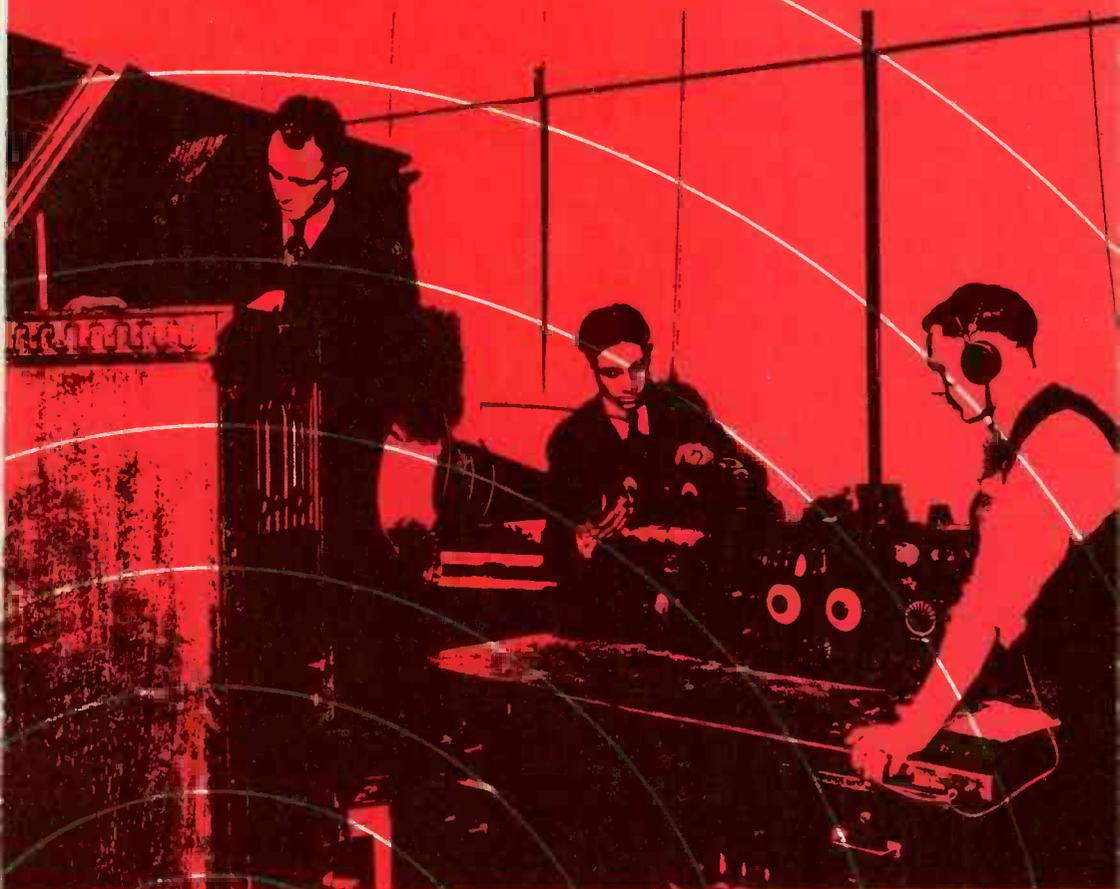


Journal of Broadcasting



**SUMMER
1969**

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JOURNAL OF BROADCASTING

Published Quarterly by the
Association for Professional Broadcasting Education

VOL. XIII, No. 3

SUMMER 1969

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Subscription price \$8.00 per year. Special student rate \$4.00 per year. Annual dues of \$8.50 for Individual Members in the APBE include a subscription to the JOURNAL OF BROADCASTING. Checks should be made payable to the JOURNAL OF BROADCASTING, except that Individual Membership dues checks should be payable to the APBE and sent to the Executive Secretary, 1771 N St., N.W., Washington, D. C. 20036.

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THE JOURNAL OF BROADCASTING welcomes the submission of articles and reviews from all sources. Attention is called to the suggestions for the preparation of manuscripts appearing on the last two pages of Vol. X, No. 2, Spring, 1966.

Manuscripts, books for review, and editorial and business correspondence should be addressed to the Editor, JOURNAL OF BROADCASTING, Temple University, Philadelphia, Pennsylvania 19122.

FRANK J. KAHN

Regulation of Intramedium “Economic Injury” by the FCC

Forbidden to censor, and saddled with an undefined (and perhaps undefinable) criterion of the “public interest, convenience and necessity” for deciding among otherwise-qualified applicants for a broadcast facility, it is little wonder that the FCC has relied upon a patchwork of precedents and rule-of-thumb standards. Possibly because of the uncertainty of these standards, and partly because the staff has not increased in size as greatly as has the workload, the Commission has avoided whenever possible the enlargement of license application hearings to include anyone other than the applicants themselves. Sometimes, however, the courts haven’t allowed the FCC to so restrict the number of participants in a hearing, and sometimes the courts have had to remind the Commission that the laboriously accumulated body of administrative practice and precedent is not always the same as the language or purpose of the Communications Act of 1934.

“Economic injury” is a station owner’s concept. It is at the interface of theory and marketplace reality. It is the almost impossible-to-prove claim that the establishment of a new station in one’s market will so split the available revenues that both stations will fail—or, at least, that both stations will have to operate with substandard (e.g., cheaper) programming, and thus will not serve the public interest. At first, the FCC listened to some of these claims, but soon evolved a policy of avoiding them, by whatever means and reasoning that it could. Over the years, and despite substantial prodding from the courts, the FCC’s policy of avoiding this claim has become rigid . . . thus providing us with an excellent and fascinating case study of administrative policy formulation.

Frank J. Kahn derived this article from his doctoral dissertation on the same general topic, completed at New York University in 1967. Dr. Kahn is the compiler of DOCUMENTS OF AMERICAN BROADCASTING (Appleton-Century-Crofts, 1968) and Director of Television at Herbert H. Lehman College in New York.

ECONOMIC injury is the alleged diminution of financial support arising from the introduction or growth of new broadcast stations and services. Such charges most commonly have been made by AM radio station licensees when threatened with competition from new AM stations in their service areas. Substantiated intramedium economic injury protests of this kind place the Federal Communications Commission in the unenviable position of having to decide whether the "public interest, convenience, and necessity" is better served by the economic protection of existing stations and services, or by encouraging "survival-of-the-fittest" competition in broadcasting. The FCC's 30-odd year confrontation with intramedium economic injury can be summed up in one word: AVOIDANCE. This policy passed through three phases separated by two important court cases, the 1940 *Sanders Brothers* decision¹ and the 1958 *Carroll* ruling.²

The Pre-*Sanders* Era: 1934-1940

The FCC was somewhat inconsistent in applying its avoidance policy from 1934 to 1940, although it apparently was consistent in permitting protestants alleging economic injury to intervene in potential competitors' application proceedings. During this pre-*Sanders* period the Commission's stance was that although competition in radio broadcasting was in the public interest and should be fostered, sometimes the public interest required that an application for broadcast facilities be denied if the grant of the application would cause the probable demise of an existing licensee whose performance was "acceptable and sufficient."³ In the words of a former member of the FCC, "During the thirties, the Commission regularly took into account the nature and extent of economic injury which would be caused to existing stations by the grant of a new application."⁴

The most common factors considered by the FCC in economic injury protests were:

1. need for additional broadcast service
2. adequacy of advertising revenue to support new or expanded facilities
3. population of service area
4. number of wholesale and retail establishments in service area
5. annual wholesale and retail sales volume
6. general financial situation of protesting licensee
7. apparent dependence of protestant on local revenue
8. efficiency of protestant's management practices
9. geographical proximity of applicant and protestant.

No single case entailed the consideration of all of the above factors. The FCC's most frequent reason for dismissing economic injury protests was that there was insufficient evidence to support the protestant's conclusions regarding the injury to be suffered. If such a protest were to succeed, the Commission had to be convinced that economic injury, if suffered, would be detrimental to the public interest. It was most reluctant to be so convinced in light of its policy of encouraging competition in broadcasting, which it felt to be in the public interest: "[W]here the economic situation of a community permits, the public interest is best served by competing broadcast facilities."⁵ Accordingly, in those cases in which the protestants sufficiently substantiated their allegations of economic injury, the Commission was hesitant to adjudicate on the basis of economic injury. Instead, the FCC apparently decided such cases on the ground of "need for service." In fact, during the years 1937-1938, 86 applications for broadcast facilities were denied for the stated reason that an insufficient showing of public need had been made.⁶

Another potential basis for deciding such cases on grounds other than economic injury was financial qualification. Using this statutory criterion,⁷ the FCC could refuse an application by concluding that "there is not sufficient evidence in this record to indicate that there are adequate sources of commercial support available . . . to insure the successful operation of two broadcast stations," thus implying that the applicant was not financially qualified to "construct and *operate* the station . . ."⁸ Indeed, one protestant phrased his allegations in terms of the implied financial inability of the applicant, rather than economic injury.⁹

The Commission was seemingly in accord with this 1937 statement by its Engineering Department:

. . . competition is the doctrine of this country, and with this doctrine we are in hearty accord because in most instances it has resulted in improved service. However, there may be a point at which competition becomes destructive and results in impaired service to the public. As between broadcast stations in the same community, it is believed that a study of the economic data with reference to the community will give an indication of whether service to the community will be improved or impaired by additional competition. . . .¹⁰

As late as 1939, the Commission said:

. . . The criterion of whether a certain class of station should be assigned to a particular community must include a consideration of

The FCC applied this rule on September 29, 1939, so as to deny a protestant's petition to enlarge the issues in a hearing concerning a new station in its area. The protestant wished to add an economic injury issue; the FCC permitted the protestant to intervene, but kept the issues confined to questions of electrical interference.²¹

Secondly, the Commission's "need for service" standard was deteriorating. This trend had begun with the FCC's denial of the Tri-State Broadcasting Company's petition requesting a rehearing of a 1937 case involving a grant to a potential competitor.²² The FCC decision was reversed by the Court of Appeals because, *inter alia*, the Commission's finding that there was "a public need for said proposed station" was insufficient as a finding of fact.²³ The court said that since the FCC did not proceed from "basic" facts to "ultimate" facts, "We are unable to determine upon what facts and for what reason the Commission regarded an additional station as necessary."²⁴

On November 15, 1939, the final blow was struck to the "need for service" standard when the FCC granted F. W. Meyer's application to construct a station in Denver, Colorado, over the objections of the Colorado Radio Corporation, licensee of KVOD, Denver.²⁵ The Commission, in granting the application, said that ". . . nothing in the Communications Act, our rules and regulations, or our policy requires a finding of definite need to support the grant of an application."²⁶

Finally, the very relevance of economic injury was questioned on January 10, 1940, when the Commission decided *In the Matter of Summit Radio Corporation*.²⁷ Summit's application for a construction permit for a new station in Akron, Ohio, was opposed by two existing Akron stations, WADC and WJW, on grounds of economic injury. No reference to economic injury appears in the FCC's "Grounds for Decision."²⁸ The text of the decision, which granted the application, however contains the following paragraph:

The intervener, Allen T. Simmons, licensee of WADC, in his petition to intervene, stated that the addition of a new radiobroadcasting service would necessarily deplete his station's existing audience, talent, and revenue. The petition of the intervener WJW, licensee of Station WJW in Akron, alleged that the granting of a license to another radio station in Akron would limit the scope of activities of WJW, distribute the audience of listeners and limit the program material, talent, and support available to WJW. Similar contentions

were made and urged at the argument. The evidence, however, does not substantiate the claims of economic injury, *even if such matters were cognizable by the Commission.*²⁹

