Eisenhower years had been increasingly comfortable for many, but full of unresolved conflicts and flaws. Kennedy brought youthful vigor and a sense of idealism to the presidency, but some questionable political finesse. Though his record of legislative accomplishment was small, his contribution to the sense of national purpose was strong. Similarly, the broadcast media had grown wealthy and comfortable in the fifties and eventually were struck a solid blow by corrupt practices growing out of a desire to some to become more comfortable. As the sixties began, broadcasters attempted to rebound from the quiz scandals by offering more "high class" programming.

---

21 Quoted in Barnouw, The Image Empire, p. 197.

22 Ibid., pp. 180-81.
But, at best, such offerings were only a small minority of their schedules. Thus they soon were assaulted again--this time by a new FCC chairman who criticized their programming and then threw them off-balance by threatening to use their broadcast licenses to influence their programming. He also took his message of dissatisfaction with the industry directly to the people.

Thus, 1958-1962 was a time of growth, wealth, and periodic insecurity for broadcasting. In the following analysis we shall see more clearly how Broadcasting magazine and the industry spokesmen dealt with the issues of broadcaster responsibility during the period.

**Analysis of Broadcasting Editorials, 1958-62**

**Summary of Quantitative Data**

Between January 1, 1958, and December 31, 1962, two hundred and sixty issues of Broadcasting magazine were published containing 688 items labelled by the editor as editorials. As Table 6 illustrates, the number of editorials printed varied from a high of 163 in 1958, to a low of 120 in 1960, then increased through the next two years to a total of 150.
### TABLE 6

1958-62: EDITORIALS DEVOTED TO RESPONSIBILITY ISSUE

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Editorials</th>
<th>Responsibility</th>
<th>Responsibility as per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1958</td>
<td>163</td>
<td>21</td>
<td>12.9</td>
</tr>
<tr>
<td>1959</td>
<td>130</td>
<td>27</td>
<td>20.8</td>
</tr>
<tr>
<td>1960</td>
<td>120</td>
<td>15</td>
<td>12.5</td>
</tr>
<tr>
<td>1961</td>
<td>125</td>
<td>14</td>
<td>11.2</td>
</tr>
<tr>
<td>1962</td>
<td>150</td>
<td>21</td>
<td>14.0</td>
</tr>
<tr>
<td>Totals</td>
<td>688</td>
<td>98</td>
<td>14.2</td>
</tr>
</tbody>
</table>

The dip in numbers coincided with the period when the industry was involved with the quiz "scandals" and their aftermath. The editorial writer tended, during this period, to write longer editorials on the key questions related to the quiz scandals, resulting in fewer editorials being printed. The same pattern held true during the 1945 through 1948 period. The numbers dropped in the wake of the publication of the Blue Book, then rose as the impact and interest wore off.

The average number of editorials per issue dropped from the 1945-48 level of 3.0 to 2.6. Of the total number of editorials printed, ninety-
eight—or 14.2 per cent—were judged to be relevant for this study.
This is an increase of roughly one-and-a-half per cent over the 1945-48
period but still below the 18.2 per cent level of the 1933-35 period. The
highest percentage of relevant editorials was found in 1959, the year of
the "scandals," and the lowest in 1961—the former year having almost
double the number of relevant editorials as the latter.

Examination of Table 7 reveals the following characteristics of
editorial attention during the period from 1958 through 1962.

1. Program practices were the focus of more than twice as many
editorials as trade practices through the period, with the
latter disappearing from consideration entirely in 1961.

2. Of the Trade Practices categories, Ethical Advertising
received most comment followed by the problem of Over-
Commercialization. Neither received as much attention,
however, as four of the five Program Practices categories.

3. By far the most frequently discussed category was News,
which was the subject of nearly 30 per cent of the relevant
editorials during the period, and was the major subject
every year.

4. Three other Program Practices categories were discussed more
than any Trade Practice category: Program Quality, Ethical
Programming, and Public Service.
### TABLE 7

1958-62: CATEGORIES OF RESPONSIBILITY

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
<td>Per cent</td>
</tr>
<tr>
<td>Trade Practices</td>
<td>6</td>
<td>28.6</td>
<td>2</td>
<td>7.4</td>
<td>4</td>
<td>26.7</td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>6.7</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>3</td>
<td>14.3</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>3.7</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>1</td>
<td>4.8</td>
<td>1</td>
<td>3.7</td>
<td>3</td>
<td>20.0</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>2</td>
<td>9.5</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Program Practices</td>
<td>13</td>
<td>61.9</td>
<td>14</td>
<td>51.9</td>
<td>10</td>
<td>66.7</td>
</tr>
<tr>
<td>Indecent Content</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Program Quality</td>
<td>2</td>
<td>9.5</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>6.7</td>
</tr>
<tr>
<td>Public Service</td>
<td>2</td>
<td>9.5</td>
<td>1</td>
<td>3.7</td>
<td>3</td>
<td>20.0</td>
</tr>
<tr>
<td>News</td>
<td>8</td>
<td>38.0</td>
<td>5</td>
<td>18.5</td>
<td>5</td>
<td>33.3</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>1</td>
<td>4.8</td>
<td>8</td>
<td>29.6</td>
<td>1</td>
<td>6.7</td>
</tr>
<tr>
<td>Code</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>3.7</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>National Security</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Responsibility</td>
<td>2</td>
<td>9.5</td>
<td>10</td>
<td>37.0</td>
<td>1</td>
<td>6.7</td>
</tr>
</tbody>
</table>
5. The umbrella category, Responsibility, was the second most important category in terms of the number of editorials devoted to it. It will be noted that two-thirds of the editorials classified in this category appeared in 1959—most in the aftermath of the quiz scandals.

6. Some gross trends were apparent: News dominated in 1958, 1960 and 1962. Responsibility and Ethical Programming took over in 1959, and Program Quality editorials were most frequent in 1961. We shall suggest later some reasons for those shifts.

Table 8 shows the comparative figures for each of the periods. Here, certain gross patterns are visible: (1) the change in emphasis from Trade to Program concerns seen in 1945-48 has solidified by 1958-62; (2) there is a fairly consistent level of interest in Program Quality; (3) advertising categories received the same basic amount of discussion in the last two periods, though the specific focus shifted; (4) interest in the Code fell in the latest period, after being fairly consistent in the first two periods; (5) and, perhaps most significant, the steady rise of interest in the news category through the three periods.

The above summary of quantitative data indicates some of the trends between periods and within the 1958-62 period in the attention paid editorially by Broadcasting to various categories of the responsibility of the broadcaster. The section which follows analyzes the findings in
## TABLE 8

### COMPARISON OF CATEGORIES OF RESPONSIBILITY

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
</tr>
<tr>
<td>Trade Practices</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>22</td>
<td>48.8</td>
<td>15</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>6</td>
<td>13.3</td>
<td>2</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>1</td>
<td>3.2</td>
<td>4</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>5</td>
<td>11.1</td>
<td>6</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>9</td>
<td>20.0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2.2</td>
<td>2</td>
</tr>
<tr>
<td>Program Practices</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indecent Content</td>
<td>18</td>
<td>40.0</td>
<td>49</td>
</tr>
<tr>
<td>Program Quality</td>
<td>2</td>
<td>4.4</td>
<td>0</td>
</tr>
<tr>
<td>Public Service</td>
<td>5</td>
<td>11.1</td>
<td>10</td>
</tr>
<tr>
<td>News</td>
<td>8</td>
<td>17.8</td>
<td>19</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>3</td>
<td>6.7</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0.0</td>
<td>9</td>
</tr>
<tr>
<td>Code</td>
<td>5</td>
<td>11.1</td>
<td>8</td>
</tr>
<tr>
<td>Security</td>
<td>0</td>
<td>0.0</td>
<td>3</td>
</tr>
<tr>
<td>Responsibility</td>
<td>0</td>
<td>0.0</td>
<td>4</td>
</tr>
</tbody>
</table>
Summary of Editorial Content: 1958-62

Trade Practices

The shift toward programming matters noted in the previous chapter was continued in the 1958-62 period as less than a fifth of the relevant editorials, and 2.6 per cent of the total number of editorials printed, discussed Trade Practices issues. Though there was some shifting of attention from questions of tasteful advertising to discussion of Ethics in false and fraudulent commercial messages, the numbers are quite small and the shift, therefore, not a large one. Indeed, Trade Practices did not seem to concern the editor very much at all during this period.

Ethics and Over-Commercialization

More than two-thirds of the editorials classified as "Trade Practices" subjects dealt with the issues of Ethical Advertising content, and excessive numbers of commercials being broadcast. Though public and regulatory criticism of commercial practices seemed not to be as severe as in the post Blue Book era, broadcasters were still assailed periodically for various advertising excesses, and generally it was these attacks which prompted Broadcasting's editorials on the subject. During the 1958-62 period, the Federal Trade Commission was sometimes the stimulus for editorials on the issue of ethical advertising practices.
Once in late 1958, and twice more in 1962, the editor—while agreeing that it was important to "drive illegal and misleading advertising off the air," argued that the FTC was, in effect, using a sledge hammer to swat a mosquito. In 1958, the FTC set up a radio-TV monitoring force to check for questionable advertising. Broadcasting argued that a force of 350 was much too large, that practices such as "bait and switch" and the "extravagances of pitch advertising" had almost disappeared. He voiced a fear that the force of monitors might "seek to justify its perpetuation by making trouble where no trouble is deserved," and urged broadcasters to discourage that kind of development.

Little more was said about the FTC until early 1962, when they cited Colgate-Palmolive for employing what it called a misleading and deceptive demonstration in showing what appeared to be a piece of sandpaper being shaved after an application of Rapid-Shave. In reality, however, it was a piece of plexiglass coated with sand. The editor criticized the FTC decision, not so much for the specific charges but because they "generalized on the subject of television advertising" and appeared to say "without quite saying it, that the substitute [sic] of any prop for the real thing being advertised is illegal, no matter what the circumstances."

---

23 "Is This Army Necessary," 9, December 8, 1958, p. 118.

24 Ibid.
The editorial categorized the decision as following the "classic pattern."

This type of regulation begins with an assumption of widespread abuses. It is not necessary, by this procedure, to prove that the abuses exist. It is enough to state that they do.  

The writer then went on to quote other sections of the report and raise questions about its validity and applicability. No judgment was made, however, about the truth of the FTC claim against the Rapid-Shave Commercial.

Eleven months later, a court ruled that such a demonstration using props whose sole purpose was "to compensate for deficiencies in the photographic process" did not materially mislead the viewer and should not be considered dishonest. Broadcasting praised the decision and Colgate for pursuing the appeal and bringing "this whole silly business to the only sensible end."  

The editor was not ready to support the FTC in its activities during this period, though he was outspokenly against misleading advertising practices. Consistent with earlier patterns, however, his tone was seldom strident or harsh in criticism of broadcasters. More often it was paternal and benevolent, giving the broadcaster the benefit of the doubt.

Several editorials appeared in late 1959 and early 1960, concerned with advertising credibility, and the source of misleading advertising.


In late November, 1959, following the revelations of quiz show rigging, Broadcasting reported on a survey done by the McClure Newspaper Syndicate which claimed that television's believability as an advertising medium was very low. Though other studies had not indicated such an extreme position, the editor chose to accept its accuracy, but argued that it only measured a temporary condition. At the same time, he advised advertisers, not broadcasters, that if they "will be straightforward in their commercials (as indeed almost all of them are), they can soon turn the skeptics into believers." Used with "skill and honesty," the editor promised, "the persuasive power of television and radio" can reverse the standings of the poll in a short time. The editorial was aimed at advertisers and insisted that they had responsibility for presenting material in the proper fashion. The broadcaster was not included in the editor's general admonition to behave responsibly.

In January, 1960, however, the issue was met.

Let us begin with the premise that responsible media will not accept advertising that is patently false or blatantly offensive. Let us extend that premise to say that responsible agencies will not offer such advertising and that responsible advertisers would not permit it to be offered anyway. From these basic assumptions, which recent history supports, we come head-on to the first question: Who is to say?

---


The editor then outlined the positions taken by others, ranging from the chairman of the Federal Trade Commission, who placed responsibility of the advertisers, to several statements from advertising agency and broadcasting leaders who urged the broadcast industry itself to screen programs and commercials and to give them seals of approval. The editor offered no answers but suggested that the questions were "formidable" and that "reaching the right answers may be vital to the continued growth and acceptance of broadcast advertising." He concluded with what might be considered a triumph of understatement, coming as it did in the wake of what was perhaps the greatest crisis of credibility the broadcast media had yet faced.

This we do know: the answers will not be found until the questions are met. It is not too early to start thinking now. [emphasis supplied] 29

His criticism was gentle and "positive," and his assessment of the situation less than urgent.

The tone of cooperation had appeared a week earlier when broadcasting had discussed the "mutual" interests involved in programming and advertising control. Because of the quiz scandals, the concern over who controlled what went on the air had received much attention, and some suggestions had been offered. Among them was the adoption in broadcasting of the "publishing concept" of advertising which meant that sponsors would

29 Ibid.
not purchase a program, but an advertisement that might be placed anywhere. Though it was foreseen that such a system would be met with great resistance, Broadcasting urged that broadcasters and advertisers work together to find a solution to the dilemma. The central core of the editor's concern was expressed in his assessment of the positive aspects of the so-called publishing concept.

In its purest sense, as we have said before, the publishing concept merely means that the medium is operating as a communications organ which carries advertising, not as an advertising device which has a secondary purpose of informing and entertaining.30

The appeal to broadcasters to take charge of their business and solve the problems themselves, though not uncommon, was directed this time not toward government but the advertisers and agencies who, according to Broadcasting, had led the broadcasters into the quiz scandals.

One other editorial in 1960, supported legislation banning payola and quiz rigging, and then criticized the practice of giving a company free plugs for services performed. The example was the plug given an airline company in return for transporting the show's cast and production people. This, according to Broadcasting was giving away time that rightfully belongs to the stations—time that broadcasters were in business to sell. The program's producers, said the editor, "are hitch-hiking unpaid commercials" which is an unethical use of air time. He urged that the practice be ended because it "makes good business sense" to do so.31


The concern over Ethical Practices in advertising during this period tended to be rooted in two different stimuli. One was the Federal Trade Commission's efforts to regulate television commercial content, of which the editor disapproved. The second was the quiz scandals and the resulting demand for a re-examination of the ethical bases for program and advertising decisions. *Broadcasting* argued for increased broadcaster control over, and responsibility for, material put on the air. At the same time, much of the onus for previous instances of improper commercial content was shifted to the advertiser and the now familiar minority of fringe operators.

A similar argument was voiced in some of the editorials dealing with the question of Over-Commercialization. Two editorials in mid-1958, while critical of "any practice that dilutes the impact of legitimate commercials," argued that broadcasters cannot shoulder the responsibility alone. "A station cannot over-commercialize by itself," the editor pointed out. "These spots would not be selling if advertisers weren't buying them--indeed, insisting on them." At the same time, the editor made it clear that he did not approve of the practice of "triple spotting," which was the target of some criticism from viewers.

Later in the year, *Broadcasting* defended the electronic media against an attack from *Life* magazine which had, in an editorial, accused television of becoming "a subsidiary instead of a vehicle, of advertising." The

---


editor denied the charge, saying it was no more a subsidiary than Life was, and that it obviously was an effective "vehicle" or "Life wouldn't have felt compelled to call it a 'subsidiary'." 34

This last was a reference to the continuing issue of competition between print and electronic media which has appeared in Broadcasting editorials since the beginning. But of more interest is the "vehicle-subsidiary" concept, which appeared a year prior to the editorial discussed under the Ethical Practices category which urged broadcasters to think of their media as communications organs, not as advertising devices. 35 The events of 1959 put the issue in a new light, and the editor evidently altered his viewpoint to fit the new circumstances.

Over-commercialization was not the specific subject for an editorial again until mid-1962, when the editor spoke gently of radio's weakened status as an advertising medium and blamed it on radio's acceptance of "too many commercials to make the medium as attractive as it ought to be." Once again he urged broadcasters to join with the advertisers to clean house and boost radio's potential. 36

In September, the editor cautioned television broadcasters to expect criticism for over-commercialization since 1961 time sales had jumped 15 per cent, an increase that might set critics to sniping. Broadcasting claimed it saw no reason to apologize for increased sales but "we do

35See above, p. 300.
think it only good politics for all concerned—buyers, as well as sellers—to avoid crowded scheduling which would seem to be more 'commercial' than the sales justify."^37 The concern was with appearances and the argument was without vigor or force. It was polite and suggestive, like most of the arguments encountered thus far in this period. Urgency and necessity seem not to have entered the equation in these areas of Trade Practice issues and perhaps the editor provides the reason in summing up his argument for restraint.

Perhaps broadcasters can find some comfort in the thought that critics will be critics whatever the times. Somehow criticisms seem a little easier to take when times are good. 38

Rate-Cutting, Unfair Competition and Taste in Advertising

Consistent with the trend in earlier periods, Rate-Cutting and Unfair Competition were hardly discussed during the 1956-62 period. The inconsistent use of local and national rates as well as bartering with advertisers was deprecated by the editor in 1960, 39 but not mentioned again throughout the period.

On two occasions in 1958, unfair competition in the form of "trafficking" in broadcast licenses or paying off competitors for the same license was denounced. Congressional hearings had brought to light


38 Ibid.

a number of instances in which many questionable deals were made between applicants for the same license to speed up the process (one applicant would buy off his competitors, for example.) "Trafficking" is buying and selling stations, not to operate them but to turn a quick profit. 

Broadcasting denounced these practices and urged Congressional action to alter the laws which permitted them.40

Tests in Advertising had been the strongest Trade Practices category in the 1945-48 period, but only two editorials on the subject appeared in the five years under study in this chapter. The first, in 1959, discussed the growing number of stations advertising "Preparation H," a hemmorhoid remedy which the Television Code Review Board had judged to be unacceptable for broadcast advertising three years earlier. Broadcasting did not openly criticize broadcasters who refused to abide by the Code's standard of good taste, but pointed out that since a sizable minority of stations regarded the commercials as acceptable to them, the question of Code Position seemed to be legitimately debatable.41 This position recalls the argument by Broadcasting and the NAB during the 1945-48 period--that local managers are best qualified to judge their own markets. It also foreshadows a later position taken by Broadcasting in regard to updating Code restrictions, which will be discussed more fully in the next chapter.


The second editorial on the subject discussed the proposal to cluster commercials at the beginning and end of programs so as not to intrude hard-sell commercial content in the body of a sensitive story. Broadcasting, once again, took no position on the question, but urged research to determine the effectiveness of various commercial placements, both in regard to the story being presented and the commercials being grouped together.42

In summary then, Broadcasting spent little time offering advice to broadcasters about their responsibility in regard to Trade Practices questions. The editorials that did appear were almost totally concerned with advertising questions, the most frequent, Over-Commercialization. The two chief concerns in the Ethical Practices category were the actions of the FTC in monitoring broadcast advertising; citing questionable or misleading commercials; and the impact of the quiz scandals on the credibility level in broadcast advertising. The editor criticized the FTC for its methods and for what he felt were its unnecessary generalizations. In regard to the credibility problem, Broadcasting did not take a strong position, but suggested that broadcasters should have more sure control over what goes on the air. Generally, the position was that the question of control should be examined carefully and answered with cooperative effort between broadcasters and advertisers.

With the exception of the light criticism of the FTC, little sense of government intervention appeared in the Trade Practices editorials,

42 "But First a Message (or Messages).....," B. November 5, 1962, p. 94.
and little sense of urgency for reform could be detected. In general, the magazine seemed to have few strong reactions and a relatively non-prescriptive approach to dealing with the issues raised in this area. Such was not entirely the case in the Program Practices categories to be examined next.

Program Practices

By a wide margin, news was the category most often discussed during this period, and, though emphasis shifted from year to year, basic patterns in subject matter were discernible. The issue of Ethical Programming was an important category and the editorials on the subject were concentrated primarily in 1959. These editorials and the ones under the heading of Responsibility which appeared in 1959, form the nucleus of Broadcasting's response to the so-called quiz and payola scandals and once again show the essentially protectionist attitude of the editor in regard to outside criticism of the industry.

Also discussed during the period were Program Quality, and Public Service programming. The former more often tended to be a subject during 1961, when an activist FCC Chairman, Newton Minow, was strongly and publicly critical of the caliber of programming being presented. In the Public Service category, the editor tended to divide his attention between advocating a few specific public service campaigns, and arguing the public relations benefits of such programming.
As in the past, the editorials in this period tended to be reactive and defensive rather than offering positive leadership in this area. Most often the editor responded to attacks or industry dilemmas, then offered advice about the ideal role of the broadcasters. One exception was in the area of News.

**News**

Though specific content differed, the majority of the relevant editorials appearing during this period urged the same thing: broadcasters should become mature, responsible and respected journalists. The paths to this goal were numerous and dotted with pitfalls, but the editor strongly and firmly advocated the importance of the journalistic function in broadcasting.

The number of relevant News editorials was reasonably consistent and represented, through four of the five years, from a quarter to a third of the total of the editorials discussing the responsibility of the broadcaster. In 1959, much of the editorial attention accrued to the quiz scandals so News, as well as most other categories, tended to be a smaller proportion of the total.

Through the period two subjects were discussed more often than any others: editorializing by licensees and the limits on political coverage under Section 315 of the Communications Act of 1934. The editor equated editorializing with journalistic maturity and tended to press broadcasters to exercise their right to state opinion in a responsible manner. Section 315 was a legal thorn in the side of "free" reporting and discriminated
against broadcast journalism in favor of the newspapers who had no such restriction. Both these positions meshed with the editor's bias found in the 1945-48 period, that is, he respected the journalistic function and was convinced that broadcasting should be the most important news medium. That position is expressed over and over in the news editorials of this period.

During 1958, five of the eight relevant News editorials either praised the effectiveness or advocated the use of editorials. The catalyst for comment during the early months was the pressure on Congress to allow subscription television experiments. A number of stations editorialized against allowing this to happen. In February, Broadcasting praised the impact of these editorial efforts as members of Congress were "deluged with telegrams, letters and petitions" urging them to reject Pay TV. The editor credited station editorializing with generating that response. Following this, four more editorials advocated ongoing, responsible presentation of opinion by all broadcasters.

In March, for example, response to Pay TV editorials was cited to persuade broadcasters to exercise the right affirmed them by the FCC in 1949, "If television is to be respected as a moving force," proclaimed the editor, "it will assume the responsibilities and exercise the right to editorialize—consistently." He also offered advice and a challenge.

"Editorializing is the prerogative of the wise, the fair-minded and the courageous." In April, the same call was repeated, urging renewed attacks on the subscription television people who were trying to discredit the free television industry.

In May, two more editorials argued the necessity for broadcasting to make a choice—to "mature into responsible adulthood" or "commit itself to permanent adolescence." The crucial indicator of this maturation, according to the editor, was the journalism function.

Broadcasting has at its command some of the most knowledgeable journalists in the nation. It also hands microphones to men with neither the training nor talent to report news and commentary. Broadcasting produces many programs of journalistic integrity and depth matched by the work of any magazine or newspaper. It also deforms the air with amateur news which is at best superficial and at worst misleading.

But the medium has been making progress, claimed the editor. More stations were editorializing and thereby "enhancing [their] stature in the community," but not enough broadcasters were doing it, and not enough were hiring professionals to gather news and present the commentary. Broadcasting challenged the broadcasters to "seize the leadership in U.S. journalism," and to become professionals in the field. Following


45 "Forcing the Pay-TV-Issue," B, April 7, 1958, p. 114.

46 Ibid.

up this challenge three issues later, Broadcasting urged broadcasters and the NAB to place the subject of editorializing on their agenda in an attempt to unify and upgrade the efforts of those who were leading the movement.  

The next mention of editorializing did not appear until April, 1961, when the editor reported that the owners of two New York stations who had pioneered in editorializing on local, national and international issues, had, during the 1960 presidential campaign, editorialized for John Kennedy. According to Broadcasting, they had done so with professionalism, maturity, responsibility, and with a proper concern for fairness. It was an example of trail blazing, but with a competent, experienced organization making responsible judgments. The editor warned that stations cannot "rush pell-mell into this highly sensitive field." It takes professionals responsible to management.  

Three more editorials in 1962 echoed this caution. Without singling out examples, the editor warned stations against editorializing "because it is the thing to do" without first building a staff "that knows how to cover news in its own community, select news from outside sources and communicate its work with clarity." A second editorial praised station WMCA in New York for its editorial campaign advocating legislative

---


reapportionment. The campaign was climaxed when WMCA filed suit for court review of the questionable apportionment. Broadcasting reiterated its argument for trained, professional "well-reasoned" editorial positions. The following month a short editorial praised the increase in "responsible" editorializing by licensees.

The discriminatory nature of Section 315 came under fire from Broadcasting during this period, but from a perspective similar to the issue of editorializing. The editor urged broadcasters, on the one hand, to be fair and responsible in their presentation of candidates so as not to evoke indiscreet legislation "even worse than the paralyzing effects of Section 315," and on the other, to vigorously seek the "opportunity to present political candidates and political news with the freedom enjoyed by other media." The editor argued that since the law existed, it should be observed, but that broadcasters should actively fight for its removal. In mid-1959 when Congress was considering changing the law, Broadcasting was highly critical of broadcasters' lethargy in regard to their "news responsibility."

On the evidence at hand, it is not unkind to say that the prevailing attitude of broadcast management toward news is flabby. With exceptions made the more conspicuous by the lethargy of their fellows, broadcasters have ignored their biggest chance to assert their position in the world of journalism.

51 "Distinguished Journalism," B, June 18, 1962, p. 94.
54 "Section 315's Last Lap," B, October 20, 1958, p. 118.
In urging broadcasters to fight against Section 315, the editor argued
that the law "denied broadcasters the right to cover political campaigns
intelligently." In even sharper terms he accused some readers who
had expressed displeasure with Broadcasting's editorials of "harping to
the point of boredom" about 315, of having "a single-minded interest in
the commercial side of broadcasting."

They would find us livelier if we invented an acceptable way
to wedge more advertising into a disc jockey show or created
a sound effect more arresting than a siren.

He dismissed these readers as ones who believe that the rate card is
"equal in stature to the Magna Charta or the Bill of Rights." The
editorial then went on to argue that the fight against Section 315 was
important because "its outcome will determine whether broadcasting can
mature into a responsible journalistic force.

Section 315 was not discussed again in terms of the broadcaster's
responsibility until mid-1962 when the editor once again criticized
"some broadcasters" who were "unable to understand the differences between
a hired hall and a medium of journalism." Once again the occasion was
Congressional hearings on revision of the political broadcasting law, and
once again the editor was less than pleased with the response of the industry.

56 Ibid.


58 Ibid.
For every influential broadcaster who asked last week for freedom— and the risk— to present political intelligence in accord with his own editorial judgment, there was another who asked for some kind of government protection that would lessen the discomfort of his own decision-making.59

The familiar refrain appeared once again as the editor lamented that without such a change in the law "it is useless to hope that radio and television will mature into their full potentials as communications organs."60 This same concern touched most of the rest of the news editorials, though specific subjects varied.