The Sanders Brothers Case

This case centered on the FCC's decision of July 2, 1937, which granted the application of the Sanders Brothers, licensees of WKBB in East Dubuque, Illinois, to move their radio station to Dubuque, Iowa, and the application of the *Telegraph Herald* to erect a new station in Dubuque.³⁰ Previously, a hearing examiner had recommended that the former application be granted and the latter be denied after a consolidated hearing had been held. At the hearing the Sanders Brothers proved that their station in East Dubuque had operated at a loss. They alleged that economic injury would be suffered by them if the *Telegraph Herald* application were granted. The Commission made no findings on the economic injury issue, although its decision noted population and trade data.³¹

After the FCC denied its petition for rehearing, Sanders Brothers appealed to the Court of Appeals which found that the reasons given were sufficient "to furnish proper grounds of contest on appeal" on the issue of economic injury under Section 402 (b) (2) of the Communications Act.³² The court considered the Commission's argument regarding its failure to make findings on the economic injury issue:

Appellee [the FCC] concedes that no finding was made upon the issue of economic injury, but urges that appellant [Sanders Brothers], although given opportunity to do so, failed to furnish evidence to establish the issue; hence it was not required to make a finding thereon. But the conclusion does not follow. The issue of economic injury having been clearly presented, the Commission was bound to decide it one way or the other, and to make appropriate findings of fact in support of its decision. Absence of findings, whatever the reason therefor, cannot take the place of adequate findings, and the Commission's decision as to public interest, convenience and necessity cannot stand unless supported by such findings. Moreover, it is not the function of this court to review the evidence for the purpose of making findings or of justifying findings not made.³³

Having considered material in the Commission's brief relevant to Sanders Brothers' economic injury protest, the court said:

... All these considerations, persuasively argued by the Commission and fortified by reference to the evidence, indicate inescapably that there was much in the record relating to the issue of economic injury. But it is not sufficient that they be marshalled and presented in the brief on appeal. They must be prepared as findings of fact, upon which the decision of the Commission may be rested. Otherwise the administrative task has not been completed and there is no proper basis for judicial review. Under the circumstances we must hold that the Commission's decision was arbitrary and capricious and consequently must be set aside.³⁴

The Court of Appeals denied the FCC's petition for rehearing on August 2, 1939. The Commission thereupon filed a petition for writ of certiorari which was granted by the United States Supreme Court on December 11, 1939.³⁵ The Supreme Court heard the case on February 9, 1940, and rendered its decision on March 25, 1940.³⁶ The Commission's contention that Sanders Brothers had no standing to appeal to the Court of Appeals under Section 402 (b) (2) of the Communications Act on the ground of economic injury was rejected because, *inter alia*, "This view would deprive subsection (2) of any substantial effect."³⁷ However, the Court reversed the lower court's decision, saying, "We conclude that economic injury to an existing station is not a separate and independent element to be taken into consideration by the Commission in determining whether it shall grant or withhold a license."³⁸ The Court held:

... that resulting economic injury to a rival station is not, in and of itself, and apart from considerations of public interest, convenience, or necessity, an element the petitioner [FCC] must weigh, and as to which it must make findings, in passing on an application for a broadcast license.³⁹

... The Act recognizes that the field of broadcasting is one of free competition. The sections dealing with broadcasting demonstrate that Congress has not, in its regulatory scheme, abandoned the principle of free competition, as it has done in the case of railroads . . .⁴⁰

But the Act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business management or of policy. In short, the broadcasting field is open to anyone, provided there is an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel.⁴¹

Plainly it is not the purpose of the Act to protect a licensee against competition but to protect the public. Congress intended to leave competition in the business of broadcasting where it found it, to permit a licensee who was not interfering electrically with other broadcasters to survive or succumb according to his ability to make his programs attractive to the public.⁴²

The following extracts appear to impose a condition on the Court's decision:

An important element of public interest and convenience affecting the issue of a license is the ability of the licensee to render the best practicable service to the community reached by his broadcasts. That such ability may be assured the Act contemplates inquiry by the Commission, *inter alia*, into an applicant's financial qualifications to operate the proposed station.⁴³

.....

This is not to say that the question of competition between a proposed station and one operating under an existing license is to be entirely disregarded by the Commission, and, indeed, the Commission's practice shows that it does not disregard that question. It may have a vital and important bearing upon the ability of the applicant adequately to serve his public; it may indicate that both stations—the existing and the proposed—will go under, with the result that a portion of the listening public will be left without adequate service; it may indicate that, by a division of the field, both stations will be compelled to render inadequate service. These matters, however, are distinct from the consideration that, if a license be granted, competition between the licensee and any existing station may cause economic loss to the latter. . . .⁴⁴

The FCC regarded the Supreme Court's decision as a victory, especially since the Commission was fearful that the Court of Appeals' decision "may impose a heavy administrative burden upon the Commission."⁴⁵

It soon became apparent that the FCC could interpret the *Sanders Brothers* decision in more than one way. In its report to Congress for the fiscal year ending June 30, 1940, the Commission noted the decision, saying that it "sustained the contention of the Commission that the economic effect on an existing station is not an element which the Commission must consider in passing upon an application for a new station."⁴⁶ Here the FCC omitted the words "apart from considerations of public interest, convenience, or necessity" and "separate

and independent" with which the Court moderated its holding and conclusion. Similarly, the FCC made no reference to the extracts, *supra*, which also apparently imposed a condition on the Court's holding.

In its 1941 *Report on Chain Broadcasting*, however, the FCC did use the words "separate and independent" in a reference to the *Sanders Brothers* decision.⁴⁷ This report, in which the Commission promulgated and supported its "chain regulations" which were designed to eliminate certain anti-competitive radio network practices, also stated:

There is nothing in the *Sanders* opinion which gives any support to the contention that we cannot, in exercising our licensing function, consider factors which might affect the ability of the station to serve the public interest just because those factors happen to be what might be called the business of the licensee.⁴⁸

The legality of the "chain regulations" was upheld by the Supreme Court in 1943.⁴⁹

The Post-*Sanders* Era: 1940-1958

The first Commission case to apply an interpretation of the *Sanders Brothers* decision in an economic injury situation was *In the Matter of Presque Isle Broadcasting Company*,⁵⁰ decided on June 25, 1940. The FCC rejected an economic injury protestant's petition for rehearing, saying, in the most significant part,

It is inescapable that the intent of Congress would be completely nullified and the Supreme Court's declaration concerning the desirable effects of competition would be rendered entirely meaningless if the Commission were required to deny to a new station permission to enter the field merely because it would adversely affect the ability of an existing station to continue to serve the public. It is a direct contradiction of the proposition that free competition is the basic principle of the American system of broadcasting to contend that the Commission is under a duty to consider the effect which competition may have upon the ability of an existing licensee to continue to serve the public. It is implicit in the idea of free competition that public interest cannot possibly be adversely affected by the failure of an existing station to survive due to increased competition, because this result cannot follow unless the new station's competitive efforts enable it to render a superior public service. In other words, *under the statute, competition which an applicant has to face*

*may be important because his financial qualifications may depend on it; but the effect of competition with which an existing licensee is confronted as a result of the operation of a new station need not be considered by the Commission under the statute because whatever that effect may be, it is only the end-product which a system of free competition is designed to produce.*⁵¹

The Commission applied the above interpretation of the *Sanders Brothers* case in several other economic injury decisions during 1940-1941.⁵² Then, having all but completely ruled out economic injury as a ground for opposing a grant to a potential competitor, the FCC extended its policy so as to obviate the likelihood that an economic injury protestant could prevent the advent of competition by questioning the financial qualifications of an applicant to operate his proposed station. In its final economic injury determination of 1941, the Commission used its by now familiar *Sanders Brothers* reasoning and held that by filing a petition opposing a grant to a competitor, the protestant belied his contention that the applicant would be unable to derive adequate advertising revenues from the area.⁵³

Following the wartime hiatus on new station construction,⁵⁴ the FCC's procompetitive attitude, coupled with radio's amazing economic growth during the war⁵⁵ and the absence of the Commission's previous "need for service" standard, resulted in a rapid rise in AM applications, grants, and the total number of authorized stations. Even though the Commission was aware of the relationship between economic viability and a program service in the public interest,⁵⁶ and was equally aware of various factors which might be unfavorable to an expanded radio industry,⁵⁷ the FCC more than doubled the number of authorized AM stations between the end of the war and 1948.⁵⁸

In the 1950 *Cullman* case, the FCC determined that ". . . as a matter of policy, the possible effects of competition will be disregarded in passing upon applications for new broadcast stations."⁵⁹ This extension of the *Presque Isle* decision was applied in several subsequent economic injury cases.⁶⁰ A 1952 amendment to Section 309 of the Communications Act made specific provision for post-grant protests. The Commission recognized economic injury protestants as "parties in interest" under subsection (c) of the amended Section 309, but could refuse to include economic injury issues among those designated for hearing on the ground that they did not meet "the statutory

requirement for specificity . . ."⁶¹ After a series of reversals by the Court of Appeals,⁶² in several 1955 cases in which economic injury issues were among those requested for inclusion by protestants, the Commission adopted the practice of designating the related "legal and policy questions" for oral argument prior to possibly setting the requested issues for evidentiary hearing.⁶³ Where economic injury issues were set for evidentiary hearing, they were resolved against the protestant.⁶⁴

The Commission resolved the legal and policy questions concerning economic injury in its 1957 *Southeastern Enterprises* decision, in which it stated:

Thus, after a careful consideration of Congressional intent (a) in the original enactment of the Communications Act relating to broadcasting, (b) specific provisions proscribing the regulation of broadcasters as common carriers, (c) subsequent rejection by Congress of proposed amendments of the [A]ct which would delete the requirement as to demand as provided by [S]ection 307 (b) and instead require the Commission to give effect to the needs of a community and the United States Supreme Court's interpretation of Congressional intent (*Sanders* case), *we conclude that we do not have the power to consider the adverse effects of legal competition upon service to the public.*⁶⁵

In summation, the FCC's policy of avoidance in economic injury matters had progressed during the post-*Sanders* era from the 1940 *Presque Isle* decision where the Commission held that it was *not required* to consider economic injury, to the 1950 *Cullman* case in which it decided that economic injury would be disregarded as a *matter of policy*, to the *Southeastern* decision of 1957, where the Commission held that its consideration of economic injury was precluded as a *matter of law*. Thereafter the FCC refused to consider or make findings on any economic injury protests⁶⁶ until after the *Carroll* case was adjudicated in 1958.

The *Carroll* Case

On August 1, 1957, the FCC decided a case in which the grant of the application of the West Georgia Broadcasting Company to construct a radio station in Bremen, Georgia was opposed on the ground of economic injury by the Carroll Broadcasting Company, licensee of WLBB located in Carrollton, Georgia, approximately 12

miles from Bremen.⁶⁷ Carroll's protest was set for hearing after a hearing had been held on other issues involved, but the FCC refused to make findings on the economic injury issue by invoking the *Cullman* and *Southeastern* doctrines.⁶⁸

Carroll thereupon appealed to the Court of Appeals,⁶⁹ which, in its decision of July 10, 1958, rejected the FCC's long-standing interpretation of the *Sanders Brothers* decision and remanded the case to the FCC for further findings on the economic injury issue:

Thus, it seems to us, the question whether a station makes \$5,000, or \$10,000, or \$50,000 is a matter in which the public has no interest so long as service is not adversely affected; service may well be improved by competition. But, if the situation in a given area is such that available revenue will not support good service in more than one station, the public interest may well be in the licensing of one rather than two stations. To license two stations where there is revenue for only one may result in no good service at all. So economic injury to an existing station, while not in and of itself a matter of moment, becomes important when on the facts it spells diminution or destruction of service. At that point the element of economic injury ceases to be a matter of purely private concern.