In 1958, two separate editorials discussed problems of news presentation. The first examined the dilemma of fairness, calling broadcasting more fair than newspapers, but mourning the fact that it was less free. "The right of freedom of the press is the right to be wrong."61 The second commented on the problem of news integrity in television interviews edited at the request of the interviewee. Broadcasting maintained that only questions of national security should be reason for the journalist's allowing his subject to dictate what parts of an interview may be broadcast.62

60 Ibid.
Five editorials in 1960 praised the efforts of the industry to upgrade its journalistic offerings. In March, an editorial announced that the CBS-owned stations would be presenting weekly reviews of the print media—which the editor felt was important programming. At the same time, he urged CBS to avoid "carping, criticism, and competitive knocks for the sake of knocking." He urged an objective presentation of the truth which might even lead, in time, "to some improvement in the print media." 63

In May, an editorial praised the broadcast coverage of the "shambles of the summit in Paris" and the "critical, if somewhat less hysterical, debate in the United Nations Security Council." The networks interrupted regular programming and demonstrated the strength of reporting news instantly and directly. For Broadcasting, this was further argument that the medium was maturing and was now a "vital ingredient in a democracy that can work only if its people are informed." 64

Similar praise and promises were prompted by the increased number of news and public affairs programs scheduled for broadcast during the 1960 season. In addition to coverage of the political campaign, the networks had scheduled more prime-time informational programs than any previous year, according to Broadcasting. The magazine praised the schedule, calling it "mature and responsible." It also reminded its readers that the

entertainment programs would still be around, for without them, "there wouldn't be any money for more stimulating fare."\(^{65}\)

In October, *Broadcasting* applauded the history-making first television debate between candidates Richard Nixon and John Kennedy, saying that broadcasters had "elevated their stature as responsible journalism forces."\(^{66}\) In December, the editor looked back over the successful coverage of the campaign and the new vitality of information programming and concluded that "there can no longer be any doubt that television has become a major journalistic force."\(^{67}\)

Two editorials in April, 1961, returned to the advice given in regard to editorializing and political broadcasting:

To improve their stature as practitioners of modern journalism, station ownership and management have the responsibility of upgrading their news handling and their editorializing.\(^{68}\)

Broadcasters have made mistakes in the quest toward journalistic maturity. The biggest problem perhaps is that too many broadcasters regard themselves as being entirely in the entertainment business. . . . We think, moreover, that ownership and top management should re-examine their programming policies and objectives. As we have said so often, the strength and stature and the very future of radio and television are imbedded in modern journalism and not in "show business."\(^{69}\)

In 1962, one editorial commented on the promise of more and better informational programming for the 1962-63 season and the "flood of new programs devoted to significant aspects of a single subject: communism."

---

\(^{65}\) "The Great Uninformed," *B*, September 19, 1960, p. 120.


\(^{67}\) "Journalistic Maturity," *B*, December 19, 1960, p. 110.


The editor urged actual and honest presentations to "enlighten and solidify the American people" but warned against "rabble-rousing." He called television a "medium of mass education." 70

A second editorial advised networks to keep up their competitive "full text" coverage of major events like space-shots because the viewers should have the right to choose what version they want to see, rather than having only one option. Competition, too, spawns greater depth and variety in coverage, according to the editor. 71

The final editorials of the period critiqued and defended a television news broadcast by Howard K. Smith examining the political career of Richard Nixon, who had just been defeated for governor of California. As part of the broadcast, Smith interviewed Alger Hiss, a figure in a treason investigation significant in Nixon's early career. Broadcasting questioned Smith's news judgment in presenting Hiss, suggesting that the information could have been obtained from files and historical sources. At the same time, he felt that reaction to the program in some quarters had been too extreme. The root of the editor's criticism of Smith seemed to be the fear of intervention.

The danger in all this is that the uproar will lead to concessions that deter television journalists from practicing their craft with editorial independence. What must be recognized is that no journalist is immune to frailties of judgment, but that fact ought not to become an argument for suppression of the news. 72


The editor of *Broadcasting* would not have handled the program the way newsman Smith had, and the implication is that he would not have done so because it might stir up restrictive legislation or judgment which would limit all journalists.

In summary, *Broadcasting* magazine during the 1958-62 period deemed the News category the most significant area of broadcaster responsibility by a sizable margin. The central theme running through all the editorials was *Broadcasting*'s conviction that the electronic media had a primary responsibility to be mature, responsible and credible news media. To do this, said the editor, broadcasters must build competent professional news organizations, editorialize, and fight to have restrictions on political broadcasting lifted. At the same time, he urged caution about violating the law or generating "unnecessary" controversy which might tighten the restrictions on all broadcast journalists. In short, the magazine, during this period as in the 1945-48 period, consistently discussed the role of news and the responsibility of the broadcaster to present it accurately, professionally and with a sense that his priorities lay with journalism, more than with entertainment.

The only other discernible patterns of editorial content in regard to the news category seemed to be in the responsiveness to issues. Thus, in 1958, editorializing was of fairly strong interest and seemed generally to be tied to the struggle over Pay-TV. In 1960 and 1961 (after the quiz scandals), there seemed to be greater interest in praising those things the industry (generally the networks) were doing to expand news and
information programming. In general, discussions of political broadcasting tended to be clustered in periods where some Congressional action to revise the law was being contemplated.

**Ethical Program Practices**

All the editorials in this category were related in some way to the problems of quiz rigging and payola. Most of them appeared in 1959, and while generally disapproving these practices, defended the record of the broadcasters against attacks from critics, courts and Congressional committees. Only those editorials dealing with payola were unequivocal in the demand to correct the questionable practices.

The first editorial in this category appeared in September, 1958, in response to the publicity over the "charges and insinuations" about rigged quiz shows. *Broadcasting* claimed that whether any quiz show was rigged or not, publicity had made it clear that broadcasters needed to be "actively, aggressively proper," in their programming, or the newspapers would pounce on them and magnify the significance of even the least little mistake. The editor urged the networks and stations to exercise greater care and more control over programs packaged outside their purview.

The editorial closed with a criticism carefully couched in practical considerations. It recognized that producers of quiz programs might want to keep contestants "who are audience-builders" and that it is possible to favor contestants without furnishing questions or answers; but, the editor argued, the producers would be naive to think that audiences
would watch a quiz they knew was rigged, "Hence to rig one would be to risk disillusioning and alienating the audience and, whether it's illegal or not, would show incredibly poor business judgment."73 Clearly the editor was against the practice of rigging quiz shows, but he also refrained from taking a strong moral or ethical stand against the practice or the alleged practitioners.

The next Ethics editorial did not appear until July, 1959, and once again it was prompted by publicity about the charges of quiz rigging. The New York grand jury had investigated charges against the quiz shows and returned a report that, while not making criminal charges, suggested unethical practices had been involved. A judge impounded the report because it might harm innocent people without seeking out the guilty. But others argued that the report should be open to the public. Broadcasting supported the latter position, because, claimed the editor, to do otherwise would be suppressing news and would tend to make the whole thing more mysterious and more important than it warranted. He argued that it was history, that the quiz programs were largely gone, that the networks were re-establishing control over their programming, and it all should be forgotten.

If there were improprieties, such as the selection of more attractive or telegenic personalities as contestants, it is apparent that there was no gross fraud. If there had been, indictments would have issued from the grand jury.74

73 "Quizzical," B, September 8, 1958, p. 110.
In August, Senate and House committees exhibited interest in looking into the grand juries' intimations, and Broadcasting after "careful examination of all of the facts," concluded that the committees were interested in the quiz show issue "for headline purposes only." As far as the editor was concerned the issue was dead and the "culprits among the program packagers" did not have a "Chinaman's chance" to get back on the networks. The editorial singled out for particular attention the House Sub-Committee on Legislative Oversight who, Broadcasting suggested, would be taking "another head-long dive into sensationalism." 75

At the end of August, payola was the subject of a strongly worded editorial. The editor had long been against the practice 76 and because of the persistent rumors that payola was a widespread phenomenon, Broadcasting had assigned a number of reporters to check it out. Their report, while not conclusive, confirmed that some people were involved with giving and taking payola. Editorially, the magazine condemned the practice without equivocation, indicated it was not as widespread as rumors implied, and urged each station management to root out payola in his operation and erect safeguards against its recurrence. 77

Two editorials in October returned to the quiz investigations undertaken by the House Subcommittee on Legislative Oversight. Both were highly

75 "Quizzical," B, August 17, 1959, p. 112.

76 See above, Chapter VIII, pp. 247-49.

critical of the committee for dredging up the issue for publicity purposes
and both argued that broadcasters and the networks had already corrected
the situation. After the first week of hearings, Broadcasting promised
boldly:

From these hearings will come no new law, no new regulation,
no change in television operations for indeed none of these
is needed. The situations of which witnesses spoke last
week were all corrected long ago.78

The editorial admitted that the rigging of shows was "fakery," but returned
to the argument that it was not "criminal fraud."

To the extent that shows were made to appear spontaneous
while being rehearsed, to the same degree the producers
risked losing the confidence of their audience upon dis­
closure.79

The following week the editor lamented that the "scandal" had pro­
ceeded so far down the publicity road, then traced the development of the
controversy. He repeated and expanded his assessment of the committee
investigation.

The House committee has developed no new information of
significance. The shows it has investigated were the shows
the grand jury investigated; the witnesses the House
committee has heard were heard a year or more ago. The
House committee has merely made public the information that
was locked up in New York, and it has done so in a way to
achieve maximum publicity.80

At this point in the development of the investigation, the assessment of
the testimony was essentially accurate. Clearly, Broadcasting did not
expect any new disclosures but the editor was concerned about the effect

79 Ibid.
the constant publicity was having on the public's attitude toward television.

On November 2, 1959, Charles Van Doren, a contestant, testified to the committee that he had been given answers to the questions by the program staff and for the first time, the extent of the scandal was made clear—that unethical acts had been practiced by a number of people connected with many of the quiz programs and at many levels. The publicity spotlight was intense as more people testified over the next weeks.

Broadcasting's editorial response was subdued and chagrined. Not until November 30, did another editorial commenting on the ethical questions raised by the scandals appear and it focussed on the future—the 1960 election year and predicted much "political pot-shotting" at broadcasting. The editorial regretted the loss of prestige accruing to the quiz scandals but argued that it was no time for "name-calling and back-biting" since those responsible for the quiz and payola indiscretions will have received their "pink slips." Without offending any specific group in the business, the editor expressed a hope that broadcasting would be a "less attractive field for the pitchmen and the sharpies."

They, it is to be hoped, will move on to other pursuits. With controls tightened (all from within, we hope) radio and television will not prove so attractive to the Midas-touch entrepreneurs who move in, build up properties through hot rod promotions, and then move out with handsome capital gains.81

At this point, it would seem, little more could be said about the problem than to urge controls to insure its not happening again. So

another tack was taken up in December. The FCC had become involved with both the quiz and payola affairs and Broadcasting moved into the more accustomed role of criticizing the motives and methods of the agency. The editor argued that payola was limited to only a few stations, and had been largely solved by the industry itself. "Talk of license revocations for payola at this stage is asinine," claimed Broadcasting. "The crime, at worst, is that of growing up."82

In light of the editor's earlier calls to clean up the payola racket, proclaiming it an unethical and deceptive practice, the final statement above appears to be inconsistent. But it is entirely consistent with the gentle protectiveness common to most of the magazine's responses to questionable practices during this period. The culprits were the "sharpies," the "fringe operators," the production companies or the record companies. According to the editor, the most that broadcasters are guilty of is being duped.

The final editorial in this category appeared in February, 1960, and once again defended the industry against the "cruel and unusual punishment" being heaped on it by the FCC, the FTC, the Attorney General and the Subcommittee on Legislative Oversight. The editor described the broadcasters as unwitting victims, as ones "caught napping on quiz programs trickery or payola or misleading commercials." According to his assessment, individual broadcasters took swift action, firing offenders and the networks moved "to purge their schedules of deceitful or improper practices."

The NAB amended its Code, agencies and advertisers cleaned their houses, and the situation was handled well on a voluntary basis. In spite of that, however, Broadcasting warned its readers that they were "under surveillance as never before" and that "all must police their ranks to eliminate the offenders and the charlatans" or risk "harmful, restrictive, and dangerous" regulation. Once again, the threat of severe sanctions was used as an argument for avoiding unethical practices. And once again the editor minimized the culpability of most broadcasters and advertisers.

The thrust of the Ethical Programming practices editorials was relatively straightforward. The editor basically disapproved of quiz-rigging and payola, and spoke against them early. As the pressure of outside investigation increased, editorials grew defensive, more protective of broadcasters, and highly critical of the sources of the investigation. When there was no longer doubt that shows had been rigged, the editor waxed philosophical, urging industry self-regulation to correct the problem. The final stage seemed to be a kind of aggressive defense, simultaneously attacking the critics and warning the broadcasters to be their own police force or risk severe restrictions.

The pattern of response was reminiscent of events in the 1945-48 period. If the source of industry criticism was an insider, such as a broadcaster or the president of a network, the editor was more likely to

support the comments. If the same criticisms were voiced by minions of government or "malcontents" outside the industry, Broadcasting generally eschewed them as being dangerous, ill-conceived or improper. Once it became likely that criticisms might grow into restrictive regulation or might adversely affect the public image of broadcasting, the editor tended to call for industry self-examination, then careful self-regulation to prove good faith and make restrictive regulation unnecessary.

The latter part of this process can be seen in most of the fifteen editorials that fall under the broad category called Responsibility. As I pointed out in the introduction, and reiterated in Chapter II, editorials were placed in this category when they specifically addressed themselves to the concept of broadcaster responsibility as an overall concept. Some editorials in this category discuss the general notion of accountability and control, while others examine Responsibility as it is relevant to several areas defined as categories of responsibility. In these instances, the editorials cannot be placed in any one category, so must be included in a category of the whole.

Responsibility

Eight of the fifteen editorials in this category appeared between October 26, and December 21, 1959, and were a response to the quiz and payola controversies. Two more, appearing in May and June, 1959, related to hints of payola at that time. The remainder tended to be keyed to more specific and timely events, though they reflected the same general theme found in the editorials growing out of the payola and quiz issues.
The first general hint of the payola issue came in mid-1959 when, on the occasion of a disc jockey convention in Miami, Broadcasting took the opportunity to remind its readers of the evolution of the disc jockey concept, the low prestige such men enjoyed in the business in the thirties and forties, and the gradual growth to respectability as radio became dependent on "platter shows" for much of its programming. The editor concluded that what had made radio and the disc jockey successful was the crucial factor of "the public's trust in radio." This trust was gained over the years by the speed and reliability of news coverage, the depth of special events coverage and the integrity of entertainment programs. Furthermore, warned the editor, "It is a trust not to be ignored by any one with access to a microphone."^84

Two issues later, the editor sounded another warning prompted by the convention of disc jockeys, which, according to the editor, had been taken over by the record companies. In the high competition of the record business, the editorial stated, the natural inclination of these companies is to cultivate disc jockeys "any way they can." Broadcasting suggested that more care and propriety should be observed in this kind of interaction, and that broadcasters should remember that "there is more to radio programming than records."^85 In both of these editorials were premonitions of the payola controversy, but the editor exercised great circumspection in


the hints at this stage. Later, as we have seen, he was more outspoken about the dangers of the problem.

The most significant editorials in this category, however, did not begin until late October when it became apparent that the television industry was going to take a public relations beating over the quiz scandals. In nearly every issue, and at inordinate length for Broadcasting, the editor examined what he felt to be the roots of the dilemma, and discussed the solutions. These editorials comprised a kind of campaign to move the industry in what the editor felt was the proper direction. Consequently, the same basic arguments and conclusions were presented, only the approach differed.

On October 26, the first traces of Broadcasting's position could be seen. Though the quiz hearings had not yet generated the dramatic expose to come in the following weeks, Broadcasting discussed a problem which the hearings had clarified: "The public holds networks responsible for the programs they present." Because of this, both NBC and CBS had moved to solve the problem, CBS by banning quiz shows from its network, NBC by guaranteeing that any quiz shows on its network would be honest. What the scandals and subsequent hearings had proved thus far, argued the editor, was that if the networks "are to be held responsible for what they present,

---

86 The importance attached to the issue could be measured by the length of the editorials. Just as in 1946 when the Blue Book appeared, the editor began to devote the entire editorial page to single editorials discussing the issue. Normally, there were at least three editorials to a page.
they must exert that responsibility." He quoted the words of Frank Stanton of CBS who claimed that broadcasters must be "masters of their own house."\(^{87}\)

On November 2, once again before the true extent of the scandal was known, the editor reiterated the call for network responsibility, and suggested a solution: The "broadcasters should run the programs and the sponsors concern themselves with the commercials--period." He pointed out that the British system had been successful and it excludes advertisers from any control of program content adjacent to their commercials, and he asked why some plan such as that might not be appropriate in the American system.\(^{88}\)

By the next issue, the depth of the scandal was known, and the full page editorial was somber and thoughtful.

Television has become the central figure in a morality play as classic as any ever written. All the elements are there: innocence in conflict with guile, moral principle in conflict with cupidity.\(^{89}\)

The fault lay, according to the editor, in the operating practices inherited from radio "that encouraged diffusion of authority." Some shows were owned by sponsors, some by independent producers, some by networks or stations and others, by some combination of these groups. "To the same degree that ownership is divided, so is authority. . . . Diffusion of authority has led inevitably to diffusion of responsibility. Put another way, it has created the perfect excuse to escape responsibility."

\(^{87}\)"A Question of Who's Boss," \(B\), October 26, 1959, p. 132.

\(^{88}\)"Dividing the Authority," \(B\), November 2, 1959, p. 122.

\(^{89}\)"Pilgrims' Progress," \(B\), November 9, 1959, p. 120.
According to the editor, of all the people involved with the quiz program Twenty-One, no one from the producing company, the sponsor, or the network had seemed to be concerned about its veracity—"not one felt a personal sense of editorial responsibility." He concludes that stations and networks, like *Life* magazine or any responsible publisher, should take command of their programs and exert editorial control.

Until editorial authority is centralized, responsibility in television will continue to be diffused and the temptations to avoid it irresistible.90

On November 16, another full page editorial reiterated the call to "reclaim editorial control" and to take the lead in the formation of a "national policy under which both radio and television could grow to new importance."91 Again, the following week the industry was urged to unify for action to regain control and to build a positive good out of the disaster of the scandals. Specifically, he said,

It means self-regulation, if oppressive new legislation is to be avoided. It means adherence to a stronger voluntary code, if sanctions and penalties are not to be imposed through new powers delegated to the regulatory authorities.92

The example of the networks' moving toward greater program control was held up as an example for all broadcasters, and at the same time, the editor argued the seeming enormity of the scandals was partly due to the


92 "Disaster or Conquest," *J*, November 23, 1959, p. 126.
gleeful publicity given the subject by newspapers and magazines, the broadcasters' advertising competitors. \(^93\)

The editor devoted the entire editorial pages in the December 7 and December 14 issues to a discussion he titled "Minds in Conflict." The thesis he pursued is fundamental in American broadcasting, and one which the editor had approached tentatively, and less systematically on earlier occasions. It is the conflict between what Broadcasting calls the "Advertising Mind and the Communications Mind." In our analysis of the 1933-35 period we saw the same conflict expressed in the editor's concern about questionable commercial practices and the effect on audiences. We saw it in the 1945-48 period when the editor joined the controversy over taste and placement of commercials in news programs. And in 1958-62 period, we saw the characteristic response when Life magazine in 1958 charged television with being a "subsidiary" of advertising. \(^94\)

The editor lashed out at the magazine and defended the system as it existed. The quiz scandals seem to have prompted a re-evaluation.

Too many programs have been created as advertising vehicles instead of communications vehicles which carry advertising. More often than should have been the case, the criterion of program acceptance has been: "Will it sell?" instead of: "Will it communicate?" \(^95\)

---

\(^{93}\) Ibid.  

\(^{94}\) See above, p. 304.  

According to the editor, the Advertising Mind and the Communications Mind are both "national assets" but have different functions. "The purpose of advertising is to influence... The purpose of communications is to inform." When the advertising mind takes charge "it creates billboards, car cards... and the weekly shopping news." When the communications mind is in command "it creates the New York Times, the New Yorker and Life." For the editor, the Communications mind must dominate in order for Radio and TV to "grow to their full potential," and the model for that system says the editor, can be found in the policies of respectable newspapers and magazines who keep clear separation of powers between the Communications Mind and the Advertising Mind.96

In the second installment he offered more practical advice. He called again for broadcasters to emulate communications organs like the New York Times and argued that broadcasting networks and stations were not just show business but communications organs and that they must accept that responsibility. Then the editor insisted that the "publishing concept" needed more widespread application in radio and TV.

The man at the peak of the organization chart must develop the ability to see his station or his network in its whole role as a communications organ. He must act as both guide and referes to his principal subordinates, the chiefs of the programming and sales departments. In some cases it may be desirable to add a third subordinate of equal stature, a man in charge of non-entertainment programming.97

The publishing concept "succeeds or fails," according to Broadcasting, on the attitude of the chief executive as he resolves conflicts between the

96 Ibid.

The following week, another more pragmatic editorial urged broadcasters to defend themselves at the upcoming FCC hearings. The broadcaster "is being browbeaten at every turn," announced the editor. "Everybody is in on the act... except the public." To counter all the arguments for more severe restrictions and even government control, he advised broadcasters to tell the whole story, mistakes and all, for the "broadcaster's case is the case for the public that it has served faithfully for a generation." If the story is not told now, the editorial stated, "there might not be another chance any time soon." The time for introspection and re-assessment, it would seem, was over. Now it was time to fight back for the sake of the broadcast medium.

The tone and style of the appeal should be familiar, for it has been echoed often through this examination of Broadcasting. The purpose was to unify the broadcasters and to fight the government, the politicians, and the critics. All the old phrases were there: American broadcasting, "the finest system of broadcasting in the world;" the "vast majority of broadcasters" are professionals, only a "minority of the station owners, and a fraction of the employees and personalities" were involved.

From philosophical speculation one week to free-swinging advocacy the next, the editor of Broadcasting then returned to his accustomed role as their defender.

98 Ibid.
100 Ibid.
The cycle was completed less than a month later when the editor attacked a report from the Attorney General's office, calling it a second Blue Book. Its intent, he said, was to muzzle and censor broadcasters. For Broadcasting, the report became part of the gestalt of criticism flowing from the quiz scandals. It was perceived as another threat to the freedom of the broadcaster, thus prompting another statement of priorities.

The first priority in broadcasting's list of responsibilities must be in defense of freedom of speech on the air.101

The editorials evoked by the quiz scandals reflected a more careful and systematic analysis of the advertising-programming conflict than had been seen in earlier sample periods. The position taken by the editor, however, was consistent with patterns already described. When competing values had surfaced in specific conflicts, (i.e. questions of Over-Commercialization, or the style and placement of advertising in news programs) Broadcasting generally supported the programming values and urged intelligent compromise between factions. Most often, however, his arguments were not based so much on the moral or ethical dimensions, but on the practical appeals clean your own house before the government does; or good programming is good business, for example. This time there was little equivocation in the editor's acceptance of the reality that the money-making ethic had over-ridden traditional values, and though the loss in audience confidence was a vital practical argument in the affair, he did

not use it often. Generally, he argued for greater broadcaster control, and for programming or "communications" minds to dominate for the simple reason that it was "right" for them to be in control.

Once his position was clear, he returned to the struggle with the traditional enemies but with a somewhat less strident tone and with some qualifications. He admitted that broadcasters had erred and that the resulting investigation, rules, and restrictions were, in part at least, warranted by the magnitude of the error.

Four other editorials classified in the Responsibility category appeared during the period. One in September, 1958, foreshadowed the problem of 1959. It was concerned with financial deals in which broadcasting properties were being exchanged for great sums of money. The editor pointed out that broadcasting was becoming big business and attracting speculative investors. He lectured such entrepreneurs on the proper system of values for broadcasters.

Broadcasting is more than a way of making money. It is an art, not a factory. It is an instrument to inform as well as entertain the people, to broaden their knowledge and their interests as well as to amuse them. . . . Over the years the investors who have come into broadcasting have, for the most part, recognized this responsibility and respected it. . . . Investors coming now and in the future must act with equal sincerity if broadcasting is to continue to prosper.102

Another editorial in December reminded broadcasters that their "responsibility does not end with the collection of a large audience," but that they must provide fare for minorities and assist in cultural

development of the public. He also reminded the critics that broadcasting had already done much along those lines. 103

In late 1961, the editor urged more broadcaster and less sponsor control over programming, arguing that "experiments with novel program forms and daring themes" come only if broadcasters "reclaim total editorial supervision of their shows." 104

The following February, Broadcasting attacked a Congressional proposal for direct regulation of the networks, saying it would diminish or even destroy the "sense of individual responsibility" now held by the stations and make them robot outlets with no sense of concern or duty to their communities. This, said the editor, would be counter to the established priorities of the industry and the FCC. 105

In summary, the editorials in the Responsibility category during this period came largely in response to ethical transgressions by broadcasters and their associates, and reflected a basic value system which had been expressed piece-meal in earlier periods: that is, in the American system of commercial broadcasting, the broadcaster (the Communications Mind), not the sponsor, salesman or agency (the Advertising Mind), should control the output of the system. Lessons of the quiz-rigging and payola scandals can also be seen in the editor's comments on Program Quality and Public Service questions.

103 "Programming for the Public, B, December 12, 1958, p. 94.
105 "This Way to a Dead End," B, February 5, 1962, p. 94.
Program Quality

In keeping with the reactive nature of Broadcasting editorials, the majority written on this topic appeared in 1961 and 1962, after activist FCC Chairman Newton Minow began his public attacks on the quality of television programming. Only three relevant editorials appeared in the first three years of the period, for example. One, in mid-1958, regretted the steady replacement of live television drama by film drama. He argued that television needed to set aside time for the "new and different" and films were not noted for their "experimentation." 106

In December, 1958, the editor commented on the loss of audience interest in the television quiz give-away being a parallel to the same phenomenon in radio in the 1947-48 season. His argument was that mediocrity of programming soon bores and drives away audiences. 107

Nineteen months later, an editorial titled "Somewhere short of greatness," attacked the proposed program schedules of the networks, describing them as, at best, "competitive." This marked the first occasion in any sample period where the editor downgraded the output of the networks in such a general and unequivocal fashion. Broadcasting expressed sorrow at the reduction in planned public affairs specials and declared that the schedule contained "an inadequate measure of the creative


vitality that ought to be associated with television." The editor claimed that "for $6.8 million worth of weekly programming it looks awfully un-inspired." 108

Newton Minow became chairman of the FCC in January, 1961, and began almost immediately to criticize the quality of programming being presented on television. In February, Broadcasting in turn began to respond to Minow's criticism.

It is none of the FCC's business to say how many action shows are on the networks...but it is the networks' business. 109

While criticizing his right to say it, the editor agreed with Minow's assessment.

Among the three networks competition for audiences is undeniably intense, and action has equally undeniable audience appeal. We just hope the networks will find other ways to conduct their struggle in addition to the knife, the garrote and the gun. 110

Once in March and twice in May the editor returned to the question of Program Quality, but from a more obviously defensive position. LeRoy Collins was appointed president of the NAB in February, and his early speeches tended to mirror criticisms offered by FCC Chairman Minow.

Broadcasting was highly critical of Collins' comments and argued that while "it would be a millenium" for the networks to program "high quality,

110 Ibid.
long-hair" fare non-competitively as Collins and Minow suggested, but it would be "foolhardy to the point of economic ruin" to try it without sponsors or affiliate clearances.

On May 15, the editor criticized Minow and Collins again—this time in response to their speeches to the NAB convention. The question was whether the quality which all wanted from television could be imposed upon the broadcasters by the FCC or the NAB. The editor insisted that coercion and pressure would be futile and urged broadcasting to "invigorate its efforts to keep what freedom it has and indeed to reclaim the freedom it has lost." At the same time, according to Broadcasting:

It must invigorate its efforts to improve and diversify its programming. There was some truth in Mr. Minow's criticism and in what LeRoy Collins said. But the greatness that broadcasting must seek cannot be gained by Mr. Minow's methods. It will come only from broadcasters themselves, if it comes at all.

Two weeks later the editor again discussed program quality decrying Minow's interventionism, praising the basic schedule of the networks and giving television credit for building the tastes of the audience. He defended the record of the networks and the local stations and reminded critics that "progress does not come overnight."

In one form or another the theatre has been in existence for at least 3,000 years and printed publications for some 500. Television has been around for about a decade. It is hard to believe that in that time it could be expected to reach the full flowering of maturity.

These editorials focus on defense of the medium and its standards, with only token recognition of the need for improvement. This pattern was repeated twice more in September as the editor responded to the pressure of the FCC Chairman. He argued that many stations did not have sufficient resources to experiment with new programming without danger of financial ruin, and he quoted an advertising agency president who claimed that television could not survive if it gets "too far ahead of popular taste." In spite of this, he claimed, broadcasters were "knowingly" risking getting ahead of taste "in their efforts to find and satisfy new audiences." Broadcasting supported the position of the agency man and seconded his assessment of where improvement was needed: "in production quality, in the creative search for new program forms and in the active encouragement of young talent." Improvement will come, promised the editor, if only television is "allowed to go about it work without incessant molestation."

The pressure of FCC criticism seemed to have slackened for it was not reflected in the final two editorials on this subject appearing in the fall of 1962. They were less defensive and more prescriptive. In September, the editor urged that there be a diversity of sources of programming to encourage "new ideas and new program treatments." He claimed that "creativity is more apt to be stimulated if many producers are at work than if a few dominate the field."

In October, he praised the special programming presented by the networks, and urged more and better expressions of the best in television. At the same time, he reminded the critics that "the so-called bread-and-butter programming pays the way for all the rest," even though it does not "glow and glisten like a work of art." 117

An identifiable, and by now familiar, pattern can be discerned in the editor's concern with Program Quality. Before the quiz scandals, he gave the issue only glancing attention. After the scandals, he offered some general criticism of the networks' programming. Once the FCC began to find fault with the same programming, however, the editor defended the status quo and made only token criticism of Program Quality. Once some of the external pressure was lifted, he again began to offer suggestions for improvement.

Public Service

Little in the form of a coherent pattern could be traced through the scattering of editorials classified in the Public Service category. At least one editorial appeared each year, with a maximum of three in 1960. They dealt with a broad range of subjects. One advised the networks to abandon simultaneous three-network coverage of events and work out a system of delayed presentations to better serve the public by offering a greater range of alternatives to the viewers. 118 The majority, however, were


appeals to broadcasters to support specific service projects and fund-raising efforts. Three of the latter type appeared in the spring of 1960, and were linked by the editor to the quiz scandals, either directly or indirectly. The first, in early April, urged broadcasters to do their best to raise funds for Radio Free Europe. He rested his argument on the industry's need to rebuild its image.

This is more than a responsibility; it is an opportunity which itself is unprecedented. For the first time since the quiz-rigging investigation broke last fall, bruised and battered broadcasters have a chance to show, in a single common enterprise, the immense abilities of radio and television to work in the public interest. It is their best as well as first opportunity to answer, in one voice, the charge that they are insensitive to public service needs.119

Two weeks later, another editorial urged broadcasters to publicize their Public Service programming and even try to interest sponsors in supporting it.120 In June, an editorial urged broadcasters to join with the American Heritage Foundation and the Advertising Council to get out the vote for the 1960 election. "If most broadcasters make a serious and thoughtful effort to distribute political intelligence and to arouse electoral interest," the editor argued, they will boost radio's esteem and "do much to erase whatever tarnish is left from the government investigations of the past year."121

Other scattered items urged radio stations to specialize to offer listeners a wider diversity of service;122 appealed to radio managers to

120 "Public Service for Profit," B, April 18, 1960, p. 120.
see their goals of service as more significant than "the date of the next rating report;" and advocated support of World Trade Week, and the USO. 

In all, only nine editorials in five years expressed some one of the positions itemized above on the subject of Public Service responsibilities of the broadcasters, and except for those few whose justification and argument was based on cleaning up the "image" of the industry, they seemed to reflect no discernible pattern. Most often they simply urged broadcasters to support some cause or to adopt some general concept of service to the public.

**Code**

Though very few editorials discussed issues relating to the Code category (five in five years), an interesting shift occurred in the editor's attitude toward the NAB Code. In 1958, he supported strict enforcement of the Code; by 1962, he had rejected the Code as a tool which the FCC might manipulate. In 1958, the editor described the dilemma of the NAB Code in terms of compliance with rulings that commercials for "Preparation H" should not be carried on television. According to a survey, 25 per cent of the nation's stations carried the commercials, and fifty of these also displayed the Code Seal of Good Practice. The editor argued that the question of good or bad taste was debatable, but urged the Review Board

---

125"Least We Forget," B, August 27, 1962, p. 94.
to take action to remove the Seals from all stations which had not cancelled the offending commercials. The longer the stations defy the Code, claimed the editor, "the weaker the Code becomes." 126

Two years later, in the midst of FCC Chairman Minow's active criticism of broadcast programming, the editor praised the NAB for toughening its Codes and taking steps to improve administration and enforcement.

In these times there was no choice for broadcasters but to do exactly what the NAB board did. In the rising din of criticism, the code operation had to be beefed up... Now that the board has acted, it is up to broadcasters to carry out the purposes that the board had in mind. 127

Less than a year later, the editor was having second thoughts about this generalized appeal for greater strictness and enforcement. He criticized the recommendation by a company called Broadcast Advertisers' Reports, that they monitor and grade stations on their compliance with the NAB Code. They would provide advertising agencies with a "report card" on station compliance. Broadcasting claimed the chance of stations being injured by erroneous reports was too great, and that basically such Code "interpretations" are "policy determinations," and in making them "there is no place for any outsider." 128

A more crucial reservation was expressed in the remaining two editorials on the Code. In July, the editor cited Newton Minow's statement that if the industry was unable to enforce its own Code, the government might take it over and enforce it. The ramifications of this situation

126 "Hobson's Choice," B, June 1, 1959, p. 98.
were perplexing to broadcasters and to Broadcasting. Even without govern-
ment adoption of the Code, the use of threats could force compliance. The
editor's assessment of the situation and his solution was in sharp contrast
to earlier support of stronger Code definition and adherence.

Certainly the radio and television codes cannot be summarily
discarded without disastrous consequences. But broadcasters
must eventually disentangle themselves from the binding effects
of centralized codes if they hope to escape being strangled
by them. They may effect the escape only by assuming the
responsibility of setting individual standards that can be
defended in the face of whatever criticism may arise.129

In October, the FCC commissioners suggested that the Commission adopt
the commercial sections of the NAB Code as part of its regulatory scheme.
The editor urged the NAB not to respond to the proposal by tightening the
Code or proselytizing for new subscribers for that would be playing into
the Commission's hands. He concluded with the argument cited above. The
pressure will be off when the broadcasters stop talking about codes and
"start broadcasting according to their own consciences and convictions."
The standards would be raised by such a process, promised the editor, "but
not at the expense of subservience to the withering effects of centralized
authority."130

This is a significant reversal of direction for Broadcasting's editor.
In the 1945-48 period, the Code was billed as the only means of countering
attempts by government to interfere with "free broadcasting." Even as
recently as 1961, the editor had argued that the NAB had to stiffen its


130"Dead End Both Ways," B, October 1, 1962, p. 102
Code to meet the challenges of government. Evidently, FCC Chairman Minow’s attempts to influence broadcasters toward more "responsible" programming by suggesting that the government could enforce the NAB Codes, had stirred the editor to awareness of the potential of such manipulation. It is a position he maintained into the next sample period, as we shall see.

Once again, during this period, *Broadcasting* showed substantially more interest in questions of Program Practices than Trade Practices, and an increasing interest in broader issues of responsibility. The dominant and most consistent category was News and the editor’s strong affinity for the journalists function and responsibilities were evident in his advocacy of strong, mature and responsible broadcast news operations. Most other program and general categories, such as Responsibility and Code, tended to be keyed to two major influences: the quiz scandals in 1959 and the activist stance of the FCC under Newton Minow, beginning in 1961. The scandals prompted the most extensive examination and criticism of the commercial system yet encountered in *Broadcasting* editorials, and influenced positions taken on Public Service, Ethical Programming and Program Quality issues. FCC activism had some impact on News, to some extent, as well as on Program Quality and the Code.

**Conclusions: Broadcasting Editorials, 1958-62**

Analysis of the editorials during the period revealed the following general patterns.

(1) Again, during this period, broadcaster responsibility was not often a subject for editorial comment by Broadcasting, which devoted only
about 14 per cent of the total editorials of the period to it. This was slightly more than the 1945-48 period, and somewhat less than the 1933-35 period. One year, 1959, when the quiz scandals were prominent, more than 20 per cent of the total were devoted to the responsibility of the broadcaster—the highest percentage since 1933 when the figure had reached 22.8 per cent.

(2) Numerically and substantively, Programming categories dominated the relevant editorials again this period. Trade Practices were discussed in less than a fifth of the relevant editorials. Within the Trade Practices classification, almost three-quarters of the editorials were devoted to questions of Ethical Advertising and Over-Commercialization.

(3) News dominated the Program Practices categories by a wide margin and appeared more consistently from year to year than other categories. In general the editor called for responsible and mature news practices by broadcasters. Most often this maturity and responsibility was equated with editorializing and building of professional staffs.

(4) The quiz rigging and payola investigations prompted a large number of editorials in the Ethical Programming and Responsibility categories. In general, the editor opposed the unethical practices, but supported the industry until such time as the issue became clearly a matter of improper conduct. Then he attempted to look for the cause and advise a solution in the form of greater control of programming by the broadcaster and a firmer sense of his responsibility as a "Communications Mind" and not an "Advertising Mind."
(5) The activism of the FCC under Newton Minow prompted editorials on Program Quality, and turned the editor from support of the NAB Code, to criticism of centralized codes which could be too easily employed by government to restrict broadcaster freedom. This was a dramatic reversal over the 1945-48 period.

(6) In general, the small number of relevant editorials adhered to the traditional prescriptions—against government interventionism, for freedom of broadcasting and in praise of "the majority" of responsible broadcasters. Exceptions to this were found in response to the quiz and payola issues when the editor accepted and quietly supported stronger laws to control such practices. This last was a somewhat different tone than that set in the 1945-48 period when the editor was consistently fighting government incursion.

Analysis of Industry Context

Few disagreements between segments of the broadcast community were evident in the data for this period. Generally, the differences appeared more in what spokesmen deemed important than in viewpoints on specific issues. Maturity and mutual involvement with issues seems to have welded the spokesmen of the industry into a reasonably unified group, particularly during the first three years. Events during the period also contributed to this unity. The challenge of Sputnik and the threat of communist competition which startled the nation at the close of 1957, gave impetus to broadcaster involvement with promoting science and education. The quiz scandals in late 1959 forced broadcasters to "protective reaction" in
accepting some regulatory reforms, revising their operating policies and looking to a strengthened Code of Good Practices to satisfy the public and the government. In 1959 and in 1960, some broadcasters, led by Frank Stanton of CBS, pressed for suspension or revocation of Section 315 of the Communications Act in order for broadcasters to prove themselves to the nation by full and unrestricted political campaign coverage. Congress suspended Section 315 and the Nixon-Kennedy debates were a major event which resulted.

In 1961, attention was turned, once again, to the quality of programming as FCC Chairman Newton Minow began an outspoken campaign to influence broadcasters to heed their responsibilities to the audience. At the same time, a new NAB president, LeRoy Collins, seemed to be expressing the same critical and, to some, threatening ideas about what should and should not be part of the program schedule. Collins' style and viewpoint were different from his predecessors. His seeming acceptance of FCC attacks on programming and continuous barrage of speeches urging broadcasters to change their programming for the benefit of the audience, contrasted sharply with those who came before him, and the broadcasters were unsure of him. But the statements of his philosophy of broadcaster responsibility were clear and unequivocal and often echoed statements most commonly offered by the network spokesman.

Before the quiz scandals: 1958-59

Spokesmen during this period addressed themselves to several categories of responsible broadcasting. Of primary importance was the area of
News, followed by concern over public Service and the Code. In the spring of 1959 a general call for better public relations embraced suggestions about several categories.

A call for service to the public appeared early and was in direct response to the shock of Sputnik. In January, the NAB, through its president Harold Fellows, announced a campaign to meet the "space age challenge." The project, called "Learn and Live," called for a nationwide effort on the part of broadcasters to "awaken the public consciousness to the necessity for placing greater emphasis upon attainments of intellect and skill." The project was in response to expressed concerns by national leaders that the country needed to make better use of its brain power. The aim of broadcasters would not be to build schools or devise methods of instruction but to try and "stimulate intellectual curiosity" and "to inspire" young people to learn and "their parents to give them encouragement."131

The Soviet achievement was prominent again in late April when Frank Stanton of CBS keynoted the NAB convention. In his address he urged broadcasters to look away from their "family" problems and toward their relationship to the changed world conditions announced by Sputnik. Stanton claimed that the shock of the Soviet accomplishment had stirred the public to awareness of international scientific and technological competition. In turn, the people and the government had begun to try to reorient national

prietieies to reward those activities. At the same time, he expressed great concern about the "sobering implications of Russia's progress on intercontinental ballistic missiles" which spelled great potential danger for the United States and the "whole Western world." Because broadcasting can provide the public with information of needs as well as dangers, he urged broadcasters to "bear the brunt of the burden" to "prevent disaster."

We now face the duty to get before the American people a continuing report of what is going on both here and abroad; we must exert ourselves as never before to report with thoroughness and clarity; and we must make absolutely sure that we do the job so well that there will never sneak upon this nation a Pearl Harbor of ICBM proportions.132

Because people had grown so dependent on broadcast news for their information, he argued, the responsibility for leadership in information dissemination was on the broadcasters' shoulders and they must accept it. He outlined the responsibility of the networks to bring the news of national and international events to the people and the responsibility of the individual stations to extend "into terms of community reference the great issues and problems" of the nation by stimulating awareness, local discussion and local action.133 Stanton then outlined "four fronts" on which broadcasters must move: first, to resist all "shortsighted efforts" to weaken the structure of broadcasting; second, to take "a fresh look" at the

132 Address by Frank Stanton, President, Columbia Broadcasting System, before the Convention of the National Association of Broadcasters, April 29, 1958; reprinted in NAB Convention News, April 29, 1958, p. 3.

133 Ibid., pp. 6-7.
public interest convenience and necessity; third, to establish broadened, imaginative and provocative news services; fourth, to join the press in the fight for the right to get information and to report it.  

For Stanton at this time, the Soviet technological challenge harbored a military threat, and his response was a traditional one. The public in a democracy must be informed in order for the nation to function quickly and efficiently in times of stress. On several occasions during this speech, he emphasized that these were issues of "national survival." The same basic arguments and themes were repeated in an address, four days later, at the University of Missouri.

Our ability to report swiftly and thoroughly the events of our time in a way to compel the attention, interest and understanding of tens of millions of people is essential to the very survival of democracy itself.  

Stanton's "four fronts" were not new issues. They had been some part of the conventional calls for responsible broadcasting in each of the periods. The unique dimension was the urgency in the appeal. It was wrapped in the oratory of war, and phrased in terms of absolutes-survival being the most urgent of appeals. Though this degree of urgency was not reflected in statements by others during the early part of this sample period, the thrust toward greater commitment to the journalist's function could be discerned in the statements of spokesmen throughout the

134 Ibid., pp. 8-9.

135 Address by Frank Stanton at the University of Missouri, May 3, 1958; condensed version of the text reprinted in B, May 5, 1958, p. 38.
period, either as a necessary part of the broadcasters' role, or as a means of countering government pressure. We have already seen that Broadcasting was strongly committed to upgrading this journalistic function, and, in fact, devoted a number of editorials to the subject during the spring of 1958.136

Examination of NAB Highlights through 1958 revealed only a few scattered references to the issues of news and information responsibility, and generally such references were in direct response to a problem. During August, for example, NAB president Harold Fellows told a convention of the Veterans of Foreign Wars that "traditional American Freedom" in the form of the public's "right to know" had been "hobbled by the American Bar Association's Canon 35" which bans coverage of trials by cameras or microphones. He deplored this restriction and urged that it be removed.137

In November, President Fellows came out against a Georgia court's ban on outside-the-courtroom coverage of a trial in its jurisdiction. Arguments were again based on the right of the public to know, and thus the right of the broadcast journalist to get and report news of trials.138

More attention was paid by the NAB to their Codes of Good Practice. Frequently NAB Highlights reported statements about the workings of the Code, or actions of the Code Advisory Board. This is not surprising since the Codes were established to be the guidelines of responsible broadcasting.

136 See above pp. 309-10.
137 Reported in NAB Highlights, August 18, 1958, p. 485.
138 NAB Highlights, November 10, 1958, p. 621.
Generally the actions reported were involved with specific questions in regard to the Codes. In March, the Television Code Board announced passage of an amendment to the Code, rejecting the use of a technique called "subliminal" advertising which attempted to transmit messages to an audience below the threshold of conscious awareness. The Board argued that the viewer should be consciously aware of what it was seeing and approve or reject what comes into his home on that basis.139

One item in June and another in July announced, then defended, the Board's decision to ban actors from portraying doctors, dentists and nurses in commercials.140 The ban did not include restrictions on laymen quoting scientific research or other corroborating data, it simply said they could not represent professional people.

Other dimensions of the news issue were explored in the early months of 1959. In March, NAB President Fellows told a group of broadcasters that on-the-air editorializing can "lend dignity and authority and a sense of responsibility to a station operation if handled properly," or can "reflect sadly and quickly to the discredit of that station if handled improperly." Editorializing, he said places "on broadcasters themselves a greater responsibility," than they have encountered in other areas of "their service in the public interest."141

139 NAB Highlights, March 31, 1958, pp. 177-78.

140 NAB Highlights, June 23, 1958, p. 369; and July 28, 1958, p. 442.

141 Address to the Conference of State Broadcast Association Presidents, (n.d.); excerpted in NAB Highlights, March 2, 1959 (unpaged).
The same month, Frank Stanton, speaking to a meeting of CBS Television Network Affiliates, elaborated at great length on the so-called "Lar Daly Case" in which the FCC ruled that Section 315 of the Communications Act should be applied to appearances by political candidates on news programs. Stanton argued that the Daly case "makes it a mathematical impossibility for broadcasting to report any political campaign in its own way." CBS had, in 1956, devoted about 20 per cent of its newscast time to coverage of the presidential and vice-presidential campaigns. With the new ruling they would have had to provide comparable time to all candidates—twenty-four for president, twelve for vice-president—which would have left no time for other news, or required that the newscasts be expanded accordingly. Neither option was, according to Stanton, at all feasible.

His central argument in the speech was that the ruling deprived the networks and the stations of the "right to assume and exercise the responsibility for editorial control" of their own news problems, and substituted for it a mathematical formula. The eventual result of the ruling, he insisted, would be that "the unbounded promise of a great medium for the betterment of democratic living" would one day be "reduced to impotence."

He then sounded the theme heard in 1958: that the age demanded "most

---

142 For detailed account of the issue see Matter of Petitions of Columbia Broadcasting Company for Reconsideration and Motions for Declaratory Rulings or Orders Relating to Applicability of Section 315 of the Communications Act of 1934, as amended, to Newscasts by Broadcast Licensees; 18 RR 701.

143 Address by Dr. Frank Stanton, President of CBS to the Fifth General Conference, CBS Television Network Affiliates, March 14, 1959; mimeographed text from CBS Library, New York, p. 6.
desperately a fully informed people making responsible choices," but the restrictions imposed by Section 315 would lead to a state where the people would be "so immunized by regulation against the stimulation of knowledge and ideas," that they would not be capable of "wise democratic action." 144

In June, Stanton appeared twice before Congressional committees testifying in favor of legislation amending Section 315 to exempt news, documentary and interview programs from equal time requirements, and to release broadcasters from equal time commitments to all but representatives of the two major parties.

To both committees he argued that the release from equal time commitments would allow face-to-face debates between candidates which might boost voter interest in the campaigns and the candidates, as well as offering the audience a perspective on the candidates relatively free from public relations devices. 145

During the same period, the NAB was evincing concern about the general state of the industry and its relations with the public. Once again, the NAB convention provided the platform. NAB president Fellows pressed for general acceptance of what he called "rules of order for the good broadcaster" which were, in

144 Ibid., p. 10.

essence, a restatement of basic principals such as the primacy of service to the public, and "an adherence by action" to decent standards. Mixed in with these themes was an appeal to "set aside incidental matters of competitive impulse" and join in dealing with "issues of major and critical concern to the survival of a free system." This call to fight for survival was, by now, a familiar one with the industry. It was seconded and fleshed out by Robert Sarnoff of NBC in his keynote address to the same gathering. He called on broadcasters to subordinate their differences and consider a credo that might "serve as a tapestry" on which to "weave a true image" of broadcasting. What followed was Sarnoff's outline of the principle responsibilities of broadcasting—a construct which he repeated in almost all subsequent speeches and statements examined for this study during the period. Briefly, he made the following points:

1. As a mass medium, broadcasting "best serves the public interest" by programming to the majority.

2. As a secondary function, broadcasting programs for minority tastes and interests, thus providing the majority "a continuing opportunity to absorb new interests."

3. Broadcasting's responsibility to the public "is harmonious with its responsibility to advertisers" for "the more effectively it serves the public, the greater the value it offers the advertisers."

4. Broadcasting can best serve the public through "the free play of competition, with a minimum of government regulation."

---

146 Address by NAB President Harold Fellows, to the 37th Annual Convention, March 17, 1959; reprinted in NAB Highlights, March 23, 1959, p. 25.
5. Broadcasting, "the nation's greatest unifying communications force in peace or war" should have the same privileges as other "free communications media." 147

Sarnoff's overall aim was to encourage acceptance of the "credo" and to urge an aggressive attempt to sell the public on the virtues of broadcasting. This reinforced the direction urged by NAB President Fellows and also by Frank Stanton of CBS, who in the prefatory remarks to his March speech to the CBS affiliates had said that to survive and grow in "an atmosphere of public confidence and freedom," he was convinced that broadcasters had to be "far more resourceful and energetic" in "communicating with the people about ourselves."148

In the spring of 1959, spokesmen for all three major broadcasting organizations were pointing toward a need for greater public relations activities on the part of broadcasting to blunt the edge of criticisms of the industry. Growing out of this concern was a commitment by the NAB and the networks to contribute about $300,000 to be matched by the stations to establish an information office for television which could help in countering bad publicity about the medium. 149 At the same time, CBS had committed $100,000 to sponsor research examining public attitudes toward broadcasting. 150

147 Address by Robert Sarnoff, Chairman of the Board, NBC, to the 37th Annual Convention of the NAB, March 17, 1959; reprinted in NAB Highlights, March 23, 1959, p. 45.

148 Stanton address to Network Alliliates, March 14, 1959, p. 1.


150 Ibid., p. 36.
This is the same pattern which emerged during the mid-forties when the first major studies of radio audiences were published by Lazarsfeld and Kendall. First, the leadership urged a renewed effort to inform the audience of broadcasting's good works; then, researchers attempted to discern the true attitudes of audiences about the medium; and, finally, the Radio Code was formulated. In the period under examination in this chapter, those same steps were taken leading to the action of the NAB Code Board in removing the Seal of Good Practice from "seven to ten" violators who had not responded to persuasion.

One other speech by NAB president Ryan, during the spring of 1959 had relevance for the responsibility issue. In May, he spoke to the disc jockey convention in Miami and reminded them that "the reputation of the entire American system of broadcasting" depended on the disc jockeys. Fellows urged them to see themselves not as personalities but as team players whose "responsibility is to the members of the team" who made their programs possible, and to the audience whom they serve. The same theme had been sounded by Broadcasting magazine in two editorials dealing with the convention.

---

151 See above chapter VII, p. 261.

152 May 4, 1959, p. 31.

153 Address by Harold Fellows before the First National Convention of Disc Jockeys, May 28, 1959; excerpted in NAB Highlights, June 1, 1959, unpaged.

154 See above, pp. 328.
concern was with disc jockeys and their relation to their colleagues and the audience. It foreshadowed the revelations of the fall, but without censure or sanction at this early stage. The NAB, particularly, seemed to be keeping hands off the question of payola— at that time.

The quiz scandals and the aftermath: 1959-60

When the House Subcommittee on Legislative Oversight began its probe of the quiz rigging charges in the fall of 1959, it had become evident that the bad publicity accompanying the issue when it was first raised in 1958 would again be visited on the broadcasters. As a result, a series of speeches and public comments by broadcasting spokesmen, beginning before the Van Doren revelations and accelerating through the final months of 1959, attempted to motivate the rank and file broadcasters to recognize their responsibility in regard to the issue, and to "clean up their own house." Spokesmen generally blamed outside producers, as did Broadcasting, but accepted the idea that ultimately it was the broadcaster's responsibility to the public which was in question.

In early October, Harold Fellows told a conference of NAB members that the industry's self-regulatory arm was prepared to set up Code language to prevent future "quiz rigging." He blamed the "unfortunate episode" on "outside packaging producers' who, he said, had "hoodwinked the public and the broadcasters whose facilities they used." Fellows assured the attendees that the NAB was aware of the broadcaster's responsibility to the public and reminded them that the Congressional hearings "may be a challenge to our
system of voluntary self-regulation." He indicated that the threat would be met and "the needed steps will be taken." 155

Less than a month later, when the dimensions of the charges had begun to be seen, but had not yet reached full visibility, President Fellows told a Lions Club group in Atlanta that broadcasters realized the seriousness of the matter and indicated the industry's commitment to correct the problem, and by self-regulation to insure it would not occur again. But his principal theme was "the peril of censorship," and his concern was to avert any hasty rush into "ill-begotten legislation that would apply stricter controls to our free system of broadcasting." 156 Very shortly, the emphasis changed from generalized concern about restrictive legislation to an urgent appeal for cooperation and Code enforcement.

On November 16, Fellows told broadcasters that, denials to the contrary, the "entire industry . . . by terms of the license under which it operates," was responsible for the "deplorable circumstance" of the quiz rigging revelations. Fellows' solution was simple:

The one basic contribution that the broadcaster can make to insure the preservation of our truly American system of broadcasting is subscription to and adherence to, a firmly established, self-regulatory code of ethics. 157

155 Address by NAB President Harold Fellows to the NAB Fall Conference; excerpted in NAB Highlights, October 9, 1959, unpaged.

156 Address by NAB President Harold Fellows to the Atlanta Lions Club; excerpted in NAB Highlights, November 2, 1959, unpaged.

157 Address by NAB President Harold Fellows to NAB Fall Conference; excerpted in NAB Highlights, November 16, 1959, unpaged.
Broadcasting reported the following week that the Code Board had drafted Code amendments which would prohibit misrepresentation in both programs and commercials. This was followed by a national closed circuit television appeal by Code Board chairman, Donald McGannon, for more members to strengthen industry's self-regulatory function. According to Broadcasting, McGannon's plea was based on a conviction that the industry must have "self-made rules that will apply to all, or certainly to virtually all of us."  

Payola charges were responded to by President Fellows the following week. He stated that management had already taken steps to correct the situation, then declared that he thought it sad that the "reputation of a great medium of communications and the thousands of honest people who work in it" should be blackened by the "misdeeds of a few." The following week, Fellows announced the appointment of a twelve-man task force to study the ethical and legal issues facing radio and television in the quiz show scandals. He promised full cooperation with investigations by the FCC and the FTC, and welcomed their efforts. He expressed confidence that they would bring out the full story of broadcasting's service. The president also advised all member stations to comply with the FCC request for inform-

159 Statement by Harold Fellows, in NAB Highlights, November 30, 1959, unpaged.
160 Statement by Harold Fellows, in NAB Highlights, December 7, 1959, unpaged.
information on payola received by personnel and the controls established to
guard against such practices in the future. 161

The NAB, during the three months from October through December, 1959,
moved from regret about the bad publicity and concern about restrictive
legislation to acceptance of responsibility for the bad practices, even
though these practices were visited upon broadcasters by outside producers.
The Association mounted an urgent appeal for stronger Code restrictions on
programming or advertising misrepresentation and for total commitment to
that Code by broadcasters. On November 23, Broadcasting reported that 271
television stations and three networks subscribed to the Code. 162 One month
later, on December 28, 1959, NAB Highlights reported that 340 television
stations and three networks subscribed to the Code. 163 It would seem that
the campaign for membership in the time of crisis was fruitful for the NAB.

The networks, too, were taking action. During the heat of the quiz
show investigations, NBC chairman Robert Sarnoff told a meeting of that net-
work's affiliates that "though the explosive charge was set by the handful
of outside producers who promoted the rigging conspiracy," the "brunt has
fallen on the networks." The "brunt" he spoke of was the sweeping condem-
nation of the morality of the "entire television industry." Sarnoff insisted

161 Memorandum to all stations from Harold Fellows, NAB President,
December 16, 1959, (mimeo).

162 Broadcasting, November 23, 1959, p. 68.

163 NAB Highlights, December 28, 1959, unpaged.
that though the network had no knowledge of the "skullduggeries" in the quiz shows, they recognized and accepted their responsibility for all programs presented on the network. In the way of solutions, Sarnoff was critical of Stanton's move to restrict all quiz programs from the air, saying quizzes were popular, so it was the duty of the network to carry them—but under strict control.