The basic charter of the Commission is, of course, to act in the public interest. It grants or denies licenses as the public interest, convenience and necessity dictate. Whatever factual elements make up that criterion in any given problem—and the problem may differ factually from case to case—must be considered. Such is not only the power but the duty of the Commission.

So in the present case the Commission had the power to determine whether the economic effect of a second license in this area would be to damage or destroy service to an extent inconsistent with the public interest. Whether the problem actually exists depends upon the facts, and we have no findings upon the point.⁷⁰

While the court admitted that a protestant alleging economic injury bore a heavy burden of proof,⁷¹ it rejected the Commission's contention that it lacked the "tools"—meaning specifications of authority from the Congress—with which to make the computations, valuations, schedules, etc., required in public utility regulation" on the ground that "no such elaborate equipment is necessary for the task here."⁷² The court maintained that the FCC was "equipped to receive and appraise such evidence" as economic injury protestants might offer.⁷³ Additionally, the court cautioned that "This opinion is

not to be construed or applied as a mandate to the Commission to hear and decide the economic effects of every new license grant" and that the decision did not destroy the concept of a competitive broadcasting industry.⁷⁴ The FCC regarded the *Carroll* decision as one whose impact "adversely affected the work and procedures of the Commission . . ."⁷⁵ "The Commission recommended to the Department of Justice the filing of a petition for writ of certiorari in the Supreme Court, but this recommendation was not accepted."⁷⁶

The Post-*Carroll* Era

The court's holding in the *Carroll* case, that the FCC must consider economic injury which resulted in diminution or destruction of service as a factor related to the public interest, convenience, and necessity, ushered in the Commission's third era of avoidance. This era was more like the first than the second era in that the FCC *did* consider economic injury appeals when the protestant also offered to demonstrate that the public interest would be injured through additional competition. As in the pre-*Sanders* era, at first whatever standards could be identified were applied in a seemingly inconsistent fashion. For example, a hearing examiner refused to grant a permit for a proposed second station in a town of 4,943 in 1961, even though no station entered an economic injury protest, on the ground that "two stations in a town of less than 5,000 smacks of pretentiousness," and "stations must be rescued from their own folly in failing to recognize the seriousness of a diminution of service areas threatening their survival [adjacent channel interference would have affected stations in two neighboring communities] or even, through loss of profits, their ability to render meritorious program service."⁷⁷ But when the licensee of a station in a community of 3,411 people attempted to rescue himself from what he thought would be the Commission's folly in allowing a second station to operate in that area, the hearing examiner found that the protestant had not sustained his burden of proof and recommended a grant of the new station's construction permit.⁷⁸

Although so-called *Carroll* issues⁷⁹ were frequently designated for evidentiary hearing, a combination of factors made it improbable that the Commission would deny an application on the ground of economic injury detrimental to the public interest. These factors included:

1. The likelihood that the protestant would be unable to prove that he would be financially injured by the grant of a competitor's application.⁸⁰
2. The likelihood that if the protestant could prove that his revenues would decline substantially as a result of new or strengthened competition, he would fail to predict reasonably and accurately what operational economies he would have to institute therefore.⁸¹
3. The likelihood that if the protestant could prove that both financial loss and certain operational economies would flow from a grant to a competitor, he could not sustain the contention that the proposed economies were the best ones he could effect, and/or the conclusion that they would be more injurious to the public interest than denial of a competitor's application.⁸²
4. The likelihood that denial of a competitor's application would be predicated on grounds other than economic injury to the protestant resulting in harm to the public interest.⁸³

Several other factors coalesced to prevent *Carroll* issues from being fully adjudicated:

1. A *Michels* arrangement,⁸⁴ ordering the early renewal application of the protestant to be consolidated in the *Carroll* issue hearing, could encourage the protestant to withdraw his objections for fear of losing his license in a comparative hearing.⁸⁵
2. An applicant, knowing that he faced a long and expensive quasi-judicial process whose outcome was uncertain (and perhaps not worth the time and money if resolved in his favor), could be encouraged to withdraw his application, with or without reimbursement of expenses,⁸⁶ and/or enter into an agreement with the protestant providing for cooperative business practices and the filing of a joint petition to withdraw the protest, terminate the hearing, and grant the application(s).⁸⁷
3. A potentially successful protestant, already beset by insufficient revenues in a financially deficient service area, might lack the funds to initiate or prosecute his economic injury appeal.
4. An applicant faced with the procedural complexities and delays associated with an economic injury protest, stated or implied, could withdraw his application.⁸⁸

The Commission implemented the pre-grant protest provisions of a 1960 Communications Act amendment it supported⁸⁹ so as to require protestants to file detailed information regarding business, management, and programming conditions and projections prior to

the designation of a *Carroll* issue for either pre- or post-grant hearing.⁹⁰ Moreover, the FCC either designated a *Michels* issue in hearings for which a *Carroll* issue was specified, or else suggested that a comparative proceeding could take place at the time of the protestant's next license renewal if the *Carroll* issue outcome precluded a new station grant.⁹¹ No case in which these procedures were followed, however, was heard and decided. During this period the FCC contemplated the imposition of economic limitations on AM station assignments in a rulemaking proceeding,⁹² but subsequently adopted rules confined to technical station assignment criteria.⁹³

Conclusion

There was a much lower incidence of intramedium economic injury in television than in radio because of the establishment of a table of assignments for television.⁹⁴ This table fixed the number of TV channels that would serve any geographical area largely on the basis of area population. The exception to the Commission's general reluctance to confront directly intramedium economic injury detrimental to the public interest was its consideration of UHF stations' petitions to deny grants which would place existing VHF stations in more direct competition with them. Here the FCC's policy was clearly protectionist in that it saw fit to foster a competitive television system by restricting the degree to which UHF stations would be subject to competition from VHF outlets. In other words, the Commission's policy in such matters was that the impairment of the "ability of authorized and prospective UHF television broadcast stations . . . to compete effectively"⁹⁵ by VHF "encroachment" was contrary to the public interest. Nevertheless, the FCC's policy regarding VHF-VHF economic injury protests followed its radio policy.⁹⁶

With the exception of UHF protests regarding VHF competition, the FCC's intramedium economic injury policy has been one of avoidance. Whereas this policy was applied most consistently from 1940 to 1958, demonstrated inconsistencies affected its application in prior and subsequent eras. That avoidance has been the Commission's policy is indicated by *ad hoc* and rulemaking decisions, the erection of procedural barriers ostensibly designed to discourage protestants, and the FCC's inspired displays of ingenuity in successfully dodging the adjudication of economic injury cases on the basis of economic

injury. Obviously, then, the Commission believes that the public interest, convenience, and necessity is best served if competition between stations of the same type (i.e., radio, VHF-TV) is unfettered by economic injury considerations.

Footnotes

¹ *Federal Communications Commission v. Sanders Brothers Radio Station*, 309 U. S. 470 (1940).

² *Carroll Broadcasting Company v. Federal Communications Commission*, 258 F. 2d 440 (D.C. Cir. 1958).

³ *In the Matter of Fall River Herald News Publishing Company*, 5 FCC 377, 381 (1938).

⁴ Frederick W. Ford, "Economic Considerations in Licensing of Radio Broadcast Stations," *Federal Communications Bar Journal*, XVII (1961), p. 192.

⁵ *In the Matter of Arthur Lucas*, 5 FCC 464, 465 (1938). This procompetitive proclivity on the part of the FCC is found in other Commission decisions which were unfavorable to economic injury protestants. See *In the Matter of Wichita Falls Broadcasting Company*, 3 FCC 386, 393 (1936) (cf. Commissioner Case's dissent at 397); *In the Matter of James E. Davidson*, 4 FCC 594, 596-597 (1937); *In the Matter of Dorrance D. Roderick*, 5 FCC 563, 568-569 (1938).

⁶ Giles H. Penstone, "Meaning of the Term 'Public Interest, Convenience or Necessity' Under the Communications Act of 1934, as Applied to Applications for Licenses to Construct New Broadcasting Stations," *George Washington Law Review*, IX (June, 1941), p. 886.

⁷ *Communications Act of 1934*, Sections 308 and 319.

⁸ *Ibid.*, Section 319. (Emphasis added.)

⁹ *In the Matters of Capitol Broadcasting Co. and Radio Station WFNC*, 6 FCC 72 (1938).

¹⁰ Federal Communications Commission, *Report [to the Broadcast Division of the FCC] on Social and Economic Data Pursuant to the Informal Hearing on Broadcasting, Docket 4063, Beginning October 5, 1936* (Washington: Government Printing Office, 1938), p. 43. (Report is dated 1937.)

¹¹ 5 FCC Annual Report 182 (1939).

¹² *In the Matter of Gulf Coast Broadcasting Company*, 4 FCC 103 (1937).

¹³ *In the Matter of Saginaw Broadcasting Company, et al.*, 4 FCC 110 (1937).

¹⁴ *Ibid.*, p. 115.

¹⁵ *In the Matter of James E. Davidson*, 4 FCC 594, 596 (1937).

¹⁶ *Saginaw Broadcasting Co. v. Federal Communications Commission*, 96 F. 2d 554 (D.C. Cir. 1938), *cert. denied*, 305 U. S. 613 (1938).

¹⁷ *In the Matters of Saginaw Broadcasting Company, et al.*, 7 FCC 475, 483-484 (1939).

¹⁸ *In the Matter of Fall River Herald News Publishing Company*, 5 FCC 377, 382 (1938).

¹⁹ *In the Matter of Hazelwood, Inc.*, 7 FCC 443, 444 (1939).

²⁰ *Ibid.*

²¹ *Ibid.*

- 22 *In the Matter of Dorrance D. Roderick*, 3 FCC 616 (1937).
- 23 *Tri-State Broadcasting Co., Inc. v. Federal Communications Commission*, 96 F. 2d 564, 566 (D.C. Cir. 1938).
- 24 *Ibid.*
- 25 *In the Matter of F. W. Meyer*, 7 FCC 551 (1939).
- 26 *Ibid.*, p. 558. This is restated in *In the Matter of Summit Radio Corporation*, 7 FCC 619, 621 (1940).
- 27 7 FCC 619 (1940).
- 28 *Ibid.*, p. 622.
- 29 *Ibid.*, pp. 620-621. (Emphasis added.)
- 30 *In the Matter of Telegraph Herald, et al.*, 4 FCC 392 (1937).
- 31 *Ibid.*, pp. 393-394.
- 32 *Sanders Brothers Radio Station v. Federal Communications Commission*, 106 F. 2d 321, 323 (D.C. Cir. 1939).
- 33 *Ibid.*, pp. 324-325.
- 34 *Ibid.*, p. 326.
- 35 308 U. S. 546 (1939).
- 36 *Federal Communications Commission v. Sanders Brothers Radio Station*, 309 U. S. 470 (1940).
- 37 *Ibid.*, p. 477.
- 38 *Ibid.*, p. 476.
- 39 *Ibid.*, p. 473.
- 40 *Ibid.*, p. 474.
- 41 *Ibid.*, p. 475.
- 42 *Ibid.*
- 43 *Ibid.*
- 44 *Ibid.*, pp. 475-476.
- 45 5 FCC Annual Report 55 (1939).
- 46 6 FCC Annual Report 59 (1940).
- 47 Federal Communications Commission, *Report on Chain Broadcasting* (Washington: Government Printing Office, 1941), p. 50.
- 48 *Ibid.*, p. 84.
- 49 *National Broadcasting Company, Inc., et al., v. United States, et al.*, 319 U. S. 190 (1943).
- 50 8 FCC 3 (1940).
- 51 *Ibid.*, pp. 9-10. (Emphasis added.)
- 52 *In the Matter of Sentinel Broadcasting Corporation*, 8 FCC 140 (1940); *In the Matter of Telegraph Herald (KDTH)*, 8 FCC 322 (1940) and 8 FCC 389 (1941); *In the Matter of Burlington Broadcasting Company*, 8 FCC 366 (1941); *In the Matters of United Theatres, Inc., and Enrique Abarca Sanfeliz*, 8 FCC 489 (1941); *In the Matter of The Evening News Association (WWJ)*, 8 FCC 552 (1941).
- 53 *In the Matter of Independent Broadcasting Company*, 9 FCC 40 (1941).
- 54 *In the Matter of Policy and Procedure for Handling Standard Broadcast Applications*, 9 FCC 353 (1942).
- 55 Sydney W. Head, *Broadcasting in America* (Boston: Houghton Mifflin Company, 1956), p. 150.
- 56 Federal Communications Commission, *Public Service Responsibility of Broadcast Licensees* (Washington: Government Printing Office, 1946), p. 47.
- 57 Federal Communications Commission, *An Economic Study of Standard Broadcasting* (Washington: Government Printing Office, 1947), pp. 96-97. (Mimeographed.)