He described the new unit established at NBC to formulate and enforce standards and practices "for safeguarding the public interest against shady dealings" throughout the NBC operation. He urged the industry in general to take up the task of "making its overall service understood." The tarnish of the quiz shows, he claimed, was being rubbed off on all areas of programming, and that position needed to be challenged. He challenged the Television Information Office, which was established in the Spring of 1959, and opened for business in the midst of the quiz hearings, to help tell the story of the diversity and creative energy to be seen constantly on the three networks.

In this speech, Sarnoff accepted responsibility but eschewed blame, then recommended action designed to patch up ethical loopholes in the system and publicize the good side of television. Only in his summary remarks did he advise broadcasters of their responsibility. He quoted from a speech his father, David Sarnoff, had made to the NAB in 1947:

Television should be no place for the get-rich-quick Wallingfords, more interested in what they can take than what they can give. It should be a profession, with
all that terms at its best implies in integrity, dignity and above all, dedication to a tradition of public service. 164

In spite of this admonition, however, Sarnoff's speech seemed aimed at comforting broadcasters by offering proof that NBC was dealing with the problem in the best interest of the affiliates. 165

As we have seen, during the last three months of 1959, Broadcasting devoted the majority of its editorial space to an introspective examination of the "responsibility" of broadcasters, concluding that networks and stations must take greater charge of programming to insure proper practices. The editor also stated that the relationship between the "Advertising Mind" and the "Communications Mind" was the crucial determinant of responsibility to the audience.

None of the industry spokesmen exhibited this introspection in their statements. They were deeply engaged in the pressure of the crisis—responding to charges, altering policies and attempting to maintain credibility in the minds of audiences and affiliates. But their actions were consistent with Broadcasting's recommendations. The networks moved to establish more firm controls over programming and to re-emphasize the movement, already in progress, to offer more special entertainment and public affairs programs. The more philosophical musings of the editor, however, 164

164 Address by NBC Board Chairman, Robert Sarnoff to the NBC Affiliates Meeting, November 12, 1959; mimeographed text from the NBC General Library (unpaged).

165 Ibid.
did not seem to be reflected in any public statements by industry spokesmen, who tended to turn their attention to the pragmatic application of traditional solutions like Codes, and public relations.

In the early months of 1960 broadcasters were busy with explanations of their policies and defenses of their operations in the public interest. Sarnoff appeared before the FCC in January, and presented NBC's position on the responsibility of the broadcaster. He also recommended ways government could "assure fulfillment of that responsibility." 166

In his testimony he reiterated the basic principles set forth in his speech to the NAB convention the previous spring. The primary public interest role for broadcasting was satisfying the needs of the majority for "relaxation and diversion." He contended that "what interests the public is an important measure of the public interest." 167 (This statement, out of context, has been employed by critics as an example of the self-serving nature of the industry's responsibility to the public. In context, however, it is less damning. Sarnoff spoke of this service as only one part of the broad service to audiences, with diverse tastes and expectations.) Once the majority has been served, he claimed, then special programming for minorities is presented. And, finally, information to equip the audience for better citizenship.


167 Ibid., p. 7.
No one of these program types has any special claim to serving the public interest. It is the total proportioned blend of programing that serves the public interest, because only such a blend meets the varying and conflicting interests of the total public served by broadcasting. The maintenance of such a service, to my mind, is the public interest responsibility of the commercial television broadcaster.\footnote{Ibid., pp. 10-11.}

He then offered a standard by which the FCC might judge licensees. He suggested that "the standard for programming should be the 'standard of reasonableness'—reasonableness in recognizing the interests to be served and in making a contribution toward serving them."\footnote{Ibid., pp. 43-44.} The Commission's licensing procedures should "place primary emphasis on self-regulation and self-development by the broadcasters" because that serves the public interest.\footnote{Ibid., p. 45.} The standard of reasonableness then would become the criterion for all FCC licensing decisions.

NBC President, Robert Kintner, in a speech to advertisers a few days later, reiterated Sarnoff's position on balance and priorities of service, then urged advertisers to join broadcasters in a continuous process of self-appraisal for constructive change.\footnote{Robert Kintner, \textit{Self Appraisal: A Maturing Force for Advertising}, An Address Before a Meeting of the Association of National Advertisers, February 2, 1960 (New York: National Broadcasting Co., 1960).}

Again in March and April, Sarnoff sounded the theme of balance and argued for the "standard of reasonableness" measurement for licensing. To
these, he added priorities for broadcaster action: to resist "any form of direct or disguised censorship," to "improve and diversify the quality of the mass appeal program service" and to organize conferences with educators and critics to try and break down the "intellectual curtain" surrounding commercial broadcasting. The April speech emphasized the need to communicate the positive aspects of television to viewers and to "strengthen the supervision of commercial and program materials "in the interest of taste, truth, and our special obligation to young viewers."

Meanwhile, in March, a memorandum from CBS restated and expanded that network's policies in regard to commercial acceptance, describing in more specific detail the guidelines under which its executives would operate. The NAB, too, was promoting the Code as a solution. In February, President Fellows had argued that the Codes offered the best possibility for improving the standing of industry self-regulation.

In March, the NAB Radio Board announced that non-members of NAB would be allowed to subscribe to the Radio Code, and at the same time, indicated


175 Address by NAB President Harold Fellows to a Meeting of Presidents of State Broadcasting Associations; excerpted in NAB Highlights, February 29, 1960, unpaged.
there would be a system of monitoring and enforcement established to support the Code. ¹⁷⁶

At the NAB convention in April, considerable attention was paid to the Code issue, and one of the principal speeches was by Donald McGannon, Chairman of the Television Code Review Board, who urged greater support of the Code and greater pressure by broadcasters on advertisers and agencies to remind them of their "responsibility as corporate citizens in organizations bearing a substantial public trust." At the same time, he urged broadcasters to strive to enhance the medium in all its programming facets to preserve "its vitality and dynamic qualities as the greatest advertising medium in the history of mankind." ¹⁷⁷

Section 315, too, was discussed briefly in the spring of 1960, when Frank Stanton again argued before a Senate Committee that the section should be dropped or amended to allow face-to-face debates and confrontations between the major candidates for all offices. ¹⁷⁸ Through the efforts of Stanton and others, Congress enacted a temporary suspension of equal time provision for presidential and vice-presidential candidates for the 1960 election as an experiment. ¹⁷⁹ Because of this suspension, John F. Kennedy

¹⁷⁶ NAB Highlights, March 14, 1960.


¹⁷⁹ Public Law 86-677, August 24, 1960.
and Richard M. Nixon appeared in four nationally televised debates during the fall of 1960, marking the first and, to date, the only time presidential candidates have appeared in such a context on television. These events were newsworthy and praiseworthy, and occurring in conjunction with extensive political coverage by the networks, provided some strong ammunition for broadcasters in their continuing battle with the critics and the government.

Chairman Sarnoff of NBC reflected industry confidence in a Speech to NBC affiliates in November. He recounted the vicissitudes of the past year and the positive steps taken to resist federal incursion and to guard against further questionable practices. He then repeated his basic view of the nature and responsibility of network programming—to entertain the mass audience, serve the minority audience and to offer a balanced program service. He pointed to the schedules of NBC and CBS as prime examples of this kind of service, and urged all affiliates to emulate the conscientious balance reflected in the networks' programming. He did not feel constrained to defend the medium or to warn of government interventions. His principal focus was on positive goals for the broadcasters without threat or duress. 

A similar mood of confidence and accomplishment pervaded the report by Frank Stanton in January, 1961, to the Senate Subcommittee which had been instrumental in suspending Section 315. Stanton detailed CBS's political

---

180 Robert Sarnoff, Address to NBC Affiliates, November 17, 1960; mimeographed copy in Broadcast Pioneers Library, Washington, D.C.
programming made possible by the suspension of Section 315. He claimed that broadcasting had proven the significant service it could render if it was released from its strictures. The debates had drawn the largest audiences ever to witness two candidates for president in a face-to-face discussion of the issues. Furthermore, the 1960 election had brought the largest percentage of the electorate to the polls in history, which Stanton indicated might have been a result of the increased interest generated by the debates. In all, claimed Stanton, the broadcasting industry had proven its worth and its responsibility "as a force for enlightenment in our essential political processes." 181

New pressures on Program Quality: 1961-62

The mood of accomplishment and stability reflected in the statements by Sarnoff and Stanton was decayed somewhat by Newton Minow's appointment to the Chairmanship of the FCC, and LeRoy Collins' selection as head of the National Association of Broadcasters. Both took charge of their respective offices during the winter of 1961, and both began to advocate reform within the broadcast industry. LeRoy Collins' statements, however, are of prime significance for this study, for they were based on a concept of his role and the NAB's role which seemed to be a strong break with the past. Particularly in the first year of his tenure, his speeches were highly

181 Statement of CBS President Frank Stanton before the Subcommittee on Communications of the Senate Committee on Interstate and Foreign Commerce; mimeographed text of Statement from CBS Library, New York, p. 12.
critical of many broadcasting practices long defended by the NAB and the broadcasters. In addition, his arguments for change were more often based on moral and ethical premises than on the traditional ones of avoiding government regulation, or promising better business to the ethical manager. His message was not immediately accepted by his constituents, though it was lauded by many critics of the medium.

Collins' maiden speech as president of the NAB suggested the direction of his leadership. He spoke at a banquet of the Federal Communications Bar Association, confessed his ignorance of the media, but professed his belief in broadcasting and its future service to the nation. It was a non-specific message, paralleling the growth of the nation and the growth of broadcasting and weaving their destinies together. "Our task," he said, "is to make both--America and broadcasting--move forward within the guidelines of our basic freedoms to become even better." To this end, he indicated that his role with the NAB would be as an advocate for broadcasting, attempting to articulate and advance the legitimate interests of the media "with reason and clarity and vigor."

But broadcasting, far more than an individual, in turn has responsibilities. And it also will be my purpose to articulate those responsibilities and advance their exercise with equal reason, clarity and vigor.182

In February, Collins spoke to the NAB Board of Directors, and was more boldly and specifically critical of the organization's past mode of

operation. He began with the premise that broadcasting was in serious
trouble—"that its public favor is dangerously low." He upbraided broad­
casters for shrugging off the early warnings of the storm of discontent
until the quiz and payola scandals awakened them to the dangers. Then he
criticized their responses to the problem.

While there have been notable exceptions, broadcasting's
reaction in most part has been defensive. Efforts were
directed primarily toward cleaning up the exposed dirty
linen and then warding off fresh attempts to impose more
governmental regulation.

He characterized the Television Information Office and the NAB Codes as
defensive rather than an "affirmative response fully to meet the needs and
responsibilities." 183

He argued that to fight government intervention or to criticize the
critics was not striking at the core of the problem, for they were just
manifestations of serious discontent "from substantial segments of the
public." He claimed that trying "to set the record straight with excuses"
was no longer adequate.

There is little to be gained now by arguing that there is no
measurable connection between the extensive broadcasting of
crime and violence and the growth of juvenile delinquency,
for the truth is that a large part of the public feels there
is. There is little to be gained now by insisting that there
is more "good" programming than "bad" programming, for a large
part of the public is convinced that there is not enough "good"
and too much "bad." There is little to be gained now by
pointing to the marvelous job done by the networks and the

183 An Address by NAB President LeRoy Collins to the Meeting of the
NAB Board of Directors, February 10, 1961; mimeographed text in NAB Library,
Washington, D.C., p. 2.
industry generally in political and news reporting if by doing so we should assume that this magnificent right in one area condones wrong in another. 184

He criticized acceptance of the ratings as arbiters of programs and audiences, he warned of the extensive concrete proposals for reform emanating from newspaper and magazine commentators, the FCC, Congress and even private citizens who have enough prominence to command public attention. The defensive posture, he claimed, could no longer cure broadcasting's image.

It will take an offense—a positive program designed to remedy wrongs, to capture the public enthusiasm, to serve better the public interest—in order to do this. It is the substance of broadcasting, rather than the image of that substance which demands our most earnest and determined efforts. 185

He offered such a program: (1) to improve broadcasting's relationship with the federal government; (2) to improve broadcasting's relationship with the American people; (3) to improve the broadcasting profession itself. In his scheme, the first two objectives could only be achieved if the industry effectively improved the kind and quality of programming as well as the diversity of such programming available in prime time. Without such substantive improvements, Collins promised, "we will be whipped before we start." 186 He concluded with a call to "become the captain of our own destiny—the prime-mover, the principal innovator—in meeting the broad

184 Ibid., p. 3.
185 Ibid., p. 4.
186 Ibid., p. 7.
issues which affect our ultimate survival and the greatness of our stature in molding American life."187

Collins' speech was relatively short and to the point. He advocated changing the industry's programming to bring it into some conformity with the expectations of a broad body of critics and he severely criticized the common modes of industry response to threat, which we have seen repeatedly over the course of this study—counter criticism by increasing the number of special programs, add amendments to the Codes, step up public relations efforts.

Two weeks later he spoke to a meeting of presidents of state broadcasting associations and continued his campaign for support of cleaning up the industry. He appealed to the group to see broadcasting in terms of its power to make democratic institutions "vigorous, moving, achieving forces" instead of lethargic crumbling entities. Broadcasting is an art, not a craft, he stated, and "the artist—the professional man—has a higher responsibility than being a sharp operator in the market place." He closed with a rather typical appeal to the broadcaster to be a professional who gives "a full measure of his talent."

He must recognize that his greater and greater power in free society carries with it a greater and greater responsibility to serve.188

187 Ibid., p. 9.

188 An Address by NAB President LeRoy Collins to the Sixth Annual Conference of State Association Presidents, February 23, 1961; mimeographed of partial text in NAB Library, Washington, D.C., pp. 3 and 4.
His campaign continued in March as he spoke to the prestigious Radio and Television Executives' Society of New York. He made two specific proposals to the assembly. First, to "make a more concerted effort at all levels" to eliminate the "employment of excessive violence— that which is projected without regard to plot." He recognized some beginnings in this area by the Code administration and the networks, but urged a more cohesive effort. His second proposal was for an increase of the amount of "very high level programming in prime time." He discussed the proposals in greater detail, and reaffirmed his belief in the free enterprise system of broadcasting, but added this reminder:

At the core of every free enterprise, however, there must exist a common denominator of moral responsibility, a common will to excel and highly dedicated and competent leadership to point the way. To provide this leadership there must be men and women of integrity and conscience and vision.  

He carried his message to the advertising agencies in April, urging greater advertising support for higher quality programs, and finally, to the membership of the National Association of Broadcasters in Convention, May 8. In this address, he summarized his proposals for greater professionalism and improvement of programming; then urged more active participation in the codes.

---


190 Address by NAB President LeRoy Collins to the American Association of Advertising Agencies Convention, April 22, 1961; mimeographed text in NAB Library, Washington, D.C., unpaged.
Two new proposals emerged from this speech. One was for the establishment of a research center to aid broadcasting to understand itself, its audiences and its services better. The second was that broadcasters "take sides," that they join the tradition of the print media and editorialize. The editorial function, he argued, was what made the newspapers and their managers influential in shaping the society in which they existed.

To earn greater respect, to develop adequately your full potential, more of you broadcasters must take sides. You must help Americans and others to understand better this complex, rapidly-changing world and show them how they can become more significant parts of its movements.\textsuperscript{191}

To do this, he maintained, requires development of greater skill and "high sense of objectivity and public dedication which is the hallmark of statesmanship."\textsuperscript{192}

Through the winter and spring of 1961, the new president of the NAB strove hard to impress upon the organization and the industry in general his commitment to an improved broadcasting service and an increased consciousness of moral responsibility on the part of broadcasters. But his criticism of the NAB and the networks was thought to be more appropriate for FCC Chairman Newton Minow than the president of the broadcaster's association. But Collins' central purpose was to prod broadcasters to greater awareness of their role as respected professional communicators with a positive obligation to serve the public with entertainment of the highest quality as

\textsuperscript{191} An Address by NAB President LeRoy Collins to the NAB Convention, May 8, 1961; mimeographed text in NAB Library, Washington, D.C., p. 5.

\textsuperscript{192} Ibid.
well as information of significance to their lives. In this aim, he echoed statements by Frank Stanton on editorializing and free political reporting; Robert Sarnoff on the need for balanced programming; and the editor of Broadcasting on the necessary dominance of the communications mind over the advertising mind. The feature that distinguished Collins from the others was that he raised these recommendations not in the heat of crisis or a conflict, but as part of an ongoing program to improve the quality of service to the public. It was this position also which made his early tenure in office distinctive from NAB presidents who had preceded him.

During this same period, NBC Chairman Sarnoff spoke to a gathering at the Annenberg School of Communication and once again recited the NBC litany of priorities—first to the mass audience, next to the minority audiences, etc. This kind of approach to industry problems exemplified what Collins attacked as being more concerned with image than substance. Sarnoff's concluding statement also carried the kind of obligatory promise to improve which had accompanied most of his addresses. He believed stoutly in the American commercial system, which—while imperfect—was dedicated to the ideal of improvement. "Like our society itself, it is, I believe, preferable to anything else of its kind in the world." 193

The threads of these positions—Collins with the NAB and Sarnoff with NBC—can be traced through the remainder of the sample period with reasonable consistency. President Collins' statements almost always reflected his basic thesis that broadcasters must take moral responsibility for their programming. In December, 1961, he argued for "responsible self-discipline" composed of "individual integrity and willingness to assume and discharge responsibility" rather than "railing" against the spectre of greater governmental control." Only through self-discipline, professionalism, and responsible program control, he insisted, can the broadcaster resist the entrance of government. 194 His speech was constructed around the concept of integrity in all areas, business, government and private life. He urged broadcasters to maintain their integrity and to become keenly aware of their responsibility to the national welfare. He again promoted research into the content and consequences of what is broadcast, urged the careful nurturing of young professionals in the industry, and reiterated the necessity for reasoned and responsible leadership in broadcasting and in business. 195

Through the early part of 1962, several reports in NAB Highlights reflected Collins' priorities. In January, it was announced that the Code Authority was stepping up its activities in monitoring programming for

194 Address by NAB President LeRoy Collins to the Kansas City Chamber of Commerce, December 21, 1961; mimeographed text in NAB Library, Washington, D.C., p. 4.

195 Ibid., pp. 8 - 9.
 unmotivated violence and improper portrayals of sex. In May, NAB Code Director Robert Sweeney urged television broadcasters to speak out on vital issues of the day and not be hesitant to take a stand. And in August, President Collins responded to Broadcasting magazine's criticism of the NAB Code with an attack on those who would have the public believe that "the codes were not supposed to be enforced at all," at just the time when some effective system of enforcement had been developed. He insisted that that kind of deceptive double-talk was not believed by the majority.

We do not regard our codes as camouflage suits to make broadcasters appear to be something they are not. These codes are made by broadcasters and for broadcasters. They establish guidelines to aid the broadcaster in his service. We are determined to see that both the people and the government respect them. We do not believe we will deserve this respect unless they are enforced. And this we intend to do the full measure of our ability.

In testimony to the FCC, Robert Sarnoff continued to argue that mass appeal was the necessary goal for television and he further suggested that in a democratic society, the public interest in broadcasting should be measured by the public.

Broadcasting, more than government or any other American institution affords the public direct, swift and telling means of making its own decisions and registering its own preferences on a day-to-day--indeed, an hour-to-hour--basis.

---

196 NAB Highlights, January 2, 1962.
198 See above, p. 346.
199 Address by NAB President LeRoy Collins to the South Carolina Broadcasters Association, August 7, 1962; mimeographed text in NAB Library, Washington, D.C., p. 6.
And there is no type of program to which the public is not given reasonable and consistent opportunity to respond.  

At the same time, he argued that all is not motivated by a quest for the largest audience since advertisers often sought audiences drawn by cultural and informational programming. His presentation was, however, largely devoted to the same themes developed earlier in the period.

In July, Frank Stanton again testified before the Senate Subcommittee on Communications in favor of legislation to eliminate or suspend Section 315 for the off-year elections. His rationale continued to be the need for a better informed and motivated electorate, and he now based his argument on the example of television's impact on the 1960 elections in which public involvement appeared to be high. His efforts in this instance, however, were not rewarded, as no change was made.

Summary of industry context: 1958-62

In terms of industry attention to issues, the period divides roughly into three parts. In the early years, 1958 through mid-1959, the focus was generally on the need for increased public service and news to counter the Soviet technological threat symbolized by Sputnik I. In 1958, the stringent interpretation of the political broadcasting restrictions prompted Frank Stanton to begin a campaign against the so-called "equal time" provision of the Communications Act—a campaign which he continued throughout the period.


201 Statement of CBS President Frank Stanton to the Subcommittee on Communications of the Committee on Commerce of the United States Senate, July 10, 1962; mimeographed text from CBS Library, New York.
The NAB was consistently involved with interpreting and attempting to enforce its Codes—particularly in regard to questionable advertising like hemorrhoid remedies and personal products. As criticism began to intensify because of rumors of bad practices, network spokesmen, particularly Robert Sarnoff of NBC, urged concerted effort by broadcasters to upgrade their public image by emphasizing the service they performed for their audiences. He did not advocate increased service—merely better promotion of existing service.

The quiz and payola revelations began the second part of the period. The events demanded responses from broadcasters, and once again the networks took the lead—primarily because they were receiving the bulk of the criticism. Through this period, public statements by network spokesmen and the NAB exhibited specific concern about the responsibility of broadcasters for control of their own programming. The speakers condemned the bad practices, promised reform, then reorganized themselves to implement the promises. NBC established a new unit charged with reviewing program practices. Robert Sarnoff reiterated his position that responsible programming was to be found in a balance between mass offerings and minority audience offerings. The NAB quickly amended its codes to outlaw quiz-rigging and payola, then made an urgent appeal for more subscribers, in order to forestall government intervention.

Recurring issues during the 1959-60 period centered on the nature of broadcaster's responsibility for his programming. Discussion of Ethical Programming Practices came early, in response to charges, and was superseded
by admonitions to broadcasters to take charge of their programming, to follow the Codes, and to publicize their good practices. Though the bad practices lurked always in the background, specific remedies for problems were the subject of most statements.

The period from the beginning of 1961 through 1962 was one of some turmoil for broadcasters because of the activist FCC leadership of Newton Minow and the "maverick" NAB leadership of LeRoy Collins. The political campaign of 1960 had allowed broadcasting to show proof of the kind of responsible service they were willing to offer if left free to do so. Thus they entered 1961 with a degree of stability and confidence. Minow's attacks at the quality of programs and Collins' basic agreement with Minow's assessment, turned attention once again to issues of quality and responsibility.

Collins urged broadcasters to take moral responsibility for their programs and advertising. He pressed for improvement in quality of entertainment and news, and argued that as responsible professionals, broadcasters must be concerned about content and the consequences of their programming. His was the most comprehensive and strongest criticism of broadcasting by an industry spokesman yet encountered in this study. He made consistent appeals to substantive improvement in service rather than merely promoting an image of service that was not credible. He advocated strong industry self-regulation by means of active and aggressive code enforcement. And though at times, he took issue with the traditional patchwork response to industry problem solving advocated by network spokesmen like Robert Sarnoff,
he echoed Sarnoff, Stanton and others, as to the important needs of the broadcaster in the area of program balance and increased news and information programming.

The context, during the 1958 through 1962 period, reflected the same basic concerns as earlier periods, with some specific exceptions. The industry was somewhat more news and information oriented, than either the thirties or forties periods, seeing such programming as a high priority item in the battle for independence from government. The quiz and payola scandals opened broadcasting to wide criticism and demanded that action be taken. The industry by this time had specific institutionalized responses which were almost automatic. Just as they had done after the Blue Book, broadcasters tended to unify their efforts and then act. Networks added divisions to guard against fraud, and NAB amended their codes, and they all urged greater public relations efforts to bolster public confidence in the broadcast media. LeRoy Collins, while supporting reforms, attacked "superficial" institutional responses as window dressing, and urged deep-seated reforms in the way broadcasters perceived their role and position in society. His appeal was for strong responsible actions for the national welfare.

Conclusions

During the first three years of this period, there was a general paralleling of interests between Broadcasting and industry spokesmen. Both were more concerned with Program Practices issues than Trade Practices. They were mutually supportive on News issues regarding editorializing and
freedom from the program restrictions of Section 315; they were in agreement on the importance of Code membership and compliance, though at times some disagreement was evident on the last issue. For example, Broadcasting was critical of the NAB for outlawing some products, and then not adequately enforcing its restriction.

Broadcasting, while protective of industry shortcomings, did deal in criticism of some practices—though not nearly so often or outspokenly as in the 1945-48 period. It was Broadcasting who raised questions about, then attacked, the payola practice in the summer of 1959, while the NAB said nothing. Broadcasting also criticized from time to time, broadcast news operations which were not run by careful professionals with high journalistic standards. Once again, during the early period, the NAB did not involve itself in such issues. Though network spokesmen on several occasions addressed themselves to the importance of competent news programming.

On the crucial question of the quiz rigging scandals, however, Broadcasting and the industry representatives stood together. Broadcasting deprecated the investigation while minimizing the wrongdoing involved. Industry spokesmen were largely noncommittal except to say that action had been taken to correct faults where they occurred. Once there was no question that wholesale deception had been practiced, industry spokesmen and Broadcasting were in basic agreement on the direction to take—for it was a proven course. Correct the wrong, make rules against its recurrence, and then increase public relations activities. In the midst of the efforts,
Broadcasting stepped back and examined the issue in more depth than other spokesmen and proposed that the "Communications Mind" be given a more dominant role in broadcast decision making than the "Advertising Mind." This concept, while not at the forefront of the editor's attention generally, was fairly consistent with his position on professionalizing news operations during this period, and his position on advertising and trade practices found in early periods.

The last two years of the period were dominated by outside forces which pressed network spokesmen and Broadcasting in a somewhat defensive posture. For example, the emphasis in Broadcasting on Program Quality was a response to FCC activism in that area. But more significant was the role the NAB assumed under LeRoy Collins in pressing for reform and change. The only major disagreements between Broadcasting and the industry during the period were in the last two years when the editor openly criticized Collins and some of his views. The biggest split was over the Code which Broadcasting had always supported as the best means of countering government regulation. In 1962, the editor reversed this position, claiming that a centralized Code with power to enforce could be easily usurped by the government. Collins condemned this position as irresponsible and shortsighted. Though the dispute was not extensive, it was a sign of Broadcasting's dissatisfaction at the time with the more stringent controls Collins was attempting to incorporate in the Code machinery.

With these few exceptions, Broadcasting again, during this period, seemed to be largely reflective of the broad sweep of industry positions on
the major categories of responsibility and at times, seemed more sensitive than industry spokesmen to some basic premises of responsible actions—particularly in the news area. The emphasis given this category in the 1958-62 period continued the trend noticed in the 1945-48 period and seemed to be the one aspect of broadcast operations in which the editor was consistently interested in basic moral and ethical questions.
CHAPTER X
RESPONSIBILITY OF THE BROADCASTER: 1968-70

Historical Context

According to some observers, the 1960's marked a time of rising standards of living, rising hopes, and tragic consequences. A charismatic young John Kennedy had attempted to redirect and energize the national purpose, and was murdered. His successor, Lyndon Johnson, had worked energetically to generate legislation, programs and financing to lift up the poor. Instead, the country was disrupted by riots.

In the last years of Johnson's tenure, spasms of violence rocked the nation as bitterness over Vietnam, racial strife, and a series of shocking assassinations raised doubts about the stability of American society.

Annual riots since 1965 had claimed lives, white and black. In the summer of 1967 alone, twenty-five died in Newark, forty-three in Detroit. At the close of 1967, there were 475,000 Americans in Vietnam, 1500 more than had been in Korea at the peak of that war, and according to

2 Ibid., p. 785.
3 Ibid., p. 786.
Secretary of Defense McNamara it had been "conclusively demonstrated" that the Vietcong were not capable of winning a major battle against American forces. 5

Conditions worsened in 1968, as a series of startling events further disrupted the stability of the nation. In February, the North Vietnamese and Vietcong began a concerted offensive against Saigon and thirty provincial capitol, throwing the Vietnamese and American forces into turmoil and upsetting countless programs of "pacification." 6 In March, Lyndon Johnson announced his decision not to seek another term as President. On April 4, Civil Rights leader Martin Luther King, Jr. was assassinated and cities all over the country erupted in riots. On June 5, another figure to whom the disappointed and disenfranchised had been attracted — Robert Kennedy—was assassinated, and the nation again was thrown into turmoil and confusion. 7

Finally, in late August, the bitter struggle between political factions at the Democratic Convention and their counterparts on the streets of Chicago added further evidence to the growing concern held by some that the nation would not withstand the pressures. 8


6Hofstadter, pp. 633-34.

7Morison, pp. 787-88.

8Ibid., p. 791.
Richard Nixon defeated Hubert Humphrey in November, but in doing so received only 43 per cent of the vote and did not carry a majority in either house. Whatever the reasons, through 1969 and 1970, the nation seemed to settle back into a more stable time. The new president began a gradual disengagement of American troops from group operations in Vietnam and coined a catchword for it—"Vietnamization."

Beginning in 1968 and through 1969, the Apollo Moon Program was making headlines. In December, 1968, men orbited the moon; in March, another team tested in space the moon landing craft; in May, they took the craft to moon orbit and flew to within nine miles of the moon's surface; in July, two men landed on the moon for the first time and spent nearly a full day on the surface; and in November, Apollo 12 duplicated the feat and the astronauts spent almost thirty-two hours on the surface of the moon.9

The mood of discontent and malaise was not gone, but merely redirected from the confrontation and strident conflict of the preceding years. The moon flights tended to serve as a means to draw some national attention away from the still destructive conflict in Vietnam and continuing social injustice. And though the spring of 1970 brought a renewed series of demonstrations, disruptions, and riots to the campuses in the wake of President Nixon's "incursion into Cambodia," the edge seemed to have been

9 Hofstadter, pp. 640-41.
blunted by his policy of gradual disengagement and the seemingly changed mood of the country in regard to these issues.\textsuperscript{10}

The period had begun with hard-edged, emotionally charged events which disrupted, confused and set the nation into factions ready to do battle. The election campaign seemed to offer an outlet for these hostilities, if not a fulfillment, and the succession of moon flight achievements refocused attention to positive goals. By the end of the period, dissent, criticism, and political struggle had been largely reduced to verbal encounters and attempts to work within existing systems. The abrasive, emotionally charged events were for the time-being, minimized. At the same time, as we shall see, the Nixon administration slowly drew itself together and began to "run" the country and on occasion, the mass media.

**Television on the defensive**

The rush of events during the first ten months of 1968 placed the mass media in a position of stress and responsibility. Broadcast coverage of President Johnson's retirement from political contention, the assassinations and riots brought combinations of praise and criticism. In the wake of violent events, the central criticism surrounded the presentation of violent content on news and entertainment programming. Critics charged that excessive violence on television was creating and reinforcing a climate of violence and hostility in the nation. They demanded changes

\textsuperscript{10} Ibid., pp. 654.
in programming. In the weeks following the assassination of Robert Kennedy the networks complied. Frank Stanton of CBS responded with a promise that steps would be taken to de-emphasize violence and quickly dispatched his programming vice-president, Mike Dann, to discuss the policy with every producer of dramatic shows on the CBS schedule. NBC and ABC also agreed to comply.

By August, the restriction on violent content had begun to appear so severe that producers were beginning to protest that cuts were being made by the networks even when conflict or violence was important to the plot or character development. They accused the networks of going too far.

The disruptions of the Democratic Convention in August were witnessed all over the country via television, as the tension and hostility built up through weeks of confrontation boiled into public view in the convention hall and on the streets. Television once again became a target for critics convinced that the medium had contributed to and even motivated demonstrations. The fact that some newsmen became emotionally involved and lost their detachment lent credibility to the charges. The conflict over the question of biased reporting of the convention remained an issue throughout the presidential campaign, though one observer commented that


13 For an examination of the charges and events, see Newsweek, September 9, 1968, pp. 30-46.
"after the excitement of Chicago, the presidential campaign itself seemed an anti-climax."14

In 1969, other issues faced broadcasting. The Supreme Court upheld the FCC's fairness doctrine when it ruled in the Red Lion decision that it was "the right of the viewers and listeners, not the right of the broadcasters, which is paramount."15 According to Broadcasting, the seven-to-nothing vote by the Court struck a severe blow to "an all-out industry effort to knock out the rules and, if possible, undermine the doctrine itself."16

In the same month, the Court of Appeals reversed the FCC and opened the door for local organizations to intervene in license renewal proceedings. The court required the Commission to withdraw the license of station WLBT in Jackson, Mississippi, on the grounds that the licensees had not been adequately serving the large black segment of its audience.17

The credibility of broadcast news was once again brought under fire in November, 1969, as Vice-President Spiro Agnew attacked network-television news, accusing the leading networks of bias, monopoly and, by implication,


"conspiracy to misrepresent the national administration." His message prompted sharp responses from the industry and remained as a central concern of broadcasters through the following year.

As we shall see in more detail later, some broadcasters felt the Nixon Administration was making a concerted effort to intimidate broadcast journalists. This position was reinforced in February, 1970, when the Justice Department subpoenaed CBS for film taken for a segment on the Black Panthers, which the network had presented on their program "60 Minutes." It was a sharp blow to newsmen because the subpoena included requests for footage not used on the air as well as all correspondence and paperwork connected with the program. This was, according to news people, a dangerous precedent.

The involvement of the broadcast journalist and the government in this struggle for credibility prompted efforts by broadcasting to upgrade its image. At the same time, it caused confusion. One manifestation of the uncertainty concerned the issue of fairness. In the summer of 1970, the networks agreed to provide a forum for the "loyal opposition" to express its views on issues of national import. Broadcasting called the action "an important break with past procedure" since the policy made the platform for the opposition an "integral part of a broadcast schedule." Their decision,

---

which ran into conflicts on definitions of fairness, illustrated some of the insecurities of the broadcasters under pressure from an incumbent Republican administration, badgered by the Democratic outs, and heckled by dissident citizen groups. More and more groups with positions they wanted heard were taking advantage of the ambiguous policies governing political broadcasts and fairness questions, and pressing broadcasters for air time.

During the period from 1968 through 1970, according to Marvin Barrett, the broadcaster found himself involved in "revolutionary changes" in ways that "he only dimly understood." He called this involvement "perhaps the single most salient fact of journalism in mid-century America." The confrontation between the government and the networks was "desperately serious," he insisted, because it raised questions about "the Constitutional rights of the press and the present and future autonomy of what had become its most potent segment, television journalism." In the analysis that follows one can see that Broadcasting magazine clearly reflects Mr. Barrett's concern over the future development of broadcast journalism.

Analysis of Broadcasting Editorials: 1968-70

Summary of Quantitative Data

Between January 1, 1968, and December 31, 1970, one-hundred, fifty-six issues of Broadcasting magazine were published containing 435 items.

---

labelled by the editor as editorials. This was an average of 3.1 editorials per issue, higher than the 1958-62 period but approximately the same as 1945-48. Table 9 shows the range of editorials printed and the number and percentages of relevant editorials in each year.

**TABLE 9**

**1968-70: EDITORIALS DEVOTED TO RESPONSIBILITY ISSUE**

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Editorials</th>
<th>Responsibility</th>
<th>Responsibility as per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1968</td>
<td>152</td>
<td>19</td>
<td>12.5</td>
</tr>
<tr>
<td>1969</td>
<td>135</td>
<td>21</td>
<td>15.6</td>
</tr>
<tr>
<td>1970</td>
<td>148</td>
<td>17</td>
<td>11.5</td>
</tr>
<tr>
<td>Totals</td>
<td>435</td>
<td>57</td>
<td>13.1</td>
</tr>
</tbody>
</table>

Unlike the forties and fifties periods, there seems to be no clear event or issue in 1969 which dominated the editor's attention to cause a drop in total number of editorials. Also evident in Table 9 is the relatively small number of editorials devoted to responsibility categories. The percentage of relevant editorials was down more than one per cent from the 1958-62 period.

Table 10 shows the major characteristics of editorial concentration during the 1968 through 1970 period.
### TABLE 10

**1968-70: CATEGORIES OF RESPONSIBILITY**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>Per cent</td>
<td>No.</td>
<td>Per cent</td>
</tr>
<tr>
<td><strong>Trade Practices</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>3</td>
<td>15.8</td>
<td>2</td>
<td>9.5</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>1</td>
<td>5.3</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>0</td>
<td>0.0</td>
<td>1</td>
<td>4.8</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Program Practices</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indecent Content</td>
<td>15</td>
<td>78.9</td>
<td>13</td>
<td>61.9</td>
</tr>
<tr>
<td>Program Quality</td>
<td>4</td>
<td>21.0</td>
<td>4</td>
<td>19.0</td>
</tr>
<tr>
<td>Public Service</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>News</td>
<td>11</td>
<td>57.9</td>
<td>7</td>
<td>33.3</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Code</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Security</td>
<td>0</td>
<td>0.0</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Responsibility</td>
<td>1</td>
<td>5.3</td>
<td>4</td>
<td>19.0</td>
</tr>
</tbody>
</table>
1. Trade Practice categories were discussed less than in any previous sample period, being a subject of only 14 per cent of the relevant editorials.

2. Program practices, conversely, reached their highest percentage with almost two-thirds of the relevant editorials devoted to some Program Practices category.

3. The advertising categories received less attention than they had any previous period, comprising less than 10 per cent of the relevant editorials.

4. News dominated the categories, being the subject of almost half the relevant editorials during the period and being the leading category in all three years.

5. Program Quality and Responsibility were the second most discussed categories with Program Quality high in 1968 and 1969, and Responsibility, high in 1969 and 1970.

6. The Code received some attention in 1969 and 1970, and was the fourth most discussed category overall.

In Table 11, one can see some shifts as they appeared between periods: (1) editorials advising broadcasters about correct Trade Practices continued to diminish in numbers from one sample period to the next; (2) interest in Program Practices increased again in this period; (3) the news Category followed the movement upward in importance with representation almost doubling each new sample period; (4) the blanket category of "responsibility" maintained about the same overall percentage in 1968-70 as
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NO.</td>
<td>Per cent</td>
<td>NO.</td>
<td>Per cent</td>
</tr>
<tr>
<td>Trade Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate-Cutting</td>
<td>6</td>
<td>13.3</td>
<td>2</td>
<td>2.5</td>
</tr>
<tr>
<td>Over-Commercialization</td>
<td>1</td>
<td>3.2</td>
<td>4</td>
<td>5.1</td>
</tr>
<tr>
<td>Taste in Advertising</td>
<td>5</td>
<td>11.1</td>
<td>6</td>
<td>7.6</td>
</tr>
<tr>
<td>Ethical Advertising</td>
<td>9</td>
<td>20.0</td>
<td>1</td>
<td>1.3</td>
</tr>
<tr>
<td>Unfair Competition</td>
<td>1</td>
<td>2.2</td>
<td>2</td>
<td>2.5</td>
</tr>
<tr>
<td>Program Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indecent Content</td>
<td>2</td>
<td>4.4</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Program Quality</td>
<td>5</td>
<td>11.1</td>
<td>10</td>
<td>12.7</td>
</tr>
<tr>
<td>Public Service</td>
<td>8</td>
<td>17.8</td>
<td>19</td>
<td>24.0</td>
</tr>
<tr>
<td>News</td>
<td>3</td>
<td>6.7</td>
<td>11</td>
<td>13.9</td>
</tr>
<tr>
<td>Ethical Programming</td>
<td>0</td>
<td>0.0</td>
<td>9</td>
<td>11.4</td>
</tr>
<tr>
<td>Code</td>
<td>5</td>
<td>11.1</td>
<td>8</td>
<td>10.1</td>
</tr>
<tr>
<td>Security</td>
<td>0</td>
<td>0.0</td>
<td>3</td>
<td>3.8</td>
</tr>
<tr>
<td>Responsibility</td>
<td>0</td>
<td>0.0</td>
<td>4</td>
<td>5.1</td>
</tr>
</tbody>
</table>
it had in the previous sample period. In general, the movement has been consistently away from business advice to program advice and, more specifically to comments on the news function of broadcasting.

This summary indicates some of the gross trends between periods and within the 1968-70 period in the direction of Broadcasting's concern about the responsibility of the broadcaster. The following analysis of specific editorial content within these categories gives a more lucid picture of the way in which the editor responded to particular issues and structured his positions around some basic conceptions of broadcaster responsibility.

Analysis of Editorial Content: 1968-70

**Trade Practices**

Editorial discussion of Trade Practices questions during the 1968-70 period confirmed and extended the trend described in the two preceding chapters. The editor wrote 435 editorials, of which only fifty-seven were judged relevant for this study. Of that number, only eight offered advice or recommendations to broadcasters about the proper way to conduct their business affairs—Trade Practices. Three of the eight were critical of various schemes to sell time for less than the standard rate, two raised questions about the volume of advertising messages on the air, two more discussed, rather protectively, the nature of misleading advertising messages, and one editorial commented on commercials in poor taste. In general, the tone and style of these editorials was restrained and without strong admonitions to broadcasters. The advertising categories,
particular, were gently defensive of broadcaster and advertiser interest in the face of public criticism and increased activism of the Federal Trade Commission.

Rate-Cutting

Three brief editorials criticized schemes offered by advertisers or agencies to bypass standard rates. One in January, 1968, criticized a prominent advertising agency for coercive practices in regard to a major advertiser. The agency offered five-minute sports films, complete with commercials for the sponsor, in hopes that stations would broadcast these films free, or at a reduced rate. Broadcasting indicated that some questions arose as to whether the agency predicated purchase of extensive spots on a station with that station's willingness to accept the sports film for less than established rates. The editor deplored this practice and reminded broadcasters that they had an obligation to "maintain the integrity of their rates as well as their program schedules." Films should be chosen for program values and any advertising in them should be "bought and paid for at card rates."\(^{22}\)

Later in 1968, the editor again urged stations to stick to their rates because it was "simply good business." If times were hard, he argued, the broadcaster should review and revise his rates rather than

"wheel and deal around it." However, the process was done, Broadcasting warned, "rate-cutting begets rate-cutting and in the end can lead to nothing but chaos."23

The final instance was in late 1969, and dealt specifically with cutting rates for political advertising. The editor argued that voluntary agreement to cut rates for politicians looked like "political tithing, paid in hope it will buy relief from bills that would enforce the same ends." He concluded with a judgment that such actions would cause broadcasters to "lose more respect than they gain."24

Through all the sample periods of this study, some attention has consistently been paid to the rate-cutting question, and the editor has just as consistently criticized all practices which tended to cheapen the broadcaster's commodity—time.

Advertising categories

One editorial in 1968 offered advice to broadcasters and advertisers to maintain good taste in advertising and avoid annoying commercials. The stimulus for the editorial was a study of public reaction to advertising which found that while people were generally favorable toward advertising, they tended to be annoyed more often by radio and TV commercials than advertisements in newspapers or magazines. Broadcasting summarized these findings, pointing out that advertising is considered "enjoyable" far more


often than "annoying" or "offensive" but that "every effort should be made—
by all involved—to improve the ratio on the favorable side." The editor
claimed that while much popular criticism of advertising was "effectively"
answered by the study, "the people in the business would be mindless to
disregard the insights it offers for further improvement." The only editorial dealing with the issue of Taste in Advertising during the
period.

One editorial in 1969 and another in 1970 dealt with the question of
Ethics in Advertising, and both were in response to increased pressure
from the Federal Trade Commission to get rid of false or misleading adver-
tising. The first discussed the fact that the FTC had been criticized by
a committee of the American Bar Association for not pursuing more aggres-
sively the areas of false and misleading advertising and consumer fraud.
The editor did not directly support or attack that statement, only warned
broadcasters that the pressure on the FTC "is bound to stimulate more
monitoring and closer scrutiny of broadcast advertising." This meant that
broadcasters would have to maintain "even more stringent controls over
both product and copy acceptance to assuage the consumer conscious." 26

The second editorial on Ethical Advertising appeared four months
later. It alluded to a column written by the president of an advertising
agency who insisted that the test of creativity in advertising was the ring of

26 "From Another Flank," B, September 22, 1969, p. 86.
the cash register. The editor, while not accepting that premise totally, reminded his readers that advertising existed to make products look good and the question of "truth in advertising" was relative to this standard. One does not point out negative characteristics when one sells a product any more than a candidate for public office tells the public about his false teeth or his toupee. "Is an advertiser deceiving the public," he asked, "when he uses mock-ups rather than make-up, to enhance the appearance of his product—so long as the product lives up to the claims made for it?" He urged broadcasters and ad agencies to resist becoming apologists for an open and acceptable practice. He urged the FTC in "determining future policy" to take a look at political commercials which sell candidates and let them be a measure of "truth in advertising."

The Richard Nixon in the White House is the same Richard Nixon on the television tube in the autumn of 1968. That is the test of Mr. Nixon's campaign advertising. No sterner test ought to be asked of advertising. No sterner test ought to be asked of washing powder or a bottle of mouth wash.27

Neither of these editorials did more than pass a token suggestion to broadcasters or advertisers about their responsibilities to present truthful and forthright commercials. It was implied in discussion, but the main point made by both was the most criticisms of the veracity of advertising were based on false assumptions about the role of advertising and the extent of its duty to literal reality.

Over-Commercialization was a subject of two editorials in 1970, and both were essentially responses to the growing trend toward the increasing use of thirty-second commercials instead of one minute spots. In April, a seminar on television advertising prompted discussion of "commercial clutter." A number of influential advertisers had been voicing discontent with the seemingly excessive numbers of messages and the rising costs which, they felt, were "diluting commercial impact." Shorter spots meant more messages in a given time period which had given rise to the concern about clutter. Broadcasting took no position on the question, but advised the industry ("As we have said for years. . .") to "undertake research to establish definitively the threshold of clutter, not as it appears to broadcasters or advertisers but as it appears to the viewer."²⁸

The following December, Broadcasting discussed the fact that CBS-TV had made the thirty-second, rather than the sixty-second, commercial the basic unit of sale. The editor explained that some in the business were not happy with this change, but most felt it was inevitable since costs had risen so much. Though he accepted the new standard, he made an appeal, "that the line be drawn here."

There will undoubtedly be demands for even shorter units, but they must be resisted. Shorter units can lead to nothing but eventual deterioration of television's effectiveness.²⁹


On the question of Over-Commercialization, the editor seemed somewhat ambivalent, calling in April for research to find the "threshold of clutter" and in December, urging broadcasters to hold firm at the thirty-second minimum sale standard, because further shortening would "deteriorate television's effectiveness."

In summary, Trade Practice questions during the 1968-70 period were less frequently discussed than in any prior sample period. Three editorials were critical of both broadcasters and ad agencies who worked deals to bypass standard published rates for time sales. The editor urged stations in financial trouble to revise their rates rather than deal below the table.

In advertising practices, Broadcasting—while emphasizing the essentially enjoyable and informative nature of most commercials, urged more care to avoid annoying messages; argued that advertising had the right to use mock-ups to illustrate the advantages of a product as long as that product performed as advertised; and he urged research to find out audience response to "commercial clutter," accepted the thirty-second standard commercial, but urged that the length be made no shorter. The positions taken were, essentially, traditional with Broadcasting and reflected a basic confidence in the broadcaster as a responsible businessman in the service of his community. Criticisms were presented with moderation and with deference to this pre-conception.

Program practices

Two areas received notable attention during the 1968-70 period—News and Program Quality. The most frequent subject of the latter category
was violence in television which, at the time, was a topic of considerable interest to the public and Congress. In general, the News editorials either praised the accomplishments of broadcast journalists or defended them against attack from government. A single editorial commended the public service efforts of local stations, and another commented on the meaningless furor generated by the use of profanity on a listener-supported radio station in Los Angeles.

News

The first year of the sample period was, for the news media, strikingly eventful and Broadcasting reflected that fact in its editorials. After the Democratic Convention, however, television and its news became the target of extensive criticism from the public and the government. This trend was continued and amplified in the fall of 1969 as Vice-President Spiro Agnew and others in the Administrative branch of government began to accuse Television news of biased reporting. Broadcasting's basic responses to these accusations were twofold: first, the editor accused the attacker of overstepping his authority under the first amendment; and second, he urged broadcasters to recognize that their prime duty was to be news media and to stand firm on their journalistic principles. Also a subject for editorial comment was the impact of FCC and court decisions regarding the fairness doctrine on the presentation of controversy; and suggestions on specific news practices.


In February, 1968, the editor commented on the growing sophistication of pressure groups in using the fairness doctrine, and while he approved of "promoting robust debate on issues of importance," he warned that continued "intrusion of the government" in programming judgments on what is fair might stifle debate.

The natural disinclination of broadcast management to antagonize the establishment in its community will only be accentuated by the knowledge that the FCC lies in wait to give away valuable broadcast time.32

He then criticized FCC actions on the fairness question and praised the suit's being pressed by the Radio Television News Director's Association and the networks which challenged the FCC's fairness rules.

In March, the editor praised television's "unique journalistic capabilities" in its coverage of Senate Foreign Relations hearings on the Vietnam War. At the same time, he commended the networks for not duplicating coverage and giving viewers a wider variety of programming. NBC had broadcast the hearings live and in full, while CBS and ABC presented their regular programming and excerpted the hearings on news programs. The editor urged networks to make their own decisions on what to cover, but expressed the feeling that if coverage of such events was rotated somehow, it could serve viewers better.33

The press of a variety of events began to make an impact on the editorials in the months following. In early April, Broadcasting announced


that the NAB convention had clearly emphasized the journalistic function and the editor summarized what he felt was the key message for broadcasters.

They are the proprietors of news media first and entertainment media second, even though it is the entertainment function that created the mass audience and generates the bulk of revenue.34

Television and radio have the ability and responsibility to go where the news is and deliver it, he claimed, "with clarity and illuminating analysis." He concluded that "the time has passed when broadcasters can take their news departments on the cheap."35 This position echoed statements of the 1958-62 period when the emphasis on news and documentary production was growing in response to criticism.36

In the second week of April, Martin Luther King was assassinated and civil disorders erupted in cities around the country, and the television and radio coverage was again an editorial subject. The editor pointed out that broadcasters had met the tests imposed on them, fulfilling their journalistic responsibilities by ignoring profit and loss statements and pre-empting commercial programs wherever necessary. He praised broadcasters' "professional restraint" in coverage of delicate and dangerous situations, and reminded them that there would be more "great events" to come. Then he advised broadcasters of their journalistic duties.


35 Ibid.

36 See above, Chapter IX, p. 316.
Between the hard-news coverage of the events, broadcast journalists must dig for the reasons why they occur. In the aftermath of arson it is essential to find out what motivates the arsonists, what can be done to keep the fires from being set again.37

In Mid-May, the CBS-owned station in Chicago was accused of staging a marijuana party in order to present the film of the party on its news program. Broadcasting defended the rights of a station's newsmen to assemble "a group of marijuana smokers in a given place at a given time" to explore their reasons for smoking it. The editor also argued that it was sometimes necessary for journalists to observe criminal behavior without reporting it to police, and to protect "unsavory sources" in order to effectively perform their function. He accused the House Special Committee on Investigations of harassment and warned that such activity could "lead to the neutralization of broadcasting as a journalistic force."38

In early June, the annual Emmy awards prompted another comment about the proper priorities of the broadcaster. The editor was strongly critical of the "brush off" which the journalism winners received on the Emmy award program and argued that in spite of the fact that the big stars attract the audience for the program, "it is in news, not entertainment, that television makes its most significant and enduring contributions."39

37"Only the Beginning," B, April 15, 1968, p. 124


In the following two issues, the editor returned to the subject of balance and cooperation in broadcast coverage of major events. His position echoed the March editorial on the Vietnam hearings. On June 10, the editor eulogized the death, the week preceding Kennedy's, of William McAndrews, head of NBC news since 1951. He praised McAndrew for making NBC the "full-text network" dedicated to full and continuous coverage of big events and pointed out the appropriateness of the fact that it was NBC alone which was still on the air reporting Robert Kennedy's election victory when the Senator was shot.40

The following week, Broadcasting criticized the networks for devoting so much time to coverage of Kennedy's funeral and asked:

Is it truly in the public interest for the whole American television system to be fastened for an entire day on the obsequies for any public figure, except, perhaps, a President who dies violently in office?41

In late August, the Democratic National Convention in Chicago stirred great controversy and the television coverage of that event was intimately involved in the argument. Two editorials in September and one in December discussed the issue.

The first one warned broadcasters to be prepared for attacks on their journalistic freedom from Democratic politicians and others disgruntled with television coverage of the Democratic convention and the


41 "Question of Balance," B, June 17, 1968, p. 84.
election campaign. The editor claimed that the "prevailing mood in Washington" was that television had "acquired too much power to influence public opinion." It was a belief, he pointed out, that crossed party lines, was growing throughout the civil service and the Congressional staff. He advised broadcasters to "practice their craft" with "all the skill and resolution at their command," for "it will be the responsible broadcast journalists who pull broadcasting through." He did not recommend that they curtail or alter their activities, but that they do their job in the best way possible.  

In the same issue Broadcasting offered its own assessment of the television coverage of the Democratic convention.

Did the television reporting misinform the public? We think it did not, but we must add, in the luxury of hindsight, that television might have done a little more to round some stories out and a little less to pursue rumors on the air.

With the amount of confusion and the basic ill-temper of factions before the convention even began, the editor pointed out, it was "a tribute to the professionalism of broadcast journalists" that more subjective comments did not reach the air. The consensus of Broadcasting's editor was that "too little was reported of provocations by demonstrators," and they suggested that "a more comprehensive story of cause and effect would have been desirable."

Not until December did the issue of news come in again for an editorial and the stimulus was the publication of a special report on the

---

42 "A Test to be Faced," B, September 9, 1968, p. 84.
43 "A Test Survived," Ibid.
44 Ibid.
Chicago street violence during the Democratic Convention, prepared for the President's Commission on Violence. The so-called "Walker Report" confirmed that the media did not over-emphasize the brutality of the police, but rather underplayed it, and Broadcasting commended the report for clarifying the issue. At the same time the editor expressed concern that the report was now a target of criticism and would probably offer little substantive rebuttal for the broadcast journalists.

The attacks on the media had not abated since the report, but were continuing as pressure was applied from the FCC, the Congress and other government offices. The real danger in the situation, according to Broadcasting was that "top management in broadcasting may begin to worry" about the problems created by their news operations and they might "decide that the politic thing to do is to retreat to safer ground." This, the editor warned, "would be just about the worst fate that could befall television." He then went on to encourage broadcasters to "support their newsmen with adequate budgets and desirable time schedules "and they would find that they would find support with the public and "the public's representatives."

Finally, the first week in January, 1969, the editor looked back over 1968 and pronounced it "a dark year full of paradoxes." He pointed out that it should have been the year when broadcasters were praised for doing their finest in reporting the news, but instead "were pilloried for allegedly provoking violence, and for almost all other happenings of a

disturbing nature." In spite of the fact that commercial schedules were jettisoned and tremendous expenses incurred "so the public would be served," critics from the FCC, Congress, as well as "the local tin-horns who were stung by the revelations of the TV camera's honest, factual reporting," all were pressuring broadcasting. The editor, sounding much like he had at the close of 1959, predicted a troubled, defensive year ahead and warned that the public might be swayed from its loyal support of the American system of broadcasting. He urged the "biggest offensive ever" to keep all the factions from perpetrating new controls "that would stifle freedom of the broadcast press." 46

In the course of the next two years, the bulk of the editorials on News issues were responses to pressure from agencies of government or their spokesmen. And unlike earlier periods, the sources of government pressure were more varied and less tied to the FCC and the Congress. The most significant attack, or series of attacks, came from the Vice-President, but others emanated from the Equal Opportunity Employment Commission and the Justice Department.

In spite of the editor's ominous predictions in early 1969, however, his news editorials through the first ten months of that year reflected little urgency.