⁵⁸ There were 912 authorized AM stations at the end of the 1943 fiscal year, 924 in 1944, 955 in 1945, 1,215 in 1946, 1,795 in 1947, and 2,034 in 1948. (14 FCC Annual Report 26 (1948).)

⁵⁹ *In re The Voice of Cullman*, 14 FCC 770, 776 (1950).

⁶⁰ See, for example, *In re The Montana Network*, 14 FCC 1179 (1950); *In re Reidsville Broadcasting Company, Inc.*, 15 FCC 179 (1950).

⁶¹ *In re Van Curler Broadcasting Corporation*, 11 R.R. 215, 219 (1954).

⁶² *Camden Radio, Inc. v. Federal Communications Commission*, 220 F. 2d 191 (D.C. Cir. 1955); *Greenville Television Company, et al. v. Federal Communications Commission*, 221 F. 2d 870 (D.C. Cir. 1955); *Metropolitan Television Company v. Federal Communications Commission*, 221 F. 2d 879 (D. C. Cir. 1955).

⁶³ *In re American Southern Broadcasters (WPWR)*, 11 R.R. 1054 (1955); *In re Radio Tifton (WTIF)*, 11 R.R. 1167 (1955); *In re Iredell Broadcasting Company (WDBM)*, 12 R.R. 573 (1955); *In re Southeastern Enterprises (WCLE)*, 12 R.R. 578 (1955).

⁶⁴ *In re The Spartan Radiocasting Company (WSPA-TV)*, 13 R.R. 589 (1956); *In re Howard E. Griffith (KUZN)*, 13 R.R. 1125 (1956).

⁶⁵ *In re Southeastern Enterprises (WCLE)*, 22 FCC 605, 614 (1957). (Footnotes omitted and emphasis added.)

⁶⁶ *In the Matter of Kaiser Hawaiian Village Television, Inc.*, 22 FCC 750 (1957); *In re Kaiser Hawaiian Village Radio, Inc.*, 22 FCC 941 (1957); *In re Midland Empire Broadcasting Company*, 22 FCC 753 (1957), *petition for rehearing denied*, 23 FCC 655 (1957); *In the Matter of Lebanon Broadcasting Company et al. and Triangle Publications, Inc.*, 22 FCC 952 (1957); *In re William E. Walker et al. and Guild Films Company, Inc.*, 15 R.R. 177 (1957); *In re Iredell Broadcasting Company*, 23 FCC 79 (1957); *In re West Georgia Broadcasting Company (WWCS)*, 23 FCC 255 (1957); *In re WKST, Inc. (WKST-TV)*, 15 R.R. 920 (1957); *In re American Southern Broadcasters (WPWR)*, 23 FCC 631 (1957), *permit denied on other grounds*; *In re Video Independent Theatres, Inc.*, 24 FCC 403 (1958); *In re Western Nebraska Television, Inc.*, 24 FCC 513 (1958).

⁶⁷ *In re West Georgia Broadcasting Company (WWCS)*, 23 FCC 255 (1957).

⁶⁸ *Ibid.*, pp. 262-263.

⁶⁹ *Carroll Broadcasting Company v. Federal Communications Commission*, 258 F. 2d 440 (D.C. Cir. 1958).

⁷⁰ *Ibid.*, p. 443.

⁷¹ Cf. *WOKO, Inc. v. Federal Communications Commission*, 109 F. 2d 665, 668 (D.C. Cir. 1939).

⁷² 258 F. 2d 440, 443-444.

⁷³ *Ibid.*, p. 444.

⁷⁴ *Ibid.*, p. 443.

⁷⁵ 25 FCC Annual Report 27 (1959).

⁷⁶ *Ibid.*, p. 28.

⁷⁷ *In re Montana Empire Radio Company*, 30 FCC 739, 742-743 (1961).

⁷⁸ *In re Brush Broadcasting Company*, 36 FCC 129 (1964).

⁷⁹ This hearing issue takes its name from *In re West Georgia Broadcasting Company (WWCS)*, 27 FCC 161 (1959), the supplemental decision adopted on July 15, 1959, pursuant to the Court of Appeals' *Carroll* decision, *supra*. The economic injury issue was phrased as follows: "To determine whether a grant of the application would result in such an economic injury to the protestant as would impair the protestant's ability to continue serving the pub-

lic, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations." (*Ibid.*, p. 162.)

⁸⁰ *In re Martin Karig*, 30 FCC 557 (1961).

⁸¹ *In re John Self*, 37 FCC 981 (1964).

⁸² See *In re West Georgia Broadcasting Company (WWCS)*, 27 FCC 161, 173-174 (1959).

⁸³ *In re Rhinelander Television Cable Corporation*, 24 R.R. 1181 (1963), 37 FCC 1071 (1964).

⁸⁴ *In re Herbert P. Michels (WAUB)*, 17 R.R. 557, 559-560 (1958). The Michels procedure was rejected by the FCC as a matter of policy from 1959 to 1963.

⁸⁵ *In re Atom Broadcasting Corporation (WAUB)*, 17 R.R. 560d (1960).

⁸⁶ *In re Bigbee Broadcasting Company*, 4 R.R. 2d 485 (1965), *set aside by Review Board*, 5 R.R. 2d 248 (1965); *In re Charles H. Haggard and Kenneth R. Rogers*, 24 R.R. 670 (1962).

⁸⁷ *In re KTIV Television Company, et al.*, 4 R.R. 2d 243 (1965). (This case involved a UHF station's petition to deny VHF stations' applications for changed transmitter sites and increases in antenna height and power.)

⁸⁸ The history of such a case is related in: *In re William L. Ross*, 23 R.R. 992 (1962), 25 R.R. 360 (1963); "FCC members at odds over economic injury issue," *Broadcasting*, May 14, 1962, p. 52; "Someone Goofed," *Broadcasting*, May 21, 1962, pp. 50-52; "The FCC vacillates on Riverton hearing," *Broadcasting*, May 28, 1962, p. 50; "Riverton hearing sans economic injury," *Broadcasting*, July 23, 1962, p. 47; "Wyoming AM Applicant Withdraws," *Broadcasting*, July 22, 1963, pp. 46, 50.

⁸⁹ See United States Congress, House, Committee on Interstate and Foreign Commerce, *Conditional Grants, Pregrant Procedure, Local Notice, Local Hearings, Payoffs, Suspension of Licenses, and Deceptive Practices in Broadcasting*, Hearings before Subcommittee, 86th Congress, 2d Session, April 12-13, 1960 (Washington: Government Printing Office, 1960), p. 31, and 27 FCC Annual Report 47-48 (1961). The amended Section 309 stipulated that petitions to deny must show that protested grants were *prima facie* contrary to the public interest before the FCC could designate such contested applications for hearing.

⁹⁰ These pleading standards were stated by the Commission in *In re Missouri-Illinois Broadcasting Company (KZIM)*, 3 R.R. 2d 232, 235-236 (1964).

⁹¹ *In re Missouri-Illinois Broadcasting Company (KZYM) and KGMO Radio-Television, Inc.*, 5 R.R. 2d 452 (1965).

⁹² *AM Station Assignment Standards and the Relationship Between the AM and FM Broadcast Services*, 28 Fed. Reg. 5208 (1963).

⁹³ *Amendment of Part 73 of the Commission's Rules, Regarding AM Station Assignment Standards and the Relationship Between the AM and FM Broadcast Services*, 29 Fed. Reg. 9492 (1964).

⁹⁴ *Sixth Report and Order in Docket Nos. 8736, 8975, 8976, and 9175*, 17 Fed. Reg. 3905 (1952).

⁹⁵ *In re Selma Television, Inc. (WSLA-TV)*, 4 R.R. 2d 714, 724 (1965). Also see *In re Triangle Publications, Inc. (WNHC-TV)*, 29 FCC 328 (1958), 29 FCC 315 (1960), 37 FCC 326 (1963), 37 FCC 307 (1964); *In re WHAS, Inc. (WHAS-TV)*, 31 FCC 273 (1961); cf. *In re WHAS, Inc. (WHAS-TV)*, 4 FCC 2d 724 (1966).

⁹⁶ *In re K-Six Television, Inc. (KVER)*, 6 R.R. 2d 462 (1965), 7 R.R. 2d 128 (1966); *In re K-Six Television, Inc., and Southwest Operating Company*, 7 R.R. 2d 606 (1966).

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Economic Issues Relating to the FCC's Proposed "One-to-a-Customer" Rule

While the preceding article discusses the theoretical and legal aspects of intramedium "economic injury" pleas, the present article analyzes ownership and audience data to determine some effects of cross-media ownership. Do owners of more than one station in a given market (or owners of a station and a newspaper in the same market) find that their stations are more profitable than do owners of but a single station in a given market? After statistical analysis, the authors arrive at a "generally, no" answer.

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Background

ON March 27, 1968, the Federal Communications Commission issued a notice of proposed rule making (in Docket No. 18110) that would prohibit any party controlling a fulltime broadcasting license within a market from being granted an additional fulltime license within the same market. The notice was adopted by a unanimous vote of the Commission (6-0 with Commissioner Bartley absent).

In a subsequent interpretative pronouncement, the Commission stated that the provision of the proposed rule would apply to acqui-

sitions of AM, FM or television stations licensed to different cities if the 1 mv/m contour of the AM station overlapped the 1 mv/m contour of the FM station or if these contours overlapped the Grade B contour of a commonly owned television station. An appendix to the original notice indicated that the proposed rule would not "be applied so as to require divestiture, by any licensee, of existing facilities." According to the original notice, the rationale of the Commission's proposed action was to "promote maximum diversification of programming sources and viewpoints." The initial concern of the Commission appears to have been with the possibility of programming and information control exercised by licensees with multiple facilities in a single market.

In early August of 1968, the Department of Justice filed comments relating to the proposed rule. In their comments, the Department suggested that the Commission amend the ruling so as to require divestiture of multiple station holdings within a market at license renewal time, and further that the ruling should be extended to apply to the common ownership of broadcasting stations and newspapers within a market. The Department's comments stated, "We therefore urge the Commission to consider carefully the advisability and feasibility of extending, in some form, the policy of proposed amendments to license-renewal proceedings and to newspaper-broadcasting combinations." The Department proceeded to say "It is both permissible and desirable for the Commission to refer to antitrust standards for guidance," and the "clear effect of combined ownership of similar broadcast media in the same local market is to . . . lessen the degree of competition for advertising between these alternative media." Thus the comments filed by the Department of Justice suggested two new dimensions to the proposed rule making: the issue of cross media ownership, and the issue that cross media ownership or co-located licenses results in anticompetitive economic behavior.

Purpose of the Study

It is the purpose of this research to examine the contention that ownership consolidations such as those described by the FCC and the Department of Justice result in anticompetitive economic control. This contention will be examined by comparing the revenue per home delivered for stations owned by multiple licensees with the

revenue per home delivered for stations owned by single licensees, and by comparing similar revenue data for stations owned cooperatively with newspapers and stations without such an affiliation.