In April, he commented on the excellent television coverage of the funeral ceremonies of former President Eisenhower which were handled with

"consummate professionalism." He congratulated the broadcasters for not overplaying the story and he reminded his readers that such sensitive, sympathetic and thorough coverage "could not be performed by a weak and fragmented broadcasting system of the kind some critics cry for."47

In August, Broadcasting responded to an attack by William H. Brown III, Chairman of the U.S. Equal Opportunity Employment Commission who "indicted the media for 'gross distortion of the lives and activities of America's minority groups'." The editor argued that "a strong case can be made that television news and documentaries have been a primary means of conveying the struggle of the Negro to the majority of whites."48

No more editorials on news issues appeared until after Vice-President Spiro Agnew's Des Moines speech in which he accused the networks of news distortion and bias. Broadcasting of November 24 devoted the entire editorial page to the Vice President's speech and its significance for broadcasters. The editor outlined the range of attacks being made by representatives of both parties, and some of the tactics of pressure and intimidation used by presidents back to Roosevelt. He then concluded that the "practical result" of these activities by Democrats and Republicans would not be severe as long as one party controlled the White House and the other, the Congress. But, he warned, the implications for the broadcast journalist are clear if both branches should once again be controlled

47 "Why It Could be Done," B, April 7, 1969, p. 132.

by the same party. He urged the newsmen to act with responsibility and professionalism so that they might earn and maintain public support which could counter any attempt at "a political take-over of the medium." If the people trust television news, he claimed, "politicians may attack it only at their personal peril." 49

The following week, one editorial attempted to evaluate the impact of the Agnew speeches, and another one praised television coverage of the second Apollo moon landing mission. In the first, the editor raised questions about impact, and indicated that little was known except that they had brought the newspaper and electronic media together in response. This he felt was good, and long past due, since Broadcasting had consistently argued that the media had a shared interest in any government action that impinged on any aspect of freedom of the press. He used the Agnew threat to argue for increased activity to overturn the Fairness Doctrine, to repeal Section 315, and to support legislation which would free broadcasters from threats to their licenses emanating from various pressure groups. 50

The second editorial commented on the different public media reaction to the second moon flight. Apollo 11 had been watched at great length by millions of people and was carried on television from beginning to end. During Apollo 12, however, the networks showed the key periods live, and


then returned to regular programming. The audiences seemed to have
accepted this approach. This, according to the editor, was a result of
"professional newsmen" exercising their "editorial judgment in covering
a significant event but one, while perhaps more important scientifically,
was less newsworthy." He concluded his praise with a critical aside to
"the critics"

That is the way news is evaluated. That is why professional
journalists, rather than politicians or bureaucrats, or
performers, or businessmen must be relied upon to exercise
editorial selection and judgments.51

At the end of December, the editor criticized the Radio Television
News Director's Association for expecting that a meeting with the Vice-
President would influence him to apologize for his attacks. While
recognizing that Agnew's remarks had touched a spark of public criticism,
the editor insisted that "pressure goes with a newsman's job," and that
the only way to handle it was by "keeping his nerve and performing
professionally." This, the editor described as adhering to standards of
fairness and accuracy as well as "heeding his instincts as to what is news
and deserving of exposure and comment." The editorial concluded with the
comment that the journalist "does not respond to pressure by attempting to
negotiate it away."52

The Justice Department was the target in early February, 1970,
because of their attempt to subpoena unused film and interview material
which CBS had gathered in preparing a program on the Black Panthers.
Broadcasting voiced the traditional position that unused films and notes

51"Moony," B, Ibid.
were privileged information and should not be given to outside investigators. At the same time, it agreed that CBS, in letting the government have limited materials of specific relevance to an issue, did the best thing so as to avoid a precedent-setting case. But the editor concluded that it was poor policy for broadcasters to cooperate with authorities.

Every time out-takes are made available to authorities, no matter how legally valid the cause or innocuous the footage, investigative reporting is made a little tougher. The public interest will be poorly served if broadcasters anywhere let this happen even one time more than is necessary in the strictest legal sense.53

The NAB convention in April prompted another pronouncement about the basic and most important function of broadcasting, which echoed the post-convention comment of 1968.54

Further erosion of broadcasting freedoms can be prevented only on the premise that the basic broadcast service is journalism, not entertainment or advertising or fun and games.55

The same theme capped an editorial in early June which discussed a series of charges that CBS News had been involved in various incidents of staging. One of them was commented on earlier in regard to the so-called "pot-party" incident in Chicago. It had been widely reported that the White House had been investigating the network for faking an atrocity before

53"A Privilege to be Preserved," B, February 2, 1970, p. 84.
54See above, p. 411.
the cameras in South Vietnam. The CBS Evening News on May 21, 1970, had
devoted a major portion of its program to an examination of the charges
and a detailed rebuttal of them complete with film documentation. The
editor of Broadcasting suggested that these charges were continuing
examples of harrassment of CBS News and, by implication, all network news.
He supported and encouraged the kind of examination of the charges presented
by CBS and concluded with the argument that the only defense against
"attempts at suppression by governmental bodies is to practice journalism
in the most professional sense of the word." 56

Between the Vice-President's speech in November, 1969, and mid-June,
1970, seven editorials appeared discussing the news function of broadcasting.
Five of them were in direct response to the pressure applied through Agnew
speeches, Justice Department subpoenas or alleged White House investigation.

Three editorials during the summer of 1970 responded to a different
issue--opportunity for the party out of the White House to make its
position on controversial issues known to the public. On June 29, the
editor supported network plans to provide time for the opposition party
to respond to Presidential statements made on the air, but cautioned
against allowing the FCC to expand the fairness doctrine to this area. "As
long as the action is voluntary," he maintained, "it entails editorial
judgment." If the FCC were to adopt procedures in this area, it would no
longer be an editorial judgment.

The rush by the parties for time to respond to each other's statements during the first two weeks in July caused the editor to return to the subject on July 13. He recounted the exchange of charges between Republican and Democratic groups, listed the legislative assaults on the broadcast media, then urged broadcasters to somehow regain the initiative.

The networks must resist the pressures that would turn them into conduits that may be called up on command to carry the propaganda of any political bloc with clout. He concluded by saying that "if the broadcasters practice journalism, the rival views will be given the prominence they deserve." Broadcasting took the argument a step further in August when the editor questioned whether it was in the public interest "to deprive the people of other network programs while the President is on the air?" He suggested that some kind of rotation system be used or that the Public Broadcasting System carry the "full text" of presidential messages. The editor did admit that some occasions warrant full-scale coverage, but on lesser occasions, "broadcasters must decide how much coverage to give" the President. It may be hard, he commented, "but whoever said the practice of journalism was easy?" This returned to the theme of earlier editorials suggesting rotated coverage of other public or political events.

All three editorials rested their argument on the journalistic function of Broadcasting which, the editor felt, was the prime responsibility of broadcasters. The repetition of the argument suggests, perhaps,

---

58 Ibid.
that not enough broadcasters perceived their primary role as being disseminators of news. This position is supported in three editorials in the fall of 1970—all of which offered specific advice to broadcasters about their roles and functions.

In September, the editor described the "physical and conceptual" hazards confronting the broadcast journalist; the former in combat zones in Indo-China or on the campuses or in the central cities of the United States; the latter in trying to deal with debilitating battles with government pressures for suppression of certain kinds of information. The editor claimed that these conditions pointed up television and radio's "awesome responsibilities as primary news media." He then came to the central thesis of the editorial.

Responsibility for news cannot be left to program directors unless they are trained journalists. The news executive, should report to top management and ownership...Greater responsibility must be borne by those charged with the control of news and public affairs. They must be men of competence, courage, judgment, and, above all, integrity.

The editor returned to the same subject with basically the same thesis less than a month later when he insisted that the "only guarantee of broadcasting's survival," was through the "vigorous practice of professional journalism." The key figure in that effort was the station news director, but he must have the "unwavering support of station management." The editor suggested that maybe station newsmen and managers were "running

to remain too scared" with all the intrusions and threats from government. He advised them that it was not likely that "any license will be lost for the practice of responsible journalism."

Two weeks later the same themes were reiterated by quotations from NBC President Julian Goodman, and CBS News President Richard Salant. Both men claimed that it was an era of great pressure on the news media and both urged broadcast journalists to go about their jobs in a professional fashion and not be intimidated by pressure or threats of intervention. The editor suggested that Goodman's and Salant's statements "be conveyed to broadcasting's managers and auditors," for, presumably, the journalists already knew them.

In summary, the general pattern of editorial comment on the issue of the broadcaster's responsibility in regard to news was based on a specific and frequently stated premise: that the most significant responsibility of the broadcaster is his journalistic function. Thus the editor's most frequent advice to the broadcaster was to conduct himself in accord with the journalistic standards of fairness and accuracy and to resist attempts to limit their freedom in making their own news decisions. At the same time the editor seemed concerned that many station managers were not committed enough to news. On several occasions, the editor made specific and strong recommendations to these managers that they support this function more fully.

Beginning in the fall of 1969, following Vice-President Agnew's attack on the integrity of broadcast news, the editor devoted much of his attention in news editorials to attacking various agencies of government which

---

were pressuring broadcasters. These ranged from the traditional attacks on the FCC to strong criticism of the Justice Department for its attempts to undermine reporter credibility by subpoenaing notes and unused film, to attacks on the Vice-President and the White House for attempting to intimidate broadcast news.

Another issue which received attention during the period was fairness, particularly as it applied to discussion of political issues. Broadcasting supported the idea that the party out of power had some right to respond to Presidential statements, but insisted that these decisions should be made by the broadcasters as journalistic judgments, not be imposed on them by a government agency.

The overriding concept of the broadcaster's responsibility to his audience in the area of news was consistent with the editor's past statements. He had a strong commitment to journalism and to the practice of the craft. He also, clearly, had doubts about the credentials and priorities of many broadcast management people in regard to news and spoke to them about what their proper roles should be. His advice in other areas during this period was not as direct or unequivocal.

Program Quality

Five of the eight editorials classified in the Program Quality category dealt with the issue of violence on television. The other three commented on specific suggestions for improved service or praised the current offerings of the networks.
In the weeks following the assassination of Robert Kennedy, many voices were raised in criticism of the violent content of television programming. The editor of Broadcasting, in June of 1968, denounced the search for a scapegoat and accused politicians of looking for publicity by attacking television. The editor concluded that little could be done:

It will get worse before it gets better, and perhaps there is little television can do but weather out the storm, even when nobody seems to love it but the people.63

More criticism in August prompted another, more strongly worded defense of television. Senator Claiborne Pell had spoken against television violence on the floor of the Senate, and Broadcasting's editor explained that since the crime rate was rising and public figures had been murdered, that the easy target was television, which presented violent programs. He pointed out to the Senator that removing crime from television was not likely to remove it from the streets and he reminded his readers that "nobody has established any evidence of a cause-and-effect relationship between television programming and the actual commission of crime." He supported one of Senator Pell's proposals urging a thorough study of the problem, arguing that if such a study proved no relationship, then the issue would be settled. If it proved the opposite, then it "would be a guide to programming revisions that TV would want to make anyway."64 He urged broadcasters not to fear such a study but to welcome it.

Two weeks later Broadcasting criticized television for rushing "pell mell, as it seems to be doing" to "rid its entertainment of virtually every semblance of conflict and to camouflage the rest." The editor warned against over-reaction, "it is one thing to edit out the gore, for instance, and something else to rule out, automatically, any script that has a violent theme." It would be all right to shorten fist fights and kill fewer people, but the editor questions the sense of depicting police agents as not carrying guns or outlawing death in any form, even by accident. The editor insisted that he, too, was against "excessive" violence but insisted that much of that kind of evaluation was in the "eye of the viewer," and historically television's "sense of good taste has not been inferior to that of its audience."65

The next editorial on the violence question appeared in March, 1969, and discussed the fact that the Surgeon General, at the request of Senator Pastore, would undertake a comprehensive study of the causal relationships between violence on television and violence in real life. The editor warned against letting the study fall into the hands of "academic types with built-in prejudices against mass media," but then reiterated his support for such a study no matter what the findings. His rationale and the words of his argument were almost precisely the same as in the August 12, 1968, editorial cited above. If it disproves the relationship, it will "put an end to the harassments" of broadcasters; if it reveals the opposite

65 "Case of Overkill," B, August 26, 1968, p. 76.
it will "provide a guide to the program revisions" broadcasters would want to make "upon discovering effects that are not now recognized." The final editorial on violence in programming appeared in September, 1969, and it commented on the "new television season" which was unusual in one respect: "Virtually everything resembling violence has been deleted." The editor outlined the pressures which had led to this situation— from Congressional leaders, the President, and study commissions. While some had agreed that there was no evidence to link television violence with real violence, the networks had, for the most part, adjusted their schedules anyway. Broadcasting returned to its argument that television had over-reacted. The magazine insisted that while "no reasonable broadcaster" would "advocate the depiction of violence for the sake of violence," too much purification of the TV schedules will "add fuel to the complaint that TV programming is irrelevant and unrealistic." The irony, claimed the editor, is that critics of too much violence will now criticize the carefully scrubbed new programs for irrelevance.

The editorials devoted to the violence question, in general, defended the medium against accusations that it was instigating violent acts, and called for research to determine if there is any connection between the two. The editor's general position was that until such a relationship is proven or disproven, broadcasters should avoid "excessive" violence, but not


outlaw all forms of conflict. On two occasions he was critical of television programmers for "over-reacting" to criticisms and removing justified instances of conflict.

Of the remaining three editorials in the Program Quality category, one argued that the only way programming can be improved is for the broadcaster to take "the responsibility for program innovation." Suggestions that advertisers band together to offer programming of a high order that no single sponsor could afford. The editor argued that this was unlikely since the disparate interests of most advertisers would make this impractical. The solution, according to Broadcasting, lay in competition which "drives the individual broadcaster to program in ways that set him apart." It is in this process, claimed the editor, "that diversity comes naturally." 68

A second editorial in June of the following year lamented the Supreme Court decisions on the Red Lion and WLBT cases and foreseaw a gloomy future for broadcasters in the face of the restrictions. The editor urged broadcasters to be aware that there would be a "new premium on broadcast performance" and increased quality of presentation or newcomers and pressure groups will be after established licenses. 69

The final editorial in the category urged "even the most carping critics" of television's regular fare to seek out and enjoy the diverse special programs to appear during the 1969-70 season. NBC planned over

---


100 specials and the editor surmised that the other networks would have comparable offerings. The editor concluded that "whatever they think of the meat and potatoes" of series programs, the critics would have to admit that "the desserts get richer all the time." 70

Responsibility

Eight editorials appearing during the 1968-70 period made direct comment on the general concept of the Responsibility of the Broadcaster. Three praised broadcasters for taking responsibility for what was presented on their programs. The others commented on specific practices or positions that the editor considered responsible or irresponsible for broadcasters.

In July, 1968, Broadcasting praised the manager of a "Negro-oriented" station in St. Louis for refusing to give in to "unreasonable demands by Negro militants for unrestricted time to air their propaganda." The editor supported his offer of time on forum-type programs where the station could maintain editorial control. "Indeed," wrote the editor, "it would be an abandonment of licensee responsibility to give up blocks of time to outsiders." 71

The following spring (1969), the controversy over the cancellation of the Smothers Brothers program by CBS, which had capped a running dispute over the network's right to screen and edit the program, sparked a pair of editorials praising CBS's decision.

70 "It's There for the Looking," B, August 11, 1969, p. 78.

71 "Intimidation," B, July 1, 1968, p. 70.
In April the editor denied that CBS could be accused of censoring the program, since the "FCC has historically and unwaveringly" held that broadcasters "must take final responsibility for what they broadcast. The editor deplored the stand taken by the New York Times which editorialized against CBS's "restraints on freedom of expression."

The issue that is being overlooked is simply this: Who is in charge here? And we cannot for a moment believe that the Times would disclaim the right to fire an employee whose performance was consistently below its own standards and in conflict—especially in public conflict—with its policies.72

One month later, on the occasion of Tommy Smothers' visit to Washington to argue his position before a group of liberal Congressmen, Broadcasting deprecated his "act" in Washington and repeated its position.

The issue is the Smothers case was never censorship. It was insubordination. No great art has ever lost to editing by CBS. Mr. Smothers merely wanted carte blanche to indulge his fancies of the moment. If he had been humored, CBS would have abandoned its responsibility.73

The editor's response to the Smothers-CBS and the St. Louis radio station controversies was consistent with his traditional stand which he expressed in great detail and with great frequency during the 1958-62 period. These editorials praised the managers for asserting their authority. Several others in the period criticized other managers for not making the proper decisions.

72 "Act of Responsibility," B, April 14, 1969, p. 82.

In February, 1969, Broadcasting reported and commented on the controversy surrounding WBAI-FM in New York City which was provoked by the reading on the air of a poem which was felt by many listeners to be anti-semitic. The poem was dedicated to the Jewish head of the New York City teacher's union, whose 1968 strike has been marked by ethnic bitterness, and included lines like: "you pale-faced Jew boy, I wish you were dead." The editor deplored this affair especially "in a time when racial strife has caused rioting and bloodshed," and though conscious of constitutional guarantees, stated that "rights are necessarily accompanied by responsibilities" and argued that in his opinion a "case can be made for the proposition that WBAI may have taken itself beyond the limits of constitutional protection." The poem had been read on a program devoted to presentation of unedited views and opinions of people from the community and such uncontrolled presentation of "ethnic slurs," the editor felt, was an example of "professional irresponsibility." His position was that the broadcaster should maintain control over all material broadcast on his station. On this occasion, the editor felt that the presentation constituted a real danger to the community and he urged, rather nebulously, some action to punish the station management.

In December, 1969, an editorial reminded broadcasters of the difficult and tense times in which they lived and the importance of careful and re-

sponsible decisions as to programming choices. The editor cited a presentation by a small station newsman on how to operate on a low budget in which the young man advocated hiring minimum news staff, stealing stories from other stations and "coloring" newscasts with vast amounts of sensationalism. The editor called this an example of "utter irresponsibility" and reminded readers this man represented only a small minority. The editor concluded with some advice to radio station managers in particular.

The responsibilities of radio management must be exercised now with more care than ever before. It is no time for timidity; great issues must be faced and explored. But it is even less a time for the delegation of hard decisions to subordinates who may lack both experience and taste.75

In March, 1970, an editorial commented on the alliance established between NAACP and the United Church of Christ's Dr. Everett C. Parker to achieve effective racial integration in broadcasting. The editor was critical of the grand expectations of these groups that broadcasters should go further than other businesses in hiring, training, and appointing blacks to managerial positions whether they "are qualified or not." At the same time, he urged broadcasters to face the task because no one who "pretends to be living in the 1970's can object to the idea that integration must be realized if this country is to be kept from flying apart." The editorial ended with a recommendation.

The wise broadcaster will make every reasonable effort to find, hire and promote minority personnel and to provide responsible reportage of minority acts and causes.\textsuperscript{76}

One month later, a statement by FCC Chairman Dean Burch was presented as a statement with which the editor concurred. Simply stated, the Chairman reiterated the position that broadcasters have a responsibility to the public and must be accountable for their stewardship; that the FCC and the broadcaster shared a common goal--to give the American public the best broadcast service possible. The editor made no comment on the quoted passages, but its substance was consistent with the position outlined by \textit{Broadcasting} through all the sample periods.

The final editorial on the Responsibility of the Broadcaster during this period decried the solemn state of the industry's influence with Congress and the government in general. To change this, according to the editor, the NAB must have the "help of a solid majority of all broadcasters interested in the next generation as well as increased profits." The editor warned them that "times have changed," and that "many broadcasters need to alter their views and their goals." His appeal was for a more cohesive defense of the medium based on a solid record of responsibility based on these new goals.\textsuperscript{77}

The concept of control and accountability was clearly the fundamental concern of the editor in Responsibility editorials during this time, and

\textsuperscript{76}"Overload," \textit{B}, March 9, 1970, p. 82.

\textsuperscript{77}"Starting Point," \textit{B}, October 19, 1970, p. 68.
while there were not many such editorials, they carried forward the basic view established in earlier periods that the manager must attend to his responsibility to the audience and make certain that it is met. This means he will control what is broadcast and not allow outside interests, like pressure groups or program packagers to risk offending his audience. The argument was not as dynamic or urgent as in the aftermath of the quiz and payola scandals, but the point was consistent.

**Code**

Only four editorials appeared during the period dealing with the Codes of Good Practice and all carried on the position found in the latter part of the last sample period. The editor was consistently critical of the Codes and their administration.

Early in 1969, the editor lamented that the issue of the propriety of personal-product television advertising should have arisen amidst the spate of other problems confronting the industry, particularly since advertisers and the public had readily accepted such messages. He compared the broadcast code operations with those in newspapers and magazines where each publisher decided what standards there would be, and the controlling processes were more natural. If the ads violate government regulations the publishers hear from the government. If they "repeatedly violate good taste, they hear from the public." To the editor this was a much preferable way to deal with these questions for "in the final phase," acceptance of any commercial "is the responsibility of the licensee."  

---

78 "Piling it On," B, February 3, 1969, p. 84.
The issue was discussed at greater length in March, after several statements from Senator Pastore and support for his position from President Nixon raised the question of a stronger role for the Code authority in pre-screening and judging television programs and commercials. Broadcasting repeated the caution first expressed during the 1958-62 period, 79 that a strong centralized mechanism for self-regulation "is certain to become a mechanism for government regulation."

The editor's solution was a decentralization of authority wherein the responsibility for decisions "be taken by the individual broadcaster." He concluded his editorial with the suggestion that "broadcasters ought to begin reconsidering whether the code apparatus now in existence is less a sanctuary than a trap." 80

Specific Code restrictions were a target in two editorials in 1970. The first was critical of the "basic irrationality" in the Code in its "blanket bans on advertising for entire categories of legal and useful products without regard to [sic] the finesse with which the commercials may be executed." The case was the Scott Paper Company's attempt to present advertising for its sanitary napkin product which had been excluded even though the commercials had been tested and felt to be "in good taste." Broadcasting urged that all these blanket restrictions be lifted and decisions be made on a case-by-case basis. 81

---

79 See above, p. 345.
In December, the issue was the ban on advertising hard liquor. Once again the editor was critical of NAB attempts to persuade a company owning five UHF television stations from accepting liquor advertising. The editor's argument was similar to earlier ones: If these stations wish to pursue such advertising and they present it in accordance with their own announced restrictions, "it is entirely possible that they can establish precedents that can gradually be adopted elsewhere." Though he recognized the NAB's concern for political responses to such a move, he claimed that since the stations were not Code subscribers it was "really not the NAB's responsibility to attempt to impose its Code restrictions" on them.

In this period, Broadcasting presented four editorials devoted to discussion of the NAB codes, and all were basically critical. The predominant theme was that the codes should be abandoned because centralization of control made them prey to government take-overs, and the broad blanket restrictions did not adequately account for differences in individual commercials or individual markets. These same arguments had appeared in the previous period studied and arose from specific suggestions by then FCC Chairman Newton Minow, and others, that the government might adopt the Code as official regulation. The editor repeated his basic response: self-regulation works best when the individual broadcaster takes responsibility for making these decisions.

Analysis of the editorials during the period revealed the following general patterns.

(1) Once again the responsibility of the broadcaster did not rank very high on the editor's list of priorities since he devoted only about 13 per cent of his editorials to discussion of the subject.

(2) The trend in emphasis on Program Practices considerations over Trade Practices reached its highest point during this period when the former were subject to more than five times as many editorials as the latter. Similarly, the News category received three times as much attention as the other three groups--Trade Practices, Program Quality and Responsibility. This, too, reflected a pattern visible in the 1958-62 period when news was the dominant category of responsibility.

(3) In terms of substantive considerations, the editor took a clear stand on the priorities he felt should be shared by broadcasters: the journalistic function was primary, the entertainment function, secondary. This was a stronger, more explicit statement of the same basic position of broadcaster responsibility seen in the two sample periods preceding this one. At the same time, he argued for broadcasters to take greater control over their programming and accept responsibility for things presented.

(4) In general, the trends during the period were keyed to events. In early 1968, the assassinations, riots, and political news prompted editorials praising the work of the broadcast journalists. Later, criticism by the Vice-President and others drew "protective reactions" from the
editor who accused these people of usurping First Amendment guarantees. The violent events of 1968 drew attention to violence on television which in turn prompted editorials supporting greater research to determine if there were relationships, and advising broadcasters to avoid excessive violence in their programs. The editor also criticized broadcasters for over-reactions in removing even necessary conflict from programming.

(5) The editor continued his criticism of the centralized and regimented NAB Codes which had begun in the latter part of the previous sample period. This was in strong contrast to earlier times when the Code had been seen as the primary vehicle for countering government regulation.

(6) In general, the relevant editorials of this period followed the usual patterns of urging broadcasters to resist government intervention, and to accept greater responsibility for what is broadcast. The tone of most of the editorials was relatively subdued and moderate. In spite of extensive criticism and attacks by government officials and others, the degree of urgency found in reaction to the Blue Book in 1946 and the quiz scandals in 1959, was not manifest in the editorials following the Agnew speech or in those responding to criticism following the Democratic Convention Coverage.

The responsibility of the broadcaster, according to Broadcasting editorials, is to recognize and accept the fact that his primary service and function is as a journalist. Entertainment, though footing the bills, is, according to the editor, a secondary function. In addition, the broadcaster should restrict excessive violence and support exhaustive studies
of the effect of television violence on audiences, then program according to the findings of those studies. Finally, the editor continues the recommendations that it is the ultimate responsibility of every broadcaster to evaluate programs and commercials on their individual merits and decide their appropriateness for presentation on his station. He is then to be accountable for his decision.

Analysis of Industry Context: 1968-70

Comments from industry spokesmen during the period tended to be focussed on a relatively narrow range of subjects with the strongest emphasis on the news question prevalent in 1969 and 1970. In general, industry attention was directed at many of the same questions of news responsibility, violence in programming, political reporting and the code, as were the Broadcasting editorials. And the stimuli for many of these comments were the same as Broadcasting's—public and congressional concern about violence and the credibility and objectivity of broadcast news and industry questions about the efficacy and fairness of the Codes. There were no major divisions in the period reflected in the comments except that in the year following Vice-President Agnew's speech, the industry urged its members to wage public relations campaigns in order to clean up broadcasting's image. At the same time, a number of "public service" projects were taken up by the NAB in the name of the industry. These tactics have been observed in each of the sample periods at moments when the industry has come under severe criticism or pressure.
1968: Violence and Social Responsibility

In the spring of the year, the principal concerns of the broadcasters seemed to revolve around various regulations and proposals deemed to be a threat to free enterprise broadcasting. In March, Julian Goodman, President of NBC, discussed the stultifying and limiting effects of existing and potential rules such as the equal-time and the fairness doctrine; the limitations on news coverage due to restriction on broadcasting access to places where news was made; and some of the proposed legislation which would give the FCC new powers over networks. 83

NAB President Vincent Wasilewski, in his keynote address to the NAB Convention a few days later, discussed proposals under consideration which would "not merely make minor alterations in the present communications system" but would explore "the question of whether the basic structure of broadcasting should be torn apart and put together in an entirely different form." The new technology of satellite-to-home transmission and the spreading influence of cable systems combined with proposed new regulations and copyright laws, challenged the future of broadcasting, he claimed. 84

In the months that followed, the events of violence and politics began to have some influence on the direction of concern. On May 1, NAB

83 Address by Julian Goodman, President of NBC to the NBC Television Affiliates Convention, March 28, 1966; mimeographed text from NBC Library, New York, pp. 3 and 4.

84 Address by Vincent Wasilewski, President of the NAB, to NAB Convention, April 2, 1968; reported in NAB Convention Newsletter, April 2, 1968, pp. 9 and 10, NAB Library, Washington, D.C.
President Wasilewski warned an audience in Columbia, Missouri, that government-sanctioned guidelines for riot coverage by radio and television could easily "lead down the road to censorship." The assassination of Martin Luther King in early April and the subsequent disorders around the country had placed great pressure on the news media and Wasilewski admitted that broadcasters were "riding a tiger" in their role as the immediate news source. "Because of the emotions generated" by events seen and heard with such immediacy "proponents of various points of view are constantly telling us what we ought to do," he claimed. While broadcasters may generally welcome and learn from these views, when proponents try to impose their views by law, "we get nervous." Except for this discussion of the vulnerability of broadcasters and their need to resist legal sanctions, he offered little advice about more specific aspects of the responsibility of the broadcaster. His concern was still rooted in regulatory threats.85

The first major response to the disturbing events in the country appeared in NAB Highlights in June when it printed a statement by the NAB Board of Directors which deplored the lawlessness and violence abounding in the nation, recognized that substantial criticism was being heaped on violence in television, and argued that no correlation between real and television violence had been proved. The Board stated that in spite of criticism, broadcast news "must continue to present the world as it is,

85 Address by Vincent Wasilewski, President of the NAB, at Columbia, Missouri, excerpted in NAB News Release, May 1, 1968, NAB Library, Washington, D.C.
not as we might like it." The statement urged programmers to avoid "excessive violence as a means to dramatic effect" and directed the NAB Code Authority to "intensify its surveillance" of dramatic programs to insure that they conform to the "spirit and principles of the Code."