Advertising revenues are attracted by mass media on the basis of their ability to deliver audiences for advertising messages. It is commonly understood that some cost-per-thousand (listeners, viewers, or readers) is the economic base for all advertising media. Thus, if anticompetitive practices result from the ownership of more than one medium in a market, media so consolidated must be obtaining revenues significantly disproportionate to their ability to deliver audiences. A lack of significantly different relationships between audience delivery and revenues for broadcasting stations owned in common with other media in a market and stations singly owned would lead to the conclusion that no such anticompetitive forces are at work.

This research, then, poses the following specific questions:

1. Do television stations owned by multiple licensees achieve significantly more network revenue, spot revenue, local revenue or total revenue per home delivered than do television stations owned by single licensees?
2. Do radio stations owned by multiple licensees achieve significantly more network revenue, spot revenue, local revenue or total revenue per home delivered than do radio stations owned by single licensees?
3. Do television stations owned by licensees who own a newspaper in the same market achieve significantly more network revenue, spot revenue, local revenue or total revenue per home delivered than do television stations owned by licensees who do not own a newspaper in the market?
4. Do radio stations owned by licensees who own a newspaper in the same market achieve significantly more network revenue, spot revenue, local revenue or total revenue per home delivered than do radio stations owned by licensees who do not own a newspaper in the market?

It was the position of this research team that for the Justice Department's argument to be considered a strong one, a substantial and significant difference must be observed between multiple licensees and single licensees or between cross media owners and non-cross

media owners on the index of *total revenue*. Differences on the other indices (network, spot, and local revenue) only indicate different services being supplied to the marketplace. Indeed, these latter differences without a difference on total revenue might well be interpreted as the market place being better served by a diversity of ownership types.

Methodology

Definition of Terms: Terms used herein were defined so as to be pertinent directly to the proposed rule.

"Fulltime broadcasting station" refers to any unlimited time AM station, any FM station, and/or any television station.

"Multiple licensee" is used to refer to owners who control more than one fulltime broadcast station within a market. (The term is applied also to the stations themselves.)

"Single licensee" is used to refer to owners who control only one fulltime broadcast station within a market. (The term is applied also to the stations themselves.)

The Sample: The sample consisted of all television and radio stations for which comparable revenue and audience data were available for the year 1965. The use of this sample assumes, of course, that while the specific dollars generated per home delivered may vary from year to year, the relationships between these variables remain relatively constant. The sample thus consisted of 505 television stations and 602 radio stations, and was limited primarily by the availability of comparable audience data. Various specific characteristics of the sample are presented in Table I.

The Data: Television audience data used were the average homes reached per quarter-hour, 9 AM-Midnight, as provided by the American Research Bureau. Radio audience data used were the average unduplicated homes reached per day as provided by Pulse, Inc. Revenue data used were the network revenue, national and regional spot revenue, local revenue, and total revenue, as reported by stations to the Federal Communications Commission on FCC Form 324. All the above data were available on magnetic computer tape records (which conceal the identity of individual stations) from Ohio University's Broadcast Research Center.¹

TABLE I
Sample Characteristics

	Type		Affiliation		Market Rank		
	UHF	VHF	Network	Non-Network	1-50	51-100	101+
Television (N=505)							Total
Multiple licensee	40	275	303	12	120	90	105
Single licensee	32	158	174	16	53	50	87
Licensee owning newspaper	9	92	98	3	43	31	27
Licensee not owning newspaper	63	341	379	25	130	109	165
Total	72	433	477	28	173	140	192

	Class		Time		Market Rank		
	Local	Regional	Daytime	Fulltime	1-50	51-100	101+
Radio (N=602)							Total
Multiple licensee	59	223	10	272	201	49	32
Single licensee	170	150	131	189	177	93	50
Licensee owning newspaper	9	46	3	52	38	13	4
Licensee not owning newspaper	220	327	138	409	340	129	78
Total	229	373	141	461	378	142	82

Procedure: Regression analysis was conducted over the independent variable of average audience delivered and each of the dependent variables of network revenue, spot revenue, local revenue and total revenue over all cases for both radio and television. Each of these regression analyses was significantly non-linear. This finding of non-linearity indicates that the linear regression model inadequately describes the data. As a result correlation coefficients thus obtained may be spuriously high (or low). Since the regression analyses were found to have limited utility, a new program of analysis was adopted. Each of the revenue figures was divided case-by-case by the audience delivery figure to obtain a "return per household" ratio. These ratios then were subjected to analysis of variance.

Results

Ten analyses of variance tests were required to accomplish the primary objectives of the research. These analyses examined the network, spot, local and total revenue per home delivered for the following classes of broadcasting stations:

1. Television: all Multiple licensees vs. all Single licensees
2. Television: Multiple licensees vs. Single licensees in markets 1-50
3. Television: Multiple licensees vs. Single licensees in markets 51-100
4. Television: Multiple licensees vs. Single licensees in markets 101 and up
5. Radio: all Multiple licensees vs. all Single licensees
6. Radio: Multiple licensees vs. Single licensees in markets 1-50
7. Radio: Multiple licensees vs. Single licensees in markets 51-100
8. Radio: Multiple licensees vs. Single licensees in markets 101 and up
9. Television: Licensees with newspaper facility in market vs. Licensees who have no such facility
10. Radio: Licensees with newspaper facility in market vs. Licensees who have no such facility

Significant differences were found in only three of these ten analyses (2, 5 and 6 above). These analyses are presented in Tables II, A and B, which follow. More complete treatment of these examinations were then conducted.

With regard to television data, variance analysis over the four revenue figures across the ownership variable indicated no significant differences between multi-owned and single-owned stations.

In order to determine whether market characteristics could be masking an important difference between the ownership types, the data were divided into three market categories: markets 1-50, 51-100, and 101 and higher. No significant differences were found between ownership types in the market categories of 51-100 and 101 and higher. In the first 50 markets a significant interaction was found between ownership and revenue. Because of this significant interaction, additional analyses were run over each of the revenue types. Table III presents the mean score and t-tests of difference for each

TABLE II A
Mean Revenue Generated

	Network Revenue	Spot Revenue	Local Revenue	Total Revenue
TELEVISION: MARKETS 1-50^a				
Multiple licensees	11.29	44.29	16.44	63.65
Single licensees	9.26	42.53	24.35	68.28
RADIO: ALL MULTIPLE LICENSEES VS. ALL SINGLE LICENSEES^b				
Multiple licensees	.47	7.75	12.53	18.97
Single licensees	.23	4.71	13.53	17.27
RADIO: MARKETS 1-50^c				
Multiple licensees	.46	8.19	11.07	17.69
Single licensees	.17	5.09	11.07	14.76

^a Mean revenue generated per average quarter hour homes delivered, 9 AM—Midnight.

^b Mean revenue generated per unduplicated homes delivered per day.

^c Mean revenue generated per unduplicated homes delivered per day.

TABLE II B
Analyses of Variance

Source	DF	Sums of Squares	Mean Squares	F-Ratios
TELEVISION: MARKETS 1-50				
Subjects	172	1144946687.99	6656665.99	
Ownership Type	1	7024639.99	7024639.99	1.0556
Error	171	1137922047.99	6654513.99	
Within	519	4184051711.99	8061755.99	
Revenue	3	3169996799.99	1056665599.99	548.9194
Own. X Rev. (AB)	3	26533887.99	8844628.99	4.5946*
Interaction	513	987521023.99	1924992.00	
Total	691	5328998399.99	7712008.99	
RADIO: ALL MULTIPLE LICENSEES VS. ALL SINGLE LICENSEES				
Subjects	601	1438145023.99	2392920.00	
Ownership Type	1	5904384.00	5904384.00	2.4735
Error	600	1432240639.99	2387067.00	
Within	1806	2100057343.99	1162822.00	
Revenue	3	1090870015.99	363623167.99	657.5793
Own. X Rev. (AB)	3	13837311.99	4612437.00	8.3412*
Interaction	1800	995350015.99	552972.18	
Total	2407	3538202367.99	1469963.00	
RADIO: MARKETS 1-50				
Subjects	377	621655551.99	1648953.00	
Ownership Type	1	9437183.99	9437183.99	5.7959
Error	376	612218367.99	1628240.00	
Within	1134	960489727.99	846992.68	
Revenue	3	519860991.99	173286991.99	451.5833
Own. X Rev. (AB)	3	7779071.99	2593024.00	6.7574*
Interaction	1128	432849663.99	383731.93	
Total	1511	1582145279.99	1047084.87	

* Significant beyond the .05 level of confidence.

of the ownership types over the four revenue categories. Inspection of this table indicates that television stations in the top 50 markets owned by multiple licensees received significantly more revenue per home delivered from network sources than did stations in these markets owned by single licensees; single licensee stations received significantly more revenue per home delivered from local sources

than did multiple licensee stations; multiple licensee stations received slightly, but not significantly more revenue per home delivered from spot sales; and while single licensee stations received slightly more total revenue per home delivered than did multiple licensee stations, this difference was not statistically significant.

With regard to radio data, analysis over the four revenue figures across the ownership variable also indicated a significant interaction. Table IIB gave a summary of this analysis. The analysis was therefore broken into its simple components. Mean scores and t-tests of difference are reported in Table III, which shows that multiple radio licensees received significantly more revenue per home delivered from network and spot sales; single licensees received slightly, but not significantly, more revenue per home delivered from local sales; and multiple licensees received slightly, but not significantly, more revenue per home delivered from total sales.

TABLE III
Mean Scores and t-Tests of Differences
for Selected Classes

	Multiple Licensees	Single Licensees	t
TELEVISION STATIONS IN MARKETS 1-50 (N=173)			
Network revenue	11.29	9.25	2.56*
Spot revenue	44.29	42.53	.54
Local revenue	16.43	24.35	3.24*
Total revenue	63.65	68.28	1.13
ALL RADIO STATIONS (N=602)			
Network revenue	.47	.20	4.07*
Spot revenue	7.72	4.65	5.79*
Local revenue	12.50	13.53	1.09
Total revenue	18.93	17.18	1.43
RADIO STATIONS IN MARKETS 1-50 (N=378)			
Network revenue	.46	.17	3.92*
Spot revenue	8.19	5.09	4.87*
Local revenue	11.07	11.07	0.0
Total revenue	17.69	14.76	2.30*

* Significant at or beyond .05 level of confidence.

Again the effect of market size was examined. Again there were no significant differences between radio ownership types in the market categories of 51-100 and 101 and higher. In the 1-50 market category the interaction was significant. A summary of this result was presented in Table IIB. Additional analyses were run on the 1-50 market category. The mean scores and t-tests of differences are reported in Table III. In the top 50 markets, multiple licensee stations received significantly more revenue per home derived from network, spot, and total sources; there was no difference between the ownership types with regard to revenue per home delivered from local sources.

An investigation was also made of possible differences in revenue per home delivered from network, spot, local and total sources between stations with newspaper affiliations within the same market, and stations without such affiliations. In television, no significant differences were found between these ownership groups. It is interesting to note, that while the difference is not statistically significant, stations owned by newspaper owners received lower average revenues per home delivered from all sources than did stations not owned by newspaper owners. In radio also there were no significant differences between stations with newspaper affiliations and stations without such affiliations.

Discussion

Considering both television and radio data, the comparisons between stations owned by multiple licensees and those owned by single licensees and the comparisons between stations with newspaper affiliation and stations without newspaper affiliation indicated no significant differences on total revenue. On these four primary analyses no significant differences were found between the ownership types examined in regard to total revenue per home delivered. Therefore, the Department of Justice's general hypotheses that "the clear effect of combined ownership of similar broadcast media in the same local market is to . . . lessen the degree of competition for advertising between these alternative media," is not supported by the data analyzed.

But what of the validity of the data? The validity of the data and subsequent conclusions rests on two assumptions: First, that 1965 was a representative year in regard to the variables analyzed.

Second, that the sample of stations drawn was representative of operating stations during the year 1965. In television the station sample included 92% of the total population (stations on the air for the full year). Consequently, the credibility of the television sample must be very high. In radio, the sample included 15% of the total population of AM stations operating for the full year. While not nearly as high as the television sample, the proportion is substantial when we consider the proportion used for predictive purposes in research such as national polls, studies of deviant behavior, and so forth.

In regard to differences observed between these ownership types on indices of specific revenue, as was indicated the investigators feel that such differences are unimportant to the issue at hand. Furthermore, they contend that such differences can readily be interpreted to mean that the market place for advertising is better served by a diversity of ownership types. The rationale for this contention is as follows: Every broadcast facility has a finite inventory of time to sell. The demands on this inventory are relatively high. And the sources of these demands have different requirements for their needs to be met. It is reasonable to assume then that facilities with affiliations with other media and those without such affiliations each can better serve some proportion of the advertising market. It is apparent from the data analyzed that stations with co-located licensees better serve the national and regional requirements, and stations without co-located licensees better serve the local or retail market. This may partly be due to the ability of multiple licensees or those stations with affiliations with other media more efficiently and economically to sell time to national advertisers in centers such as New York. Further, it is our opinion that it is reasonable to assume that should such diversity of ownership types be struck down, the market place would not be as well served.

One sub-analysis, Radio Stations Owned by Multiple Licensees in the Top 50 Markets vs. Radio Stations Owned by Single Licensees in the Top 50 Markets, resulted in a significant difference between the ownership types in regard to total revenue. In order to examine this finding further to determine the possibility of the significant difference resulting from other more basic characteristics, the multiple vs. single licensee classes were divided into local and regional/clear channel categories. (Unfortunately the magnetic tape records avail-

able do not distinguish between regional and clear channel stations.)² These analyses indicate that for local stations, this significance disappears, and, in fact, the total revenue per home delivered for local stations owned by single licensees is higher, though the difference is not statistically significant, than is the total revenue per home delivered for local stations owned by multiple licensees. This finding suggests that it may be more fruitful to investigate the market characteristics rather than the ownership characteristics of stations to discover the determinants of revenue per home delivered.

Conclusions

From this study these conclusions seem warranted:

1. In television, looking at the comparison between multiple licensees and single licensees over all markets and within the market rank categories of 1-50, 51-100, and 101 and above, there is no ownership effect on total revenue per home delivered.

2. Again in television, looking at the comparison between stations with newspaper affiliation and those without such an affiliation, there is no ownership effect on total revenue per home delivered.

3. In radio, looking at the comparison between multiple licensees and single licensees over all markets and within the market rank categories of 51-100 and 101 and above, there is no ownership effect on total revenue per home delivered.

4. In radio, looking at the comparison between multiple licensees and single licensees within the market rank category of 1-50, an ownership effect on total revenue per home delivered appears. Additional analyses indicate that variables other than simple ownership characteristics also are relevant.

5. Finally, in radio, looking at the comparison between stations with newspaper affiliation and those without such an affiliation, there is no ownership effect on total revenue per home delivered.

Footnotes

¹This research was sponsored by WGN-Continental and associated entities. It was filed with the Commission by attorneys for WGN. A more detailed presentation of these findings is available from the authors in *An Investigation of the Economic Issues Relating to the FCC's Proposed "One-to-a-Customer" Rule and Related Comments by the Department of Justice* (School of Radio-Television, Ohio University, Athens, Ohio, 1969).

²Although differences between network affiliations were not explored in this study, in other similar analyses it was found that network affiliation makes little difference as long as one is dealing with a dollar/audience ratio. The affiliation changes audience size, but not the ratio in most cases.

MARY ALICE MAYER

British Commercial Television: Advertising, Revenues, Taxes

Few Americans are familiar with the financial structure of commercial television in Great Britain. This article is intended to illuminate the sometimes tortured fiscal relationships between ITA, the programme contractors, and the British government. Dr. Mayer, an independent television consultant, is assistant professor at the University of Illinois, Chicago Circle.

THE introduction of the Independent Television Authority (ITA) in Britain in 1954 represented a revolution in what was widely regarded as the world's principal stronghold of non-commercial monopoly broadcasting. The change was adopted after an arousal of intense public interest, political maneuvering and vehement parliamentary debate.¹

Advertising

As a normal consequence of the sharp debate and bitter feelings engendered by the prospect of a commercially supported broadcasting system, stringent statutory provisions and rules and regulations were adopted for application to advertising through Independent Television. The regulatory provisions pertaining to advertising derive from several sources: the Television Act and the regulations promulgated by the Postmaster General; rules and interpretations by the ITA (after required consultation); and the regulations of the individual programme companies.

The Television Act determines policy for television advertising. In the present Act, as well as in the original Act of 1954, the complete separation of advertising from programme content is a fundamental requirement and one of the most important features of the whole system. The unequivocal statutory language requires that "the advertisements must be clearly distinguishable as such and recognizably separate from the rest of the programme."² Implementing this requirement, the Act adds the following restriction:

... Nothing shall be included in any programmes broadcast by the Authority, whether in an advertisement or not, which states, suggests, or implies, or could reasonably be taken to state, suggest or imply, that any part of any programme broadcast by the Authority which is not an advertisement has been supplied or suggested by any advertiser; and, except as an advertisement, nothing shall be included in any programme broadcast by the Authority which could reasonably be supposed to have been included therein in return for payment or other valuable consideration to the relevant programme contractor or the Authority.³

A specific statutory exception to the foregoing permits the inclusion, among others, of items designed to assist charitable or benevolent organizations, reviews of literary, artistic or other publications or productions, and factual portrayal of events deemed by the Authority to have intrinsic interest or instructiveness. The exceptions are obviously deemed to be in the public interest, and are not intended in any way to relax the general prohibition against giving the viewer the impression that an advertiser has sponsored or provided a programme.⁴

Although the sale of advertising time supplies the bulk of Independent Television's income, it appears that the advertisers are accorded no voice in programme decisions, may not mention or imply any connection with the programmes, and are precluded from employing the performers to participate in the commercials. The stringency in enforcement of the separation rule is indicated by the fact that newspaper advertisements of a future television commercial may not even invite viewers to watch the programmes during which the commercial will appear, the permissible reference being only to the time the commercial will be telecast.

The Independent Television Authority and the programme companies alone share in programme production. The advertisers, on the other hand, simply purchase air time for the insertion of their com-

mercials. Although the advertisers may choose the time for the broadcast of their commercials, they have no voice in the selection of the adjoining programmes. In this respect the situation is similar to the purchase of advertising time on the cinema screen or non-specific advertising space in a newspaper.

To assist in maintaining high advertising standards, the Authority is required to appoint (1) an Advertising Advisory Committee to recommend appropriate advertising principles and to give advice toward the elimination of misleading advertisements, and (2) a Medical Advisory Panel for consultation regarding advertisements pertaining to medicines and medical and surgical treatments and appliances.⁵ It is also the duty of the Authority to draw up a code governing standards and practice in advertising and prescribing the advertisements and methods of advertising to be prohibited.⁶

The present Code, prepared in consultation with the Advertising Advisory Committee and the Medical Advisory Panel, was adopted in July, 1964 and amended August 1, 1965 to provide for the prohibition of the advertising of cigarettes and cigarette tobacco. It prescribes in broad terms that all advertising should be "legal, clean, honest, and truthful" and in compliance with the law in every respect.⁷ It also gives a detailed list of specific things that must be done or omitted. In this regard, special attention is directed to advertising beamed to children and to advertising of medicines and treatments.

No product or service may be shown, in a programme intended for or readily available to children, which might result in harm to them "physically, mentally or morally," and "no method of advertising may be employed which takes advantage of the natural credulity and sense of loyalty of children." The Code then sets out a number of restrictions upon advertising directed to children. For example, no advertisement is acceptable which encourages children to enter strange places or converse with strangers to collect coupons, wrappers, etc., or which leads children to believe they will be inferior to other children if they do not own the product being advertised, or which causes children to make themselves a nuisance to other people for the purpose of inducing purchase of the product being advertised.⁸

The Code restricts in detail the advertising of medicines and treatments on the ground that "the harm to the individual that may result

from exaggerated, misleading or unwarranted claims justifies the adoption of a very high standard and the inclusion of considerable detail in a Code designed to guide those who are concerned with this form of advertising."⁹ The provisions include a ban on certain items deemed unacceptable for advertising by broadcasting, such as contraceptives, smoking cures, clinics for the treatment of hair and scalp. In addition, among other things, the Code does not permit testimonials by well-known persons in medical advertising, the use of the word "tonic," or the statement or implication that health may be endangered for failure to supplement one's diet with vitamins.¹⁰

Advertisements may not be inserted in the course of any broadcast of: a religious service, a formal Royal ceremony or occasion, or programmes designed and broadcast for reception in schools. Two-minute insulation periods without advertising are required before all such programmes, and a one-minute break is required after a programme.¹¹ The Television Act entirely excludes advertisements "inserted by or on behalf of any body the objects whereof are wholly or mainly of a religious or political nature," or which are "directed towards any religious or political end" or have "any relation to any industrial dispute." This section is strictly enforced. A religious group may not even urge attendance "next Sunday at the church of your choice."¹²

Scientific terms and statistics must be handled in a manner which might well be followed in certain American advertising:

Scientific terms, statistics, quotations from technical literature and the like must be used with a proper sense of responsibility to the ordinary viewer. Irrelevant data and scientific jargon must not be used to make claims appear to have a scientific basis they do not possess. Statistics of limited validity should not be presented in such a way as to make it appear that they are universally true.¹³

The Television Act does not in so many words restrict the amount of permissible advertising; but it sets out a broad policy provision to the effect "that the amount of time given to advertising in the programmes shall not be so great as to detract from the value of the programmes as a medium of information, education and entertainment."¹⁴ Also, advertisements shall not be inserted otherwise than at the beginning or the end of the programme or in "natural breaks therein."¹⁵ The Authority allows a maximum of six minutes of spot advertising an hour (10% of the screen time) averaged over a day's

programmes. A further rule permits a maximum of seven minutes in any single clock-hour, e.g. 8-9 p.m. Consistent with the "natural breaks" premise, the Authority is prepared occasionally to lift the seven-minute per hour ceiling on advertising, assuming, of course, that the excess in any one hour is always counterbalanced by an equivalent reduction in the advertising time in other clock-hours of the same broadcast day in order to operate within the daily limits.¹⁶ The length of advertising intervals may be up to 2½ or 3 minutes, and the number of intervals of advertising is limited to an average of slightly less than three an hour over any broadcast week.¹⁷

Since, as above noted, all television advertising must be "legal, clean, honest and truthful," the ITA has the duty and the power to exclude from television any advertisement that reasonably could be said to be misleading, and to decide as to the classes and descriptions of advertising that should be denied access to television. In regard to proscribed classes and methods of advertising, it is mandatory upon the "Authority to consult from time to time with the Postmaster General as to the classes and descriptions of advertisements which must not be broadcast and the methods of advertising which must not be employed, and to carry out any directions which he may give them in those respects."¹⁸ Parenthetically, it should be observed that the Postmaster-General wields, in addition to the specific authority mentioned in regard to advertising, the power to appoint and dismiss the members of the Authority.¹⁹ It should be noted that the specialist staff of the Authority and the professional specialists of the programme companies jointly preview on a daily basis proposed commercials before they are accepted for broadcasting to preclude the inclusion of anything objectionable either as to tone, style of presentation or other aspects of the treatment of the subject. Thus, through the Television Act, the ITA is one of the country's official instruments of consumer protection.²⁰

Television advertising is subject to some 30 other acts of Parliament by which it is restricted, controlled or in some manner affected, e.g., Indecent Advertisements Act, 1889; Pharmacy and Medicines Act, 1942; Food and Drugs Act, 1955, and Misrepresentation Act, 1967. It will also be recalled that advertising is further circumscribed by the ITA Code of Advertising Standards and Practice, which is given the force of law by the Television Act. Finally, additional restrictions in advertising are imposed on the programme companies by their ad-

herence to the codes adopted by their own self-regulatory organizations, such as the Institute of Practitioners in Advertising.²¹

Finance

Any broadcasting company, for enjoying the privilege of broadcasting and the benefits of the resultant (and sometimes glamorously attractive) profits, is subject to financial regulation and taxation legislation. The case in point, Britain's Independent Television Authority and its programme companies, is no exception. It, in fact, offers an informative and strikingly interesting illustration of the familiar trio—advertising, profits, taxation—the general financial cycle of the commercial television industry.