The statement ended with an appeal to station owners.

The final and basic responsibility for program acceptance lies with the individual station licensee. As he exercises this profound responsibility, each broadcaster should enter into fullest dialogue with the people of his area to work together for a regeneration of social morality and the respect for the processes of law and order throughout America.86

News coverage remained the target of criticism. In late June, Wasilewski told a group in Buffalo that because broadcasting was a highly visible target, some people tended to shift blame away from the real evils and failures of the country to broadcasting. This, he said, was "not only inaccurate, but a dangerous indulgence: because it took attention from the real problem and implied "tantalizingly easy solutions to complicated problems." He went on to insist that even though people are disturbed by what they see or hear on news programs, these events cannot go "under-reported." Broadcasters must not hide their heads in the sand. "It would be unconscionable not to report what is going on."87

In response to criticisms by then Vice-President Hubert Humphrey of riot coverage, the NAB President claimed that coverage of the riots of the

86 Statement excerpted in NAB Highlights, June 20, 1968, p. 2.

87 Remarks by NAB President Vincent Wasilewski at Mayor's Prayer Breakfast, Buffalo New York; reported in NAB Highlights, July 1, 1968, p. 2.
spring and early summer might have contained errors of judgment, but as a whole the stations and networks "attempted to do the most responsible and mature job possible." He promised the Vice President that "news coverage will continue to reflect our concern with truth and responsibility and our techniques will reflect improvements based upon past experience." 88

These same themes and arguments recurred periodically in the NAB Highlights but were joined in mid-September by a new appeal. The NAB President reflected on broadcasting's involvement at the Democratic Convention in August and the tide of criticism of television coverage which followed. He repeated the argument that because people might not want to see "ugly reality" was not adequate reason for broadcasting to "present carefully laundered reports which pretend there is no brutality or bloodshed."

It is broadcasting's job as a news medium to give the people the facts. ...People must have, in the parlance of law, the truth, the whole truth, and nothing but the truth—even if, at times the truth hurts. 89

He then advised broadcasters to recognize that the nature and breadth of the domestic problems of race and poverty demanded much more from broadcasters. He said that the time was past

when we can close our eyes to the kind of world we live in and blithely buy and sell, hire and fire, expand and contract at will, and go home at night to the quiet suburbs, somehow believing that full employment, the sound dollar and political and social harmony surround us. 90

88 Letter from NAB President Vincent Wasilewski to Vice President Hubert Humphrey, excerpted in NAB Highlights, July 8, 1968, p. 1.


90 Ibid.
He urged broadcasters to support projects to train and find jobs for those in minority groups and to develop and broadcast programs on minorities and urban problems. The same message in the same words appeared in the President's letter to the NAB membership published two weeks later in NAB Highlights.

NBC President Julian Goodman sounded a similar theme in an address to the NBC radio affiliates in October. He stated that broadcasting was faced by a "troubling and frustrating paradox." While the electronic media had become the most important sources of news and information to most of the public, they were at that time under greater attack than they had any time he could remember. The reasons were manifold, but were based on the unrest and uncertainty of the public and the reporting of that uncomfortable reality by the news media. The result has been a plethora of Congressional criticism and a series of proposals to impose tighter regulation on broadcasting. Goodman urged the individual broadcaster to meet these challenges by getting the message of the industry's service to the representatives in Washington and to the public in general, and to "operate in a fashion that is above reproach by even our narrowest and most demanding critics." He then offered the general framework for a policy of community cooperation and involvement which was similar to Wasilewski's call a month earlier.

---

91 Ibid.

By paying close attention to the needs of the population segment we serve, in all its aspects—its politics and its prejudices and its responses to the vital issues of our time—we have, I believe, the most effective way for broadcasters to retain and increase the stature and credit that all of us have worked so hard to gain.93

Others within the NAB leadership spread the word of self-regulation and more careful attention to the audience. The director of the Code Authority told the American Advertising Federation that audiences are better educated and more skeptical of what they see. He said that responsible advertisers not only "cannot and do not play games with the public; but "appear to recognize" that they can give concrete help in "creating an atmosphere for public trust and faith and a responsible, reasoned way of life."94

In November, the Code Director urged broadcasters to "accept their responsibility" and work through the Code machinery to "eliminate that amount of violence which could reasonably still be argued as excessive or gratuitous." Self-regulatory effort, according to the director, was pledged to a "decent attempt to hold a reasonable line."95

---

93 Address by Julian Goodman, President of NBC, to NBC Radio Network Affiliates, October 24, 1968; mimeographed text from NBC Library, New York, p. 6.

94 Address by Stockton Helffrich, Director of the NAB Code Authority, to Sixth District Conference of the American Advertising Federation; excerpted in NAB Highlights, October 7, 1968.

95 Address by Stockton Helffrich, Director of the NAB Code Authority, to Dallas Broadcasters Association; excerpted in NAB Highlights, November 25, 1968, p. 3.
During March, 1968, both the NAB and network spokesmen reflected concern with the unrest and disruption in the society in general in terms of its impact on public attitudes toward broadcasting. The first stages were visible in the spring when radio and television coverage of ghetto riots was blamed by some for sparking new outbreaks. The situation worsened following the assassination of Robert Kennedy in early June when violence on television news was linked by critics with the violent events in the real world. Industry response was measured at first, then more profuse as spokesmen claimed they had discouraged excessive violence and would continue to do so. At the same time, spokesmen defended news coverage of unpleasant reality as a necessary function of the broadcast media and a primary need of the American people.

In the fall, commitment to these principles was affirmed frequently, and some of the leaders urged broadcasters to become more involved in trying to find solutions for the problems of race and poverty and attending to the needs of their communities more carefully.

1969: Social Responsibility, Code and News

The general shape of industry concerns during the majority of 1969 continued from the pattern laid down in 1968. Statements of disenchantment with news accuracy continued and spokesmen attempted to counter them. Violence on television was the subject of congressional hearings. The networks redirected some of their programming energies and budgets to examination of urban problems. The NAB continued to urge broadcasters to
respond responsibly to their communities and to look to the Code for direction.

In January, the NAB Code Board lifted the TV ban on personal product advertising, leaving determination of acceptability to an individual evaluation on the "basis of good taste and substantiated claims." They still did not make hemorrhoidal remedies an accepted category.96

In March, the director of the Code Authority reminded broadcasters, who were facing threat pressures during these times, that a Code was the surest way to meet the "changes taking place around us." He then indicated how he felt the Code helped broadcasters to more mature and responsible modes of action, and urged his listeners to accept that responsibility. He claimed the Code grew out of a recognition by broadcasters of the "pervasiveness" of the television medium particularly in its "ability to influence, even to manipulate."

It enters our very lives and challenges the prerogatives of the individual, the family, and the community. This is why a Code. Broadcasters, through it, formally acknowledge the potential impact of their medium by formally outlining their responsibilities in respect to that impact.97

The Code Director then proceeded to outline the scope of Code concerns and how they have shifted to meet the changes of the times. He discussed at some length the central concern of his address—the systems setup for

96 NAB Highlights, January 20, 1969, p. 5.

97 Address by Stockton Helffrich, Director of the NAB Code Authority at the NAB Convention, March 26, 1969; mimeographed text in NAB Library, Washington, D.C.
screening and evaluating programs for excessive violence. He spoke of the important role each broadcaster must play in maintaining the Code and the self-regulatory machinery it contains.\textsuperscript{98}

Earlier the same month, a Senate committee had held hearings on the question of violence in television, and NBC President Julian Goodman outlined the charges and criticisms which had accrued against television and attempted to counter them. His arguments were generally the same as during the proceeding year: the responsible, professional journalistic organization has an obligation to report and analyze events and issues, no matter how unpopular; that conflict and violence have a traditional and legitimate place in literature and drama but that people who produce and present television programs should employ taste and judgment in dealing with conflict; and finally, that NBC had taken steps to screen programs and to develop new concepts in children's programming and new policies for scheduling action programs.

He told the committee that NBC had begun a research project to find out exactly where the influence of television fit into the complex of influences on human behavior. He concluded with a statement of what he felt to be the broadcaster's role and stake in these questions.

Most of us are parents, as well as broadcasters, and our responsibilities to the public begin very close to home. We share the concerns that have been expressed about television's influences, and we are eager to find answers to the questions that have been asked and to govern ourselves accordingly.\textsuperscript{99}

\textsuperscript{98}Ibid.

\textsuperscript{99}Statement of Julian Goodman, President, NBC, to the Subcommittee on Communications of the Committee on Commerce of the United States Senate, March 12, 1969; mimeographed text from NBC Library, p. 9.
Pressures to have broadcasters "close their eyes" to the "ugly aspects of the Vietnam War, the riots, poverty, political shenanigans, and many other things," were attacked by NAB President Wasilewski in May. He stressed that the public was the real loser. "When people try to suppress what we are allowed to broadcast they are really trying to suppress what you are allowed to see and hear."^100

In a speech to the United Fund organization of Pittsburgh in mid-August, Julian Goodman continued to stress the dilemma of the nation in responding to the social disorder and urban problems. He insisted that no business could be successful if it were not "acutely aware that its growth, prosperity and future are linked to the community."

Social investment has become a prime form of capital investment. It yields tangible economic returns and it prevents tangible losses. American industry has turned to serving the community with the wholehearted realization that in doing so it serves itself.101

He outlined the efforts NBC had mounted to involve itself with the communities its stations served, and claimed that broadcasting could have a "vital bearing on the direction and quality of urban life." It was a call to social responsibility on the part of all business and particularly broadcasting. It also reflected the growing conviction forced on business by the destructive eruptions of the previous year, that if they did not

---

100 Address by NAB President Vincent Wasilewski at the Freedom's Foundation Awards, excerpted in NAB Highlights, May 5, 1969, p. 4.

101 Address by Julian Goodman, President, NBC, to Leaders of Pittsburgh United Fund, August 12, 1969; mimeographed text from NBC Library, New York, p. 3 and p. 7.
respond to major social discontents in the community, they would lose money and business. 102

Several other issues and conditions prompted comment during the fall preceding Vice-President Agnew's speech on the bias of broadcast news. In October, hearings on new political broadcasting legislation prompted discussion, once again, of permanent suspension of the equal time provision as well as of various methods of reducing the costs of political campaigning by radio and television. 103

In early November, NAB President Wasilewski reported to the membership that the Code Review Board and the NAB Board of Directors had voted affirmatively to amend both the Radio and Television Codes to provide for termination of all cigarette advertising by September 1, 1971. A letter to this effect was forwarded to Congress asking that the members continue to recognize the responsible self-regulation being carried on by the industry. 104

The first ten months of 1969 followed the basic pattern of statements regarding broadcaster responsibility as found in 1968—but with less urgency and confusion. The events of 1968 had precipitated quick restriction of violence in programming and hasty defensive response to charges of news

102 Ibid.


distortion. During 1969, the responses became more institutionalized, as they had in the second stage of reaction to the Blue Book in 1947, and after the furor over the quiz scandals had begun to subside in 1960 and 1961. The industry leaders suggested research into the relationship between television and violence, and offered to support it. They followed the general corporate trend to greater social consciousness, with the argument that it is good business to better serve the interests of the total community—including the minorities. The Code became "more flexible" in the area of personal product advertising, and little changed in regard to political broadcast regulation.

By November 13, the industry spokesmen seemed to have settled into their basic stances in regard to the questions of responsible broadcast practices stirred up in the preceding year.

1969-70: government attack on broadcast news

On November 13, 1969, the Vice-President of the United States spoke to a meeting of the Midwest Regional Republican Committee in Des Moines, Iowa, and once again riveted public attention on broadcast news, particularly at the network level. He charged that most network newsmen had a liberal bias. He criticized the system's concentration on "bad" news to the exclusion of good news, and he appealed to the "people of America" to press for "responsible news presentations" by letting the "networks know that they want their news straight and objective." 105

began a cycle of responses from industry quarters that attempted not only to refute particular charges but also to combat the growth of public distrust of the media.

During 1970, the primary focus of attention of industry spokesmen seemed to be in building up and maintaining audience trust and at the same time, discrediting the coercive government practices symbolized by Agnew's speech. Both the networks and the NAB resorted to the traditional responses—advocacy of increased service to the public and quickened activity in public relations.

The first reactions, however, defended the broadcast news media and argued the truth of the Agnew allegations. In an address to the International Radio and Television Society in late November, CBS President Frank Stanton examined the Agnew speech in great detail. While admitting broadcast journalism was not perfect, he argued that the Vice-President's speech was "replete with misinformation, inaccuracies and contradictions." Stanton claimed that the speech sought to

strengthen the delusion that, as a news medium, television is plunging the nation into collapse and can be deterred only by suppressing criticisms and by either withholding bad news or contriving a formula to balance it with good news.106

He proceeded to point out some of the misinformation and contradictions of Agnew's presentation, then place the speech in context with actions and statements of other Administration officials who had been

106 Address by Frank Stanton, President, CBS, to the International Radio and Television Society, November 25, 1969; mimeographed text from CBS files, p. 4.
involved in what appeared to be a concerted effort to put pressure on broadcast news media during the same period. Among the pressures were phone calls from the White House to broadcasters to ascertain whether they planned to editorialize about the President's Vietnam speech; the Chairman of the FCC's calling network presidents asking for transcripts of reporters' comments about the same speech; and a member of the Subversive Activities Control Board's requesting from Washington, D.C., stations logs of news coverage that dealt with supporters or opponents of the Administration's Vietnam policy. Stanton concluded that if these threats, implicit in the developments of the past week, are not openly recognized, unequivocally denounced and firmly resisted, freedom of communications in this country will suffer a setback that will not be limited to checking the freedom of television or to barring critical comment on government policy. It will precipitate an erosion that will inevitably destroy the most powerful safeguard of a free society--free, unhampered and unharassed news media.107

The basic thrust of his appeal was that broadcasters should resist attempts to pressure them by ignoring the threats and by publicly denouncing such tactics.

In the same week, the Chairman of the NAB Board of Directors responded to the threats from his perspective as a station manager with somewhat less urgency. He claimed that network news, which was Agnew's primary target, was only one of many sources of information used in a full service radio or television station. On their own, such stations provided their audiences three or four times as much national, regional and local news

107 Ibid., p. 11.
as the network. 108

The next phase of industry response began to appear in January as spokesmen seemed more concerned with promoting the idea of broadcasting's service than in directly responding to the charges raised by the Vice-President. Before a group of broadcasters, Julian Goodman spoke of television's rapid growth and potential to influence large segments of the population. Because of these capabilities, he warned, "it should come as no surprise that those who would use [the medium] to serve themselves should seek ways to control it." In order to resist these attempts at control, he claimed, "we will have to exercise the leadership that goes with responsibility." 109 The flesh of that leadership is in the search for programs that would be the most useful, entertaining and informative to the most people. To this end, he urged programmers to be more topical, more innovative and bolder in selection and treatment of program subjects. These efforts, he felt, would serve the public better.

He also defended the news functions of the networks and stations by pointing out that violence, war, riots, and other ugly events had occurred in abundance before television and would continue "if every television camera went blind." 110 His concern was that people seemed to ready to

108 Comments by Willard E. Walbridge, NAB Board Chairman, on CBS Television program Face the Nation, November 23, 1969; reported in NAB Highlights, December 1, 1969, p. 1.


110 Ibid., p. 9.
denounce the messenger for the quality of the message. At the same time, he claimed that television was "too visible to shrink from view," and too important to remain silent." He closed by welcoming public involvement with television in spite of knowing that such involvement sparks more criticism. He insisted that broadcasting's responsibility to deal with the issues confronting the nation was a responsibility which the media must share with the people they seek to serve.111

The emphasis on service and public relations became more evident from NAB activities and statements during the spring and early summer. In late January, NAB Board Chairman Walbridge had urged members to speak out on broadcasting issues to call the public's attention to the great service the industry was providing the nation.112

In late March, President Wasilewski testified before a special Senate sub-committee on Alcoholism and Narcotics about the challenge before broadcasters to deal with the increasing national drug problem. He claimed that broadcasters had "increased their vigilance to prevent the introduction of improper material into programs by way of innuendo and double-meaning." He indicated that the NAB Codes dealt with drug abuse and that the Code Authority was giving the problem "increasing attention."113

111 Ibid., p. 10.


113 Statement by NAB President Vincent Wasilewski to Special Senate Sub-committee on Alcoholism and Narcotics; excerpted in NAB Highlights, March 30, 1970, pp. 2-3.
Drug abuse was not the only project taken up by NAB leadership—ecology, too, was offered as a vehicle for self-aggrandizement. Consequently, one of the featured speakers at the NAB Convention in April was biologist and ecologist Dr. Barry Commoner, who spoke of his concern with saving the environment. Chairman Walbridge followed Commoner's message with a call for extensive involvement by the industry. He said that the environment issue offered "a great opportunity for our total industry to serve," but, maintained, broadcasters should lead rather than just join the fight to find the proper paths to bring about a balanced partnership among the three entities involved—the public, the branches of government at all levels, and the vital industrial community of our nation. Broadcasting can and must forge all of these into a single force to work for our single purpose—survival.114

At the same convention, President Wasilewski outlined the problems of the preceding year and the promises for the future. The first part of his address was devoted to a critique of several FCC actions in regard to licensing and ownership which, he felt, broadcasters must fight. Then he discussed the issue which he felt would be of "prime importance" in the following year—"the preservation of the independence of our news reporting function in broadcasting." He offered examples of the ways broadcasters had threatened: the attempts to subpoena station records and news film out-takes, the advice of the President's Commission on the Causes and Prevention of Violence that a government-appointed surveillance group be set up to watch over news media, and a suggestion by a member of the same

114 Remarks by NAB Board Chairman, Willard Walbridge to the NAB Convention; excerpted in NAB Highlights, April 20, 1970, p. 2.
commission that newsmen be licensed. He deprecated these kinds of actions and urged resistance.

On the subject of the Vice-President's attack on news, Wasilewski was more restrained. He pointed out that many broadcasters agreed with Agnew and many did not. But, he said, the most important question was whether the Vice-President was waging a campaign of intimidation designed to keep stations and networks from criticizing the government. Wasilewski, without offering any evidence, concluded that this was not a campaign. "The Vice-President was exercising his right as a citizen and political leader to criticize." Then the NAB President urged broadcasters to assume a greater degree of professionalism and to pay more assiduous attention to objectivity and balance in reporting. He concluded with an evaluation of the criticisms mounted by Agnew.

Those who criticize may be doing us a kind of backhanded favor by reminding all of us in the news media of our responsibility to be as fair and honest in all of our coverage as it is humanly possible to be.

Wasilewski's final appeal was for broadcasters to join in a concerted effort to improve broadcasting's image. To this end he announced a special NAB committee had been formed to "evaluate industry public relations." He listed a series of goals for broadcasters to strive for in order to help their communities and the nation. They ranged from helping the poor to

115 Address by NAB President Vincent Wasilewski, to the NAB Convention, April 6, 1970; mimeographed text in NAB Library, Washington, D.C., pp. 7-8.

116 Ibid., p. 10.
convincing everyone that "ethics and morality" were the "only guarantee that a worthwhile personal life can be possible." Of the six goals listed, one appealed for aid in solving the problems of the environment and another urged action "to prevent the incredible prospect that drugs which have crept out of the underworld and into the schools, will subvert an entire generation." These two were concrete, relatively non-controversial issues that could be easily adopted by most broadcasters as examples of their community involvement and service.

Wasilewski's speech capsulized the principal concerns of the NAB leadership at the time, and urged broadcasters toward fairly traditional pathways: responsible, professional, objective news presentation; increased involvement with public service projects; and more energetic public relations efforts.

In May, the Television Code Review Board followed up on the drug issue by adopting a resolution commending "contributions made by broadcasters to discourage the use of illegal drugs" and to help educate the public on the destructive, far-reaching effects of the illegal drug problem." The resolution went on to praise programs and spot announcements and campaigns mounted by broadcasters and urged a "continuation and increase in efforts of broadcasters in these respects."

117 Ibid., p. 12.

In June, President Wasilewski reiterated his call for more extensive public relations activities by broadcasters, including greater effort to inform the public "in a convincing fashion" how government restrictions on broadcasting virtually affects the public's interest—"an interest we are defending in the public's behalf."¹¹⁹

Julian Goodman, too, urged the same action.

This is what we, the stations and networks, and the broadcast organizations should be doing. We should be telling our constituents—"the overwhelming majority of the public"—what the issues are, alerting our viewers to what they stand to lose, encouraging them to speak up. We are a public medium, our service is to the public, our future is in the public's hands. Whatever we do in defense of the public's right to see.¹²⁰

Throughout his address, he referred to the public's basic acceptance of and belief in the American system of broadcasting. Studies and surveys done over several years consistently supported this fact. He called these people television's silent majority and urged broadcasters to mobilize them to speak for the medium. Little direct comment was made on the news issue, or violence or specific service projects like the NAB had advocated.

Hearings on new legislation to require networks to provide time for Congress to present its position on issues prompted statements from network leaders as well as NAB spokesmen in August. But the essential arguments remained the same: No legislation should be enacted which would establish

---

¹¹⁹ Comments by NAB President Vincent Wasilewski, excerpted in NAB Highlights, June 13, 1970, p. 2.

rigid formulas to tell news media how they should operate in reporting and analyzing political issues. 121

In the fall, as a result of a special committee's recommendations, the NAB announced a top-level reorganization. The Association would establish three executive vice presidents over three departments: station relations, government relations, and public relations. The most crucial of the three seemed to be the public relations department since the selection for executive vice-president for public relations was the only one placed in the hands of a selection committee. The other two could be filled by President Wasilewski. Broadcasting described the reorganization as a means to get the association "into fighting trim to counteract the buffeting broadcasters had been receiving from Congress, the FCC, crusading lawyers, cultural and religious leaders, and, to an extent, from the public." 122

In November, NAB President Wasilewski continued the campaign for community involvement in a message to delegates to the NAB fall conference. "The broadcaster who sees his station solely as a vehicle for making a living," he said, "is taking not only a short-sighted but, in the long run, a dangerous position." He repeated the call he had sounded in his convention speech in April. Broadcasters must take an active and concerned role in

121 "U.S. Congress, Senate, Committee on Commerce, Public Service Time for Legislative Branch, Hearings, before the Sub-committee on Communications, on S.J.R. 209, 91st Cong. 2nd. Sess., 1970.

matters affecting our children and their education, on matters of ethics and morality, on matters affecting government and business, on matters affecting police, the courts and the administration of justice, on matters affecting the deteriorating environment.\textsuperscript{123}

Both the NAB and network spokesmen during 1970 followed the same general line of reaction to events. They criticized government attempts to muzzle or direct news reporting, began to stress the quality of programming and service being offered by radio and television, and redirected energies into public relations channels to defuse public criticism. The NAB even reorganized its administrative structure to better deal with some of these pressures from government and the public.

**Summary of Industry Context, 1968-70**

In contrast to the two preceding periods, the comments of industry spokesmen during the 1968-70 period reflected a basic consistency in perception of issues and responses to them. In the early months of 1968, statements reflected concern with traditional questions, like countering FCC proposals, and updating the Code to allow more flexibility in interpretation. As events unfolded, attention turned to the growing disruption of society and the violence which accompanied it. Television violence, both fictional and in news reports, came under attack from critics and public officials, thus placing industry spokesmen on the defensive and generating statements and speeches to counter the charges. In general,

\textsuperscript{123}Comments by NAB President Vincent Wasilewski to NAB Fall Conference; excerpted in *NAB Highlights*, November 2, 1970, p. 2.
NAB and industry spokesmen urged broadcasters to take responsibility for eliminating "excessive violence," as prescribed in the NAB Code. At the same time, they stood firm with the argument that no proof had yet been offered by any research that there was a causal relation between television violence and real violence.

In the wake of criticism prompted by television news coverage of the Democratic Convention in August, spokesmen assumed a highly defensive posture, and spent considerable time arguing that news must be reported even if it was not attractive. At the same time, as a defense, both network and NAB spokesmen urged broadcasters to become more involved in projects to train and hire minority members as well as in developing programs on poverty and urban problems.

The basic pattern of concerns and responses continued through the majority of 1969 as broadcasters defended their news position, consolidated their efforts and their arguments against excessive violence and moved to examine urban problems through news programming. The NAB in addition urged greater compliance with the letter and spirit of the NAB Code and increased its emphasis on program screening and evaluation for violent content. Network spokesmen like Julian Goodman continued to urge social responsibility on broadcasters, and outlined NBC's attempts to reflect and respond to its various communities.

The crucial issues and urgent reactions of 1968 were mollified and gradually absorbed in institutional responses during 1969. Other issues
received attention. The NAB, under pressure, resolved in the fall to ban cigarette advertising in 1971. New legislation on political broadcasting was discussed and spokesmen advocated, once again, dropping the equal-time provision.

The attack on broadcast news was renewed in November, 1969, and became the primary focus, either directly or indirectly, of most of the industry statements on broadcaster responsibility over the following year. The efforts were traditional in form. The spokesmen attacked the truth of the charges and the propriety of a high government official's making such charges, particularly as they appeared to promise government censorship. Then the industry undertook what LeRoy Collins had called in 1961 "cosmetic" responses--it mounted campaigns of service to causes like anti-drug abuse programs, and pro-clean air and water programs. At the same time, spokesmen pressed for better public relations efforts on the part of the broadcasters.

Some differences in perception of the threat embodied in Vice-President Agnew's statements appeared. Frank Stanton and Julian Goodman both attacked the charges vigorously and unequivocally in speeches over the three months following the Vice-President's speech. NAB President Wasilewski took a more moderate stance in April, 1970, when he reported that in his view the administration was not mounting a campaign of intimidation against broadcast news. At the same time he did criticize the manifestations of pressure in other areas when the justice department attempted to subpoena reporters' notes and film out-takes. In response he advocated responsible, objective,
professional news presentations, increased involvement with public service and more active public relations. This trio of recommendations reflected fairly accurately the general response of industry spokesmen to the attacks on news freedom and credibility through the period. There was also dependence on the TV Code of the NAB as a rallying point for industry self-regulation and an argument against any new legislative or regulatory remedies which might be offered to "correct" problems of news bias.

Conclusions

Through most of the period, Broadcasting magazine and the statements of industry spokesmen reflected a general agreement on principal issues confronting the responsible broadcasters. They stood together in urging broadcasters to reject the criticism that violence in television influenced real violence in the ghetto and elsewhere. Broadcasting, the NAB and the networks argued that no proof of such a relationship had been established. Broadcasting advocated, and the networks undertook, research to learn more about the supposed relationships. The NAB did not speak out on that aspect of it. All three entities supported a more careful process of screening to eliminate unnecessary violence and conflict, though Broadcasting was critical of the networks in general for "over-reacting" and scrubbing from their programs even those instances where conflict was logical, motivated and important to the story.

The violence issue received some attention throughout the period, and as the responses to it became more institutionalized during 1969, Broadcasting
made general appeals to station managers and network programmers to establish greater control over their programming and accept responsibility for everything presented. The networks and the NAB appeared to emphasize the importance of broadcaster becoming socially responsible and involving himself with the community. This was seen as a means to serve the audience better, as well as a way to quiet some criticisms.

Attacks on news coverage in 1968 found the three entities in basic agreement on basic reactions, but differing somewhat on points of emphasis. All defended the news operations as basically fair, honest and objective, while recognizing that human errors creep in from time to time. They all stated at various times that they felt some of the critics were more upset at the unpleasant nature of the news content than they were at the presentation. And, finally, all three urged broadcasters toward greater concern with professionalism and careful objectivity in news programming.