In the area of finance, the ITA has the responsibility to realize adequate income to defray all operating and administrative expenses, to provide for depreciation on its transmitting stations and other depreciable assets, to pay for its capital expenditures, and to place its excess of annual earnings in a reserve account.²² It should also be noted that, like any ordinary business entity in Great Britain, the ITA is liable for income tax.

The finances of the ITA are separate and apart from those of the several programme companies. The Authority derives its income entirely from rents paid by the programme companies for the privilege of broadcasting over the ITA's transmitters. During the original statutory period of the Authority's existence (1954-1964) the rates set in 1954 were low in terms of earnings of the programme companies and their capacity to pay. During this period, fabulous profits were being realized by the programme companies since they could charge the high prices that the advertisers were able to bear, and the government could share in such profits only through normal tax processes. This is not to say, however, that the ITA itself was impoverished, for in fact it was doing very well financially during its initial decade of operations. For example, shortly after the Television Act became effective in July, 1954, the government loaned the Authority 555,000 pounds payable by June, 1964; but ITA's income was so substantial as to permit repayment by July, 1959, five years before the due date.

Some public debate took place over the policy that should be followed by the Authority in setting rents for programme companies. The

Authority consistently took the position that under the Television Act it was required to collect in rents only enough to defray its operating costs and other financial charges and necessary reserves, and that it was under no obligation to build a surplus for the Treasury. Rentals to the programme companies varied with the population density in their respective areas, and were not related in any way to operating profits. Subsequent contracts, made after the profitability of commercial television had been established, set higher rental rates for the programme companies. Despite these adjustments, in 1961 Burton Paulu described the situation as follows: "Whatever may be said formally and publicly, the ITA itself is embarrassed by this high profit rate, and everyone expects something to be done about it after 1964, if not before."²³

When the new Television Act became effective on July 30, 1964, the Parliament made provision to tap further the high earnings of the programme companies in the form of so-called "additional payments," that is, payments over and above those that they are required to make to the ITA as rental. These payments are collected by the Authority from the programme companies and forwarded immediately to the Exchequer. The amount of the additional payments is graduated, according to the size of each programme company's annual net advertising revenue, and is calculated as follows: nothing on the first 1½ million pounds; 25% of the next 6 million pounds; and 45% of anything above that figure.

These payments are a first charge on the companies' revenues. From July 30, 1967 to July 29, 1968 the "additional payments" due the Exchequer totalled slightly over 25.5 million pounds, and bring the aggregate "additional payments" since they were adopted in July, 1964 to almost 92.5 million pounds. That the Exchequer receives a very substantial direct benefit from Independent Television is apparent, since, besides the "additional payments," the Exchequer annually collects the taxation due on the profits of the programme companies, the taxation due on the surplus of the ITA, and such further part of the ITA surplus as the Postmaster General may direct be paid into the Exchequer.²⁴ The figures (in pounds) for these items covering the three latest years for which they are available are set forth in Table I.²⁵

For the year ending March 31, 1965, payments to the Exchequer equal 46.8% of the net advertising revenues of the programme com-

Table I
Income and Taxation of Independent Television

	Year Ending Mar. 31, 1965	Year Ending Mar. 31, 1966	Year Ending Mar. 31, 1967
Net advertising revenue of programme companies	£83,000,000	£82,000,000	£90,000,000
Total regular taxation liability of the programme companies	£14,000,000	£11,000,000	£15,000,000
“Additional payments” by programme companies	21,700,000	21,000,000	24,000,000
Taxation payment on surplus of ITA	2,403,000	2,012,000	2,188,000
Further payment from surplus of ITA directed by Postmaster to be paid to Treasury	750,000	2,700,000	1,800,000
Total of enumerated payments to the Exchequer	£38,853,000	£36,712,000	£42,988,000

Note 1: all figures in Pounds Sterling. Since November 18, 1967 the exchange rate has been \$2.40 U. S. to the pound; before that date it was \$2.80 to the pound.

Note 2: the figures as to the programme companies are deemed to be reasonably accurate but not wholly precise since “it is difficult to put a precise current figure on the taxation payments of the programme companies because of their differing financial years.” Independent Television Authority, *ITV, 1967, A Guide to Independent Television* (London, Independent Television Authority, 1967) p. 167. It should also be noted that, in response to a request for the “total regular taxation liability of the programme companies” for the fiscal year ending in 1967, the Independent Television Authority in its letter to the author, dated January 28, 1969, states that the “figures do not appear to be available at large” since “not all programme companies are public companies and also their account years vary.” Therefore, for present purposes, it was deemed appropriate to include in the tabulation what may be considered a reasonable estimate of the “total regular taxation liability of the programme companies” for the year ending March 31, 1967.

panies: for the year ending March 31, 1966, 44.7%; and for the year ending March 31, 1967, 47.7%. During the three-year period the payments to the Exchequer averaged 46.5% of the total net advertising revenues of the programme companies.

The Independent Television Authority faces a very real taxation problem in the charges levied as contributions to the Exchequer. These constitute an appropriation from the ITA's surplus (after tax) for any year as the Postmaster-General, with the consent of the Treasury, may decide. In regard to this item the fiscal years (ending March 30) 1966-67 and 1967-68 illustrate an interesting policy problem of far greater import than the tax money involved. The Ministers concerned decided in discussions reported in the *ITA Annual Report* for 1965-66 that the size of the Authority's reserve fund should bear a reasonable relationship to the ITA's foreseeable expenditures. At the beginning of 1967 it was determined that a 625-line UHF service should be inaugurated and the 405-line standard phased out. Taking this into account the ITA established its annual charges to the programme contractors with the understanding and upon the assumption that, based on the principle of relating rentals to the ITA's foreseeable expenditures and the current and future demand for a reserve fund, no portion of the surplus for the 1966-67 fiscal year would be appropriated to the Exchequer. Subsequently devaluation occurred. The ITA was required to reduce its capital expenditure and indicated its willingness to accept the payment to the Exchequer of a sum corresponding to the reductions in capital expenditure which it had to make. The Authority felt that the altered circumstances justified a maximum charge of 1,200,000 pounds. In January, 1968, the ITA was still uncertain about any payment which might be required by the Postmaster-General to the Exchequer for the March 31, 1966 to March 30, 1967 fiscal year.²⁶ However, in the next annual publication *ITV Guide to Independent Television* it was revealed that during the 1966-67 fiscal year the Authority sustained large unbudgeted tax liabilities levied by the Postmaster-General as contributions to the Exchequer.²⁷ The Authority was directed to make payment to the Exchequer of 1,800,000 pounds although to its knowledge its forecasts of expenditures had not been disputed or questioned.²⁸ If this performance constitutes a precedent, the Authority may again be vulnerable for such unbudgeted taxation for the 1967-68 fiscal year despite reduced rental charges to the programme companies and total income reduced to avoid such a tax.²⁹

In the *Independent Television Authority Annual Report and Accounts 1966-67*, directed to the Postmaster-General from Chairman Aylestone, it is concluded under "Amount Payable to the Exchequer:"³⁰

The Authority had believed that the establishment of the principle stated in 1966, coupled with the size of the construction programme for the next few years, would enable it from then on to plan its finances over a reasonable period in the belief that the whole of its income, less normal taxation, would be available for its use or its reserves. The Government's disagreement with the Authority over the application of the principle to the disposal of the 1966-67 surplus adds to the difficulty under which the Authority has worked in past years, that it can never know from one year to another what its financial resources will in fact be.

For the fiscal year commencing July 30, 1968, when it had become apparent that although the Authority must duplicate in UHF on 625-lines its existing 405-line service it would not have to provide for a second UHF service, the Authority reduced the rental fees it extracts from the programme contractors from 8.7 million pounds to 7 million pounds, again implementing its policy of relating rental rates to the Authority's actual needs. In January, 1969, the Authority states that in arriving at the final figure used in the current contracts (effective July 30, 1968 to July 29, 1969) it "...assumed that it would be allowed to retain in its Reserve Fund, for use in the UHF development, the whole of the surpluses accruing in 1966-67 and later years."³¹ Since the preceding year the ITA's official assumptions and in-house estimates in regard to the foreseeable financial condition of the corporation were not respected by the Postmaster-General, the corporate decision to reduce rental fees seems to offer little substantial assurance of access to the whole of the resulting surplus as a Reserve Fund by the ITA. The painting of this picture across the ocean will be an interesting one to watch. Will history repeat itself? Or will history be made? Precedent and policy are at odds, both are at stake.

Conclusion

Clearly, the privilege of employing the public airways for television broadcasting carries with it correlative duties to protect the public interest. These duties encompass, among other things, the area of advertising. Considering the potential for misrepresentation and fraud in this field, it appears that the restrictions are within the area of fair

regulation. The rules and regulations imposed by the ITA and those adopted on a self-regulatory basis fairly implement the statutory requirements and the regulations of the Postmaster-General to complete a sound and effective advertising policy.

From the outset, the income to the commercial programme companies from advertising was so substantial as to constitute an element, not only of amazement, but even of embarrassment, to their officials. Higher income normally breeds higher taxes. However, it is understandable that the ITA refused to modify its initial interpretation of the Television Act of 1954 to the effect that the rentals charged to the programme companies should be only enough to meet its expenses and reserve requirements; but, it is also understandable that, with the adoption of the new Television Act of 1964, Parliament should require from the programme companies the "additional payments" that bring total government collections to approximately 50% of the aggregate revenues from advertising. This seems to give to the public more reasonable compensation for the use of the airways, and to the programme companies a very fair return on their investment.

In the last two years, the tax "contribution" paid by the ITA to the Exchequer at the direction of the Postmaster-General has generated problems far greater than the regular tax itself and should be dealt with expeditiously because (a) the basic operating policy of the ITA to relate rental charges of the programme companies directly to its foreseeable needs is under attack and (b) these unbudgeted taxes threaten to hamper the sound financial management of the ITA.

Footnotes

¹H. Hubert Wilson, *Pressure Group: The Campaign for Commercial Television in England* (New Brunswick, New Jersey: Rutgers University Press, 1961); Burton Paulu, *British Broadcasting* (Minneapolis: University of Minnesota Press, Inc., 1956) pp. 43-51.

²*Television Act, 1964* (London: Her Majesty's Stationery Office, 1964) Schedule 2-1(1).

³*Television Act, 1964*, Section 7(6).

⁴*Television Act, 1954* (London: Her Majesty's Stationery Office, 1954) Section 4(6); *Television Act, 1964*, Section 7(7).

⁵*Television Act, 1954*, Section 8(2); *Television Act, 1964*, Sections 9(2) (b) and 9(5).

⁶*Television Act, 1964*, Section 8(1).