Broadcasting, however, was more outspoken and more critical in its comments. On several occasions the editor insisted that the first priority of broadcasting was news and information and the second, entertainment. He went further, and criticized any station manager who did not clearly recognize and move to follow those priorities.

In 1969 and 1970, Broadcasting tended to reflect the network spokesmen's urgent concern about the Agnew and Nixon administration pressures on broadcast news. The magazine was highly critical of the actions, and spoke out frequently against what it felt was government intrusion on the free press, as did Frank Stanton and Julian Goodman.
During the sample period the most distinct disagreement between Broadcasting and the industry spokesmen was over the NAB Code. The magazine was critical of the strong centralized NAB Code with its enforcement machinery, because, claimed the editor, those decisions on content should be made by each broadcaster individually. In addition, he said, an activist regulatory agency could easily use the centralized authority of the NAB Code to coerce the stations into actions the commission desired. This same position had been taken by the editor in 1962. Broadcasting argued for specific changes in the Code which would allow stations to more freely decide what commercials they would carry, based on evaluation of qualities of the specific commercial message, rather than on the basis of a general ban on all products in a certain category. In 1970, the NAB loosened such restrictions on "Personal Product" advertising.

In general, throughout the period, Broadcasting magazine editorials and available materials from the NAB and the networks, reflected a basic paralleling of concerns. There were little mention of Trade Practices issues, except in the context of the Code; there was substantial discussion of problems of News; and the issue of violence in television prompted similar comments and recommendations.

Again, during this period, there was a general agreement on the broad concepts of the Responsibility of the broadcaster to his audience. And even where specific disagreements appeared, as in the case of the NAB Code, there was agreement on the broadcaster's responsibility, to avoid commercials or
programs judged to be in bad taste. The issue was where, how, and by whom this decision should be made.
PART IV
CONCLUSIONS

Chapter

XI   Conclusions and Discussion
CHAPTER XI

CONCLUSIONS AND DISCUSSION

Summary of Study

The study examined a sample of the output of editorials of Broadcasting magazine over its forty-year history to seek answers to two central questions:

1. What is the broadcaster's responsibility to the public as defined in the editorial pages of Broadcasting magazine?

2. Has the substance or emphasis of this definition changed over time? If so, how?

Because of my interest in the context of events and issues, a third dimension was sought. Throughout the analysis, an attempt was made to relate Broadcasting's definition to the positions of selected spokesmen of the broadcast industry. This provided an idea of the context of industry opinion in which the editor framed his definition.

Four sample periods representing each decade of the life of the magazine were selected. Each period was focused on a significant event in the development of the broadcasting industry which had relevance to the issue of broadcaster responsibility. Periods selected were:


During these sample periods, 1985 items labelled by the editor as editorials appeared. All were examined and 285 editorials which discussed, criticized, or made recommendations about the actual or ideal relationship between the broadcaster and the public were selected out as relevant to the responsibility question. They were then classified into thirteen categories by primary subject, and percentages were computed of the frequency of appearance of the categories during the periods. These percentages provided the framework for identifying the gross dimensions of the responsibility issue in each period and for tracing broad trends between periods. The categories and percentages became guidelines for examination of the historical trends in the editorial positions of Broadcasting magazine during the sample periods.

The contextual comparisons with industry spokesmen were based on two kinds of materials: statements and speeches by the principal executive officers of the National Broadcasting Company, the Columbia Broadcasting System, and the National Association of Broadcasters during the sample periods; and other documents published or distributed by these organizations as statements of policy or position during the periods.

---

1 For a description of the categories, see above pp. 36-37.
Summary of Findings

Examination of the sample periods revealed that an average of slightly over 14 per cent of Broadcasting's editorials discussed the responsibility of the broadcaster. The magazine's emphasis on various categories of responsibility differed somewhat between sample periods. In the 1933-35 period, Trade Practice issues like Rate-Cutting, Ethical Advertising and Taste in Advertising were more frequently discussed than Program Practices. In all the subsequent periods Program Practices issues dominated by more than two to one over Trade Practices.

In each of the sample periods, the emphasis on particular categories was generally tied directly to events. In 1933-35, for example, the New Deal's emphasis on stabilizing the economy precipitated the editorial attention to Trade Practices questions. During 1945-48, the Blue Book generated editorial discussion of Public Service activities, Program Quality, News broadcasting and the NAB Code. The quiz and payola scandals in the 1958-62 period directly stimulated editorials on Ethical Program practices and general responsibility of the broadcaster. Indirectly, the scandals prompted editorials urging better News programming and greater emphasis on Public Service in order to restore public confidence in the broadcast media. In 1968-70, the attacks on news credibility, symbolized by Vice-President Agnew's speech in 1969, elicited editorial defense of the standards of network news and advice to local broadcasters to emulate those standards.
In regard to specific categories, Broadcasting's editorials on the subject of News grew increasingly important over the last three sample periods after receiving very little attention in the 1933-35 period. In general, News editorials were more often critical of actions of broadcasters and more clearly prescriptive of the proper behavior for a responsible journalist than were editorials in other categories. In 1945-48, for example, the editor criticized sloppy, inaccurate news reports and argued for more balanced, less sensational commentary. In later periods, the magazine frequently criticized broadcasters for ignoring their responsibilities as journalists and urged a serious commitment to news.

The Code category was the only one in which Broadcasting showed any appreciable change in position. In 1933-35, the editor supported adoption and strict government enforcement of the NRA Code. In 1945-48, he advocated and supported development of a new, more comprehensive NAB Code. Midway through the 1958-62 period, however, the editor shifted his position and criticized general product bans. He also argued against the concept of a strong centralized Code and urged that each broadcaster make his own decisions based on knowledge of his local audience.

In general, these were the basic trends in editorial attention to the categories of broadcaster responsibility through the sample periods.
Conclusions

Responsibility of the broadcaster

The following propositions summarize the basic dimensions of Broadcasting's definition of the responsibility of the broadcaster as expressed in editorials during the sample periods. The statements are ranked according to the frequency with which they were discussed through the periods.

According to Broadcasting, it is the responsibility of the broadcaster:

1. To provide his audience with an accurate, thorough, balanced and professionally staffed news service.

2. To devote the majority of his schedule to programs which will appeal to and attract the largest possible audience; to devote part of the schedule to programs of high quality for more specialized audiences.

3. To insure that the programs he presents are honest, ethical, and do not deceive the audience in any way.

4. To present some programs and messages, and to participate in community service, as a public service with no expectation of financial return.

5. To support the general provisions of good commercial and programming practices as articulated in the Codes of the National Association of Broadcasters and the networks. But, the broadcaster should make his own decision, not let a central authority instruct him in proper behavior.

6. To conduct his business in a fair and ethical manner, avoiding advertising practices which would materially mislead or offend a general audience.
Changes in definition

The general statements above reflect the basic elements of the editor's definition of responsibility as it evolved through sample periods spanning approximately thirty-seven years of the life of the magazine. All were not fully articulated through all the periods. Some received little attention at times; but once a position was taken, the editor remained consistent. Thus, for example, News was discussed little in 1933-35 and no clear cut definition could be discerned. But beginning in 1945-48, the editor's position became quite clear and remained essentially the same through all the following periods.

The programming priorities, set forth in number two above were expressed early—in the 1933-35 period—and consistently reappeared through all the periods. Number three, Ethics in Programming, was not discussed explicitly until 1945-48, and then only briefly. The quiz and payola scandals in 1959, however, made Ethics an important dimension of the definition of responsibility, but one which faded from attention in the following period. Public Service responsibility was prominent from the earliest period and was clearly stated by the editor; but it, too, tended to fade from prominence in the last two sample periods.

The editor's position on Code provisions, capsulized in number five, shows a basic consistency in his definition of the broadcaster's responsibility to the public, but reflects a change in his opinion about the mechanism established for deciding the dimensions of that responsibility. His statements in the 1933-35 and 1945-48 periods suggested that it was
the broadcaster's responsibility to his audience to join in a collective effort to drive bad practices out of the industry. During the 1958-62 period his perception of the importance of the code mechanism altered and he saw the broadcaster's primary responsibility to be one of making his own decisions based on the needs of his own community. The editor did not criticize the principals and ideals expressed in the code, only the power it should have to influence individual decisions.

Finally, the sixth statement identifies the editor's concern with Trade Practices which, as we have seen, received a considerable attention in the early growth years of the industry, 1933-35 and 1945-48, and much less attention in the last two sample periods.

In conclusion, once the editor articulated his basic positions on various elements of the broadcaster's responsibility to the audience, no substantive changes in those positions were evident. There were changes in emphasis among categories, however. These seemed to reflect the editor's perception of what the most important dimensions of responsibility were at various times. Examples of consistent, long-term shifts in importance over the course of the study were the de-emphasis of Trade Practices in favor of Program Practices, and the increased attention to News.

Relation to industry

With few exceptions, Broadcasting and the industry spokesmen were in substantial agreement on the major categories of broadcaster responsibility through all the sample periods. What differences appeared were ones more
of degree than kind. In these disagreements, Broadcasting tended to be more sensitive to specific violations of standards of responsible behavior than were industry spokesmen. For example, in 1933-35, Broadcasting was more critical of Rate-Cutting and improper Advertising Practices than industry spokesmen, and urged more severely punitive responses from the NRA Code. In 1945-48, Broadcasting criticized specific practices in news programs and urged broadcasters to rid themselves of payola and give-aways while industry spokesmen did not specifically comment on these issues. During the early part of the 1958-62 period, Broadcasting and industry positions generally paralleled each other, but with the magazine offering more explicit advice to broadcasters on the need to upgrade their news presentations.

More meaningful differences appeared late in the period, however, as Broadcasting criticized the Code and its enforcement. The magazine supported the principles but questioned the centralized control and dictation of standards. In 1968-70, again, there was agreement on principles, but not on the administration of the Code. Broadcasting criticized broadcasters more explicitly than did industry spokesmen, setting news as their highest priority. NAB spokesmen supported the importance of news but were more reserved in their comments. As in the earlier periods, however, there was general agreement over the broad range of issues relating to the responsibility of the broadcaster.
Discussion

In Chapter II of this study, a number of statements from critics and scholars were presented which criticized or characterized Broadcasting magazine and its editorial policies. The critical comments of Robert Lewis Shayon, Jack Gould and Erik Barnouw indicted the editorial page, generally, for doing a disservice to broadcasting. Shayon claimed:

"Its highly selective packages of information may support the biases, self-fulfilling prophecies of its readers, but these serve more to gratify the reader's emotions than to render them real service by independent, tough-minded analysis."

Gould took a more personal stab at the editor, Sol Taishoff:

"On the editorial page he uncorks his vitriol or balm and pronounces his weekly prayer that broadcasters realize a sinister Socialist may lurk in the back seat of any rented Cadillac."

Erik Barnouw claimed that if a station manager relied on the editorials in shaping his views "he could be strangely misled."

"Those dedicated themselves persistently to the task of countering the FCC regulatory moves and keeping the commissioners off-balance. This involved much juvenile rhetoric, which perhaps gave pleasure to many an uneasy licensee."

---


Over the range of editorials printed during the sample periods, the reader could find many which would lend support to the indictments. The magazine does have a point of view which is protective of what it considers to be the best interests of broadcasting. It reiterates this bias regularly and shapes its interpretations of government actions and intentions in light of its basic position against government control. The editorials often reflect the editor's strongly-felt belief that the editorial page exists to blow a loud bugle on issues and arguments in order to stir people to action.5 And the magazine does tend to be what has been called "relatively conservative" in its approach to matters of business and government.6

On the other hand, however, numerous editorials support many of the commonly accepted values about how the broadcaster should conduct himself in regard to his audience and his fellow businessmen, as outlined in Chapter III of this study.7 The editor has consistently supported objective, fair, and thorough presentation of broadcast news and has loudly resisted government incursions into news programming. He has urged and supported regular public service activities, as generally defined by the FCC. From time to time he has argued for more high-quality programs; he has argued for honesty in programming and advertising; he has come out against excessive

5Martin Codel, in a private interview with the author, at Lewes, Delaware, March 26, 1972.


7See above pp. 63-72.
numbers of commercials, or commercials in poor taste. All of these ideas are part of the conventional wisdom of broadcasting and are accepted rather broadly as necessary ingredients of responsible broadcasting practices. Throughout the sample periods, approximately one editorial in seven discussed some aspect of this responsibility and offered some advice to the reader about it. To Messrs. Shayon, Gould or Barnouw, this might not seem adequate attention to pay to such a crucial concept, but it is clear demonstration that Broadcasting magazine has not ignored its duty to instruct broadcasters on their responsibility to the audience.

Another kind of criticism might be leveled at the magazine, however. With the exception of its editorializing on News issues, Broadcasting seemed to take a strong and concentrated stand for "responsible" operation most often in the wake of some serious problem or substantial criticism of the broadcast media. The Blue Book, for example, evoked some self-examination and a purposeful editorial advocacy of limited reforms. The quiz scandals were more dramatic, and more damning for the industry, and they prompted extensive soul searching by the editor and a spate of editorials urging responsible behavior by broadcasters. Until the transgressions had been proven publicly, however, the editor consistently minimized the charges and denied their truth. Other examples have been pointed out in various places in the analysis.

This reactionary nature of the magazine has been the target of some general criticism. Shayon has charged that the editor does not provide enough tough analysis of the real problems of the industry or its relations
with the public and the government to allow individual managers to make informed judgments about their own positions. Julian Elfenbein has insisted that one of the major purposes of business papers is to provide "the editorial criticism which is the prophylaxis of private enterprise." In regard to the responsibility of the broadcaster, the findings of this analysis would tend to support the contention that Broadcasting often does not editorially examine or criticize practices or policies until after severe pressure is put on the industry from some outside source. Often the result is a quick shift to editorials urging cosmetic patching of policy and a general appeal to better public relations to maintain public confidence in broadcasting. In these instances, Broadcasting does not fulfill Elfenbein's notion that the business paper should provide realistic and balanced criticism of industry.

Another dimension of this same issue can be seen throughout the study. Frequently, arguments used by Broadcasting to urge broadcasters to act in ways considered responsible by this study, tended to be based on threats. For example: if broadcasters do not get rid of fraudulent commercials or unethical programs or some other problem, the government will do it for them. Seldom were the editor's arguments based on the moral or ethical propriety of an act. The same kind of arguments were found consistently in statements of NAB spokesmen. The issue was brought into sharp focus when

---

8 Shayon, p. 82.

9 Julien Elfenbein, "Business Papers: The Place to Start the Magazine Career?" Journalism Quarterly 25 (September, 1948), 234.
LeRoy Collins was director of the NAB, for he deliberately eschewed the legal threat of government, and argued the moral rightness of desired behavior.

In general, the charges by critics, cited earlier, seem to be too cryptic and extreme to be totally accurate. Even the limited examination detailed in this study illustrates that a sizable number of editorials generally supported "responsible" broadcast practices. At the same time, some of the criticisms seem to accurately capsulize aspects of Broadcasting's editorial output and its editorial priorities. The magazine does tend to defend more often than to criticize the industry. It does tend to avoid dealing positively and directly with problems of broadcaster conduct until those problems have been spotlighted publicly. There are exceptions, of course. Some have even been visible in this study. But generally, Broadcasting tends to soft-pedal substantive criticism of industry practices more often than it pursues such criticism.

Circumstances of publication may have considerable influence on some of these patterns. Broadcasting is published weekly and demands substantial time and effort to produce. It's professed role of presenting timely and thorough coverage of a wide range of relevant broadcasting news means that the editor's attention must be commanded by the immediate and topical events and issues. In addition, he must produce two or three editorials for each week's issue. These exigencies may strongly influence the kind of pragmatic, narrowly focussed, and reactionary editorials noted in this study. The
structure and function of the magazine might make such an editorial approach inevitable. In my judgement, however, such an approach must be leavened with a broader, more coherent and objective examination of larger philosophical questions facing broadcasters. If Broadcasting does not provide this broader view of questions like responsibility, its readers are not being prepared to cope with the attacks, criticisms and events which, as we have seen have thrown the industry into turmoil.

General observations

Several other patterns of Broadcasting and industry behavior were noted in the course of the examination of the sample periods. Each might yield interesting subjects for further study.

1. Broadcasting and industry spokesmen tended to respond to pressure on broadcasting in the same way through all the periods. The first response was to defend the industry and attack the critic. The second was to advocate industry self-regulation or "cleaning our own house" of questionable activities. The third was to step up public relations efforts to prove to the public that broadcasting was doing a good job.

2. In general, the networks and the spokesmen took the lead in positive responses to pressures. It was William Paley and Frank Stanton of CBS or David Sarnoff, Robert Sarnoff and Julian Goodman of NBC, who stepped to the front to offer compromise solutions to critical problems or to point the direction for positive changes. Only under LeRoy Collins in the early 1960's did the NAB take the initiative in advocating reform.
(3) In the 1933-35 and 1945-48 periods, Broadcasting and the NAB tended to predicate most of their arguments for broadcasting reform on the threat that government would step in if broadcasters did not solve it themselves. In the 1958-62 and 1968-70 periods, an additional dimension was added. In both periods some arguments for reform were based on a concern about the public image and general credibility of broadcasting for the audience.

(4) The responses of industry spokesmen and Broadcasting to attacks on news during the 1968-70 period and the crisis of confidence in programming in general following the quiz scandals, suggests that industry behavior might be manipulated to some degree by posing a threat to its credibility. The networks appeared to be particularly quick to respond to public criticism by changing their programming and shuffling their priorities. This was evident through all the sample periods. CBS and NBC responded promptly in 1935 to criticism of bad taste advertising and improper programs for children. William Paley of CBS led the movement toward establishing a new and effective NAB Code following the issuance of the Blue Book. Both networks acted swiftly to wipe quiz shows from the air in 1959, and establish policies and departments to guard against future incidents. While no major policy changes seem to have ensued in response to the 1968-70 news attacks, the pressure from the Vice-President and others in government elicited broad public comment and vigorous defenses by industry spokesmen. A fruitful study might be done to trace the impact on network news of the attacks on its credibility, balance and accuracy begun in 1969.
The trends of corporate responsibility described in this study tend to support more general observations about the American free enterprise system offered by economists and social critics in recent years. John Kenneth Galbraith, in *The New Industrial State*,\(^ {10} \) and Charles Reich in *The Greening of America*,\(^ {11} \) have argued that broadcasting—particularly television—plays a key role in the process of "need-creation" which has become essential to our consumer economy. Beyond this, however, broadcasting seems to reflect the larger corporate movements described by Galbraith. He has said that in the new corporation the priorities are effective organization, steady growth, and accommodation and compromise to achieve these goals.\(^ {12} \) The older values of the entrepreneur, on the other hand, prized individualism, independence, free competition, resistance to external controls, and maximization of profits.\(^ {13} \) Clearly, if these two philosophies were held in their pure forms, they would be constantly at odds.

In a sense, the two have existed side-by-side in broadcasting through the years, but obviously not in pure forms. The networks have tended to be the new corporate structures and the stations the entrepreneurs. Throughout this study, suggestions of these priority differences have been


\(^ {12} \) Galbraith, p. 132.

\(^ {13} \) Ibid., pp. 97-109.
observed.

During the thirties and forties, spokesmen for the NAB tended to reflect the entrepreneurial independence of their members—a dislike for common action and a rejection of government interference. Though the network leaders often expressed similar positions, they more often moved to make an accommodation with the critics—to reform and to urge greater organization and centralization of self-regulation as a means of countering pressure.

In more recent years, the NAB and the networks seem to have moved closer together in their modes of response. This might reflect the increasing concentration of control of companies whose corporate priorities are similar to those of the networks.

One might speculate that these new corporate values and the ongoing inconsistency between the network and station values have created some of Broadcasting magazine's problems. In terms of management and structure, the magazine is a model of the entrepreneur concept. It began that way and has continued to be operated in much the same personal manner. Its priorities are consistently voiced as independence from government and support of free-enterprise. If Galbraith is right, these values no longer appeal to a redirected managerial class who sees its future in more bureaucratic terms than Broadcasting reflects. Some support for this kind of dichotomy can be found in the reversal of Broadcasting's position on the Code—away from centralization and toward individual initiative—and in the observation that in the last few years, some of the strident criticism
of government and the FCC has seemed to meet with little response from the industry spokesmen. These observations are conjectural, but some indication has been found in the study that might justify further examination of the process.

On another level, some interesting implications might be drawn from this study in regard to the whole question of citizen’s lobbies. Broadcasters, like other businesses, continually trace a path through the middle-ground between their economic priorities and their public responsibilities. General Motors must make salable automobiles in order to grow and make a profit. GM also has some responsibility to provide cars that are reasonably safe and pollution free. The corporate balancing act is continual. The same is true with broadcasters who want to appeal to large audiences but are required also to consider the public interest in their offerings.

This study indicates that change in the programming output of the networks might be brought about by active citizen’s groups who can pose some threat to the credibility or public image of those organizations. The study suggests further that while change in programming can occur rather quickly, the tendency over time is to return to the patterns that are successful. This has been dramatically illustrated in the recurring investigations of violence in television. Each time violent content has been reduced but slowly returned when the pressure was off. To maintain the reforms accomplished will demand an institutionalizing of protest and watchdog groups into ongoing organizations which can maintain a consistent check and pressure for responsible programming practices on a continuing basis.
The study and the method

The basic goal of this study was to answer questions about the way Broadcasting magazine conceived the responsibility of the broadcaster, how this changed over time, and how it related to conceptions expressed by other spokesmen of the industry. The study was an attempt to gain some insight into the historical development of a specific instrument of communication by describing its public positions on a particular concept. Methodologically, it is a hybrid: to basic conventions of historical research were added descriptive methods. The resulting combination has certain strengths and weaknesses which I would like to discuss briefly.

In a sense, this study examines the intellectual history of Broadcasting magazine on a particular subject—the responsibility of the broadcaster. It seeks to find the patterns and trends in the expressed positions of the editor and relate them to the industry in general. This, in my judgment, provides a useful means of dealing with the history of a particular instrument of communication. It not only gives a sense of the broad sweep of the magazine's development as an institution, the way a more traditional historical study would, but it also provides an examination of a specific dimension of the institution's communication output. A strictly descriptive approach might have concentrated much more of its attention on a more thorough-going and detailed analysis of the editorials and provided a richer, more multi-faceted picture of Broadcasting's position. But it might also have neglected the broader contextual relations sought in this study.
I feel that combining historical and descriptive approaches has special merit in dealing with communication institutions since, in many cases, a careful analysis of their output over the course of their history can often provide valuable insight into the nature of the institutions and how they have evolved.

In retrospect, I feel that the study might have benefitted from a more detailed analysis of the editorials in conjunction with the historical dimensions. Smaller coding units than the full editorial might have been used, allowing for more discriminating and detailed numerical comparisons. It also would have allowed placement of editorials discussing more than one classification into more than one category. More diversity might have been added to quantitative measures if there had been more categories focussing on a more detailed range of variables.

In addition, it might have been fruitful to explore the importance the editor attached to various subjects by ranking the editorials as to position (first one on page, most important, etc.), or by space devoted to each subject (in column inches). Such a procedure would have allowed ranking of responsibility issues in relation to other issues of the time.

The contextual comparisons might have been more effectively examined if a more systematic method of gathering and directly comparing industry positions with Broadcasting editorials had been devised. One of the drawbacks of the comparisons attempted in this
study is that industry spokesman tended to state their positions less often and in greater generality than did Broadcasting's editorials, making direct ongoing comparisons difficult. One solution, which might have accomplished the purpose of the study and added to the comparability of the data, would have been to narrow the scope of industry contextual analysis to comparison of a more limited sample of materials (perhaps the speeches presented at the major conventions and at certain other specified times within the sample periods) with specific editorials appearing at the same time. This "sample-within-a-sample" might have made it possible to code the industry statements and make some numerical comparisons with Broadcasting positions. Such a procedure would have added an additional comparative dimension to supplement the verbal comparisons.

Suggestions for further study

Perhaps the most useful research to be done is a study of the actual impact or influence of Broadcasting magazine on the industry: a survey of its readers to find out who reads it and why (i.e. for industry news, for government news, for advertising); whether they read the editorials and if they agree with the positions taken. An extension of such a study might attempt to determine the extent of agreement on basic issues between readers and Broadcasting editorials.

According to the findings in this study, 14 per cent of Broadcasting's editorials were devoted to the responsibility of the broadcaster. Numerous studies might be done to classify subjects of
the other 86 per cent of the editorials and rank them as to the
editor's priorities. More rigorous content studies might examine the
to the editor's positions on ongoing regulatory issues like editorializing,
political broadcasting, fairness, etc. All these might provide useful
data for students in the field.

At a number of places in this study it has been observed that in urging reforms, Broadcasting seemed to rely quite often on arguments which threatened government intervention if the broadcasters did not clean their own houses. A study might examine the arguments used by Broadcasting over the years to persuade broadcasters to alter their practices.

In my judgment, the most interesting and significant research suggested by the present study is not limited to an examination of Broadcasting magazine, but would look more generally at the broadcast industry. The present study has noted that there seem to be certain patterns of response discernible within the industry when critical pressure was applied from outside. It has also suggested that broadcasting in general, and the networks in particular, seem to have responded rather quickly to pressures which threatened their credibility or their image to the public. These observations should be examined and evaluations made of both short term and long term effect of such attacks on the programming and policy of broadcasters.

Finally, it would seem to this writer that there would be some more careful and ongoing review of the information and opinions
presented by Broadcasting magazine, and other mass media publications to judge whether they strike the balance and achieve the fairness which the editor of Broadcasting has traditionally supported for the electronic media. In this regard, Robert Lewis Shayon's warning cited at the beginning of this study is significant:

It is entirely in order for a trade journal to present the views of its constituents as vigorously as it can, and to attack the views of its opponents, but the times demand reason in the trade press. Broadcasters help shape our images of the world with the pictures and words they package on TV and radio, but the images of the world that the broadcasters have in their minds are shaped in large measure by their sources of information. The purity of their wells of information are of grave import to the public at large.\(^{14}\)

An ongoing evaluation with periodic publication in major magazines might provide one impetus to editors and publishers to carefully review their own policies and at the same time, offer some safeguards against distortion of information and opinion for the broadcaster who cares about his audience and feels strongly his responsibility to serve them fairly.

\(^{14}\)Shayon, p. 87.
BIBLIOGRAPHY


MAGAZINES AND PERIODICALS


Broadcasting. All issues 1933-35; 1946-48; 1958-62; and 1968-70.


"Children's Programs by the Columbia Broadcasting Company." School and Society, 41 (May 24, 1935), 700-701.


"Enter Radio Wars." Editor and Publisher, March 2, 1929, p 34.

Eversole, Pam. "Concentration of Ownership in the Communications Industry." Journalism Quarterly, 48 (Summer, 1971), 251-60 & 68.


497


"Medicine Men Take to the Air." Business Week, February 9, 1925, pp. 9 & 10.


Stempel, Guido H. III. "Sample Size for Classifying Subject Matter in Dailies." Journalism Quarterly, 29 (Summer, 1952), 333-34.

NEWSLETTERS

NAB Reports. All Issues 1933-35 and 1945-48.

PAMPHLETS


PUBLIC DOCUMENTS—CONGRESSIONAL HEARINGS


PUBLIC DOCUMENTS


SPEECHES


Ryan, J. Harold. Address to NAB Convention, October 2, 1945. NAB Special Information Bulletin, No. 20, October 5, 1945.


Address to the 37th NAB Annual Convention, March 17, 1959. NAB Highlights, March 23, 1959.


Address to NAB Convention, April 29, 1859. NAB Convention News, April 29, 1958.


Wasilewski, Vincent. Address to the NAB Convention, April 6, 1970. NAB Library, Mimeographed.

Address to International Radio and Television Society, February 9, 1968. NAB Library, Mimeographed.


INTERVIEWS, LETTERS AND MISCELLANEOUS UNPUBLISHED MATERIALS

Codel, Martin. Private interview with the author at Mr. Codel's home, Lewes, Delaware, March 25, 1972.


The Advisory Council of NBC, Memorandum of the Fourth Meeting of the Council, January 29, 1930.