⁷Independent Television Authority, *The Independent Television Code of*

Advertising Standards and Practice (London: Independent Television Authority, July, 1965, as amended August, 1965) Section 1 and 2.

⁸*Ibid.*, App. 1:1.

⁹*Ibid.*, App. 2(A):1.

¹⁰*Ibid.*, App. 2(A):3-8.

¹¹Independent Television Authority, *ITV, 1969, A Guide to Independent Television* (London: Independent Television Authority, January, 1969), p. 112.

¹²*Television Act, 1964*, Schedule 2:8; Burton Paulu, *British Broadcasting in Transition* (Minneapolis: University of Minnesota Press, 1961) p. 46.

¹³Independent Television Authority, *The Independent Television Code of Advertising Standards and Practice*, *op. cit.*, Section 17(b).

¹⁴*Television Act, 1964*, Schedule 2:3.

¹⁵*Television Act, 1964*, Schedule 2:4.

¹⁶Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, pp. 111-112.

¹⁷*Ibid.*, pp. 112-113.

¹⁸*Ibid.*, pp. 113-114; *Television Act, 1964*, Section 7(5).

¹⁹*Television Act, 1954*, Section 1(4); *Television Act, 1964*, Schedule 1-1(1) and (6).

²⁰Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, p. 116.

²¹Code of Advertising Practice Committee, *The British Code of Advertising Practice*, (London, Institute of Practitioners in Advertising, 1967), pp. 2, 7.

²²*Television Act, 1964*, Section 21; Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, p. 179.

²³Burton Paulu, *British Broadcasting in Transition*, *op. cit.*, p. 208, and pp. 49-51.

²⁴Independent Television Authority, *ITV 1969, A Guide to Independent Television*, *op. cit.*, p. 179.

²⁵Independent Television Authority, *ITV, 1966, A Guide to Independent Television* (London: Independent Television Authority, January, 1966) pp. 167-169; Independent Television Authority, *ITV, 1967, A Guide to Independent Television* (London: Independent Television Authority, January, 1967) pp. 167-169; Independent Television Authority, *ITV, 1968, A Guide to Independent Television* (London: Independent Television Authority, December, 1967) pp. 167-169; Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, pp. 179-181.

²⁶Independent Television Authority, *Annual Reports and Accounts, 1966-67* (London: Her Majesty's Stationery Office, February 27, 1969) p. 54.

²⁷Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, pp. 180-181.

²⁸Independent Television Authority, *Annual Reports and Accounts, 1966-67*, *op. cit.*, p. 54.

²⁹Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, p. 179.

³⁰Independent Television Authority, *Annual Reports and Accounts, 1966-67*, *op. cit.*, p. 55.

³¹Independent Television Authority, *ITV, 1969, A Guide to Independent Television*, *op. cit.*, p. 179.

ROYAL D. COLLE

The Metamorphosis of Aunty

Although for nearly four decades BBC radio appeared to be unchanging in a world of change, in recent years "aunty" has undergone changes perhaps more violent than any other radio system has experienced. Dr. Colle, assistant professor of communication arts at Cornell University, researched this article in Great Britain in 1968.

FOR several decades the British Broadcasting Corporation has, to some extent, enjoyed its "aunty" image as a symbol of a solid, dependable, serious-minded British institution—untainted by the frivolity and superficiality of broadcasting in the United States and some other nations. For example, Frank Gillard, BBC Director of Radio, wrote in the 1967 *BBC Handbook*:

The medium [radio] has been accorded a standing in Britain which has safeguarded it against the erosion and decay so evident in some other countries where radio today is not much more than a mechanism for the wider dissemination of the juke box record and the sensational news headline. It is against degradation of this kind that BBC sound broadcasting has continually to be protected.

To its critics, however, "aunty BBC" represented all that was dull, conventional and non-controversial in broadcasting. In one exchange in the House of Commons, MP's asked the Postmaster General, who speaks for the Government on broadcast matters, when the BBC was going to "get with it."¹ The introduction recently of the two new BBC services, Radio 1 and Local Radio, is bound to change that old image.

FIGURE I
BBC Radio Services in 1968

Service:	Radio 1	Radio 2	Radio 3	Radio 4	Local Radio
SCOPE	National	National	National	Regional and National	Local
FINANCE	License fee	License fee	License fee	License fee	Local funds
FREQUENCY BAND	Medium frequency	Low frequency and VHF (FM)	Medium frequency and VHF (FM)	Medium frequency and VHF (FM)	VHF (FM)
CONTROL	BBC and advisory councils	BBC and advisory councils	BBC and advisory councils	BBC and National Broadcasting Councils (Scotland/Wales)	BBC station manager and local radio council
CONTENT	Emphasis on pop music. Shares some programming with Radio 2, e.g., quizzes and light entertainment in the evening. News, weather. 97% entertainment music.	Middle-of-the-road music, variety, light drama. News, weather. 66% entertainment music.	<i>Third Programme:</i> with serious music, poetry, drama, talks, etc. designed for the "educated." <i>Music Programme*</i> <i>Study Session**</i> <i>Sports Service***</i>	News and news background, plays, music, panels, quizzes, schools programs, talks. Programs geared to the interests of particular regions.	Material from Radios 1, 2, 3, 4. Local features, conversation, music, news, weather, talks, education.

* *Music Programme:* orchestral, opera, choral, chamber and light music.

** *Study Session:* general education in the arts, sciences, politics, public affairs.

*** *Sports Service:* commentary and reports on sports, outside (remote) broadcasts.

Local Radio

Another recent development in England which may influence the future of broadcasting in Britain is an experiment in local radio. Actually, England's earliest stations were "local." However, in 1927, the radio station at Nottingham became the first casualty in a five-year plan to phase out all local stations in England in favor of regional and high-powered national transmitters which would serve a broader public using few frequencies. Under this system, regions would contribute to a national network as well as broadcast their own material. Much of the cultural fare, such as orchestra concerts, would emanate from a national transmitter in London. Eventually the Light, Home and Third Programmes evolved.⁸

The return to local radio started some 30 years later, when a committee of senior BBC officials examining the whole future of radio recommended that local radio again be instituted, on an experimental basis. Other forces joined in. Hugh Greene, then BBC Director General, was quoted in the *London Times* in 1960 as saying "The BBC ought to go more local."⁹ The Pilkington Committee, in its searching analysis of the broadcasting system, recommended in 1962 that local radio be tried out. The BBC's Board of Governors endorsed the idea. The Association of Municipal Corporations and the County Councils Association also went on record in favor of local stations run and financed by the BBC. It was not until the end of 1966, however, that the Government issued a White Paper authorizing the BBC to conduct local radio experiments "in cooperation with local interests." The document predicted that "local radio would provide a valuable service to the local community, by giving a new means of expression to its interests and aspirations."¹⁰

The Government's plan called for stations in nine communities. Communities selected contrasted in their degree of industrialization and their location. The common ingredient among them was their willingness to give financial support to a station. The BBC agreed to provide only the money for construction of facilities. Support from commercial advertising was barred. Manchester, one of the successful applicants, withdrew after a change in political control. Eight other applicants have embarked on the experiment. The initial cost of setting up a local station is approximately \$84,000. Annual operating cost is estimated at \$132,000. The Pilkington Report

and the BBC had recommended that the receiving set license fee paid by Britons be used to support local radio but the Government rejected this idea. Since the stations have a very limited range, the Government reasons that rural areas would not benefit from the service yet would be taxed to support it. It suggested that local authorities could support local radio with some of the money they might normally spend on education, entertainment, the arts and publicity. In Leicester where the first of the eight stations was established, the city council agreed to underwrite the cost until the experiment was evaluated. Leicester's Lord Mayor, Alderman Sir Mark Henig, claims however that the responsibility for establishing a firm financial base ultimately would have to fall on the local radio council.¹¹

The White Paper suggested that organizations which benefit from local radio—industrial, commercial, cultural, religious, social and educational—might contribute to its operating costs. Henig frowned on this approach. Speaking at the opening of the Leicester station, he expressed dismay over the financial arrangements:

I very much regret that a firm grasp was not taken of this financial nettle instead of leaving us in local government to interpret the thinking behind the White Paper, some parts of which were obscure, to say the least. It would be a tragedy if after so many years of endeavor local radio failed to get off the ground because of shortcomings in programme content resulting from some shoe-string budgets and the need to pass the hat around to universities, industry, and the churches in order to make ends meet.¹²

Nevertheless, another station, Radio Stoke-on-Trent, is being supported by more than 50 firms, and about 40 have promised money to Radio Merseyside.¹³ It should be emphasized that the local radio system is experimental and that the financial arrangement is subject to change. If local radio becomes more widespread, it might become equitable to use part of the license fee income. Advertising has not completely been ruled out. The Government intends to compare the sort of income from local sources without advertising with the kind of income which would be available from advertisers.¹⁴

Financial problems are somewhat reduced because of the do-it-yourself programming philosophy and the reservoir of material available from the other BBC radio services. Each station is free to draw

as much as it wishes from the national and regional services. Radio 1, in fact, tends to have better reception through the local VHF transmitters than through its own medium frequency transmitters. But the emphasis must be local. Postmaster General Short emphasized, for example that: "... the station should never forget it is hometown radio with its own Leicester individuality and that it must always be bright and attractive."¹⁵ Four or five hours a day are devoted to local news, sports, weather, local industry, popular music, the arts, church programs, education and general information. The emphasis is not so much on broadcasting as on *conversation*, say BBC officials. Ordinary folk are given the chance to talk in homey programs such as *Any Complaints*, *Coffee Break*, *Telephone Swap* (sic) *Shop*, and *Question Time*. There are announcements about traffic jams, prisoner escapes or missing dangerous drugs. Stations generate "home-made" content in various ways. One has offered prizes for radio short stories. When the Stokes-on-Trent station's opening was delayed a month because foot-and-mouth disease prevented access to the transmitter site, it used the time to teach about a hundred business leaders, teachers "and all sorts of other people" how to talk on local radio.¹⁶ Universities and local educational authorities are cooperating to present "popular" education programs with a local angle.

Brighton's station met an early challenge. Scheduled to open in February 1968, it was pressed into service nine weeks earlier when the city was struck by a blizzard. Communications were paralyzed, children lost and wives anxious. The station provided speedy information and advice about the storm, roads, railway service, gas dangers and missing persons.¹⁷ A less serious problem was solved by Radio Sheffield. A young housewife was in despair because she was unable to make Yorkshire pudding to her husband's standard. To solve the dilemma she appealed for help over Radio Sheffield. Considerable advice and dispute over the preparation of Yorkshire pudding were dutifully broadcast by the station.

Donald Edwards, General Manager of Local Radio Development for the BBC, points to the growing size of government and its distance from the common man, suggesting that Britain's local radio might become the citizen's forum. In the 1968 *BBC Handbook* he wrote:

The BBC must be where people live. What happens in our local community is a big factor in our happiness. Important things have often been done locally without our knowing about them. Local radio will expose these to the light of day. They may be scandals, they may be achievements, they may be proposals that should be known to the public. Local radio is an extension of democracy.

Local control is a key element in the radio experiment. Sir Hugh Greene commented at its outset that "Nobody in London or Birmingham is going to boss Radio Leicester. And I hope the people of Leicester will make their voices heard."¹⁸ Provision is made in the system for the people to be heard. Each station is advised by a local radio council which the White Paper states "will play a fully formative part in the development of the station" and "will have the maximum possible voice in the direction of the station." Each council, whose members are appointed by the Postmaster General in consultation with the BBC, consists of approximately a dozen persons who reflect the major interests of the community, including youth, social agencies, religious bodies, labor, industry, etc. The Nottingham Radio Council, for example, consists of a 19-year-old punch card operator, a 24-year-old physical education teacher, a housewife and social worker, Labour and Conservative political figures, a businessman, a farmer, academicians from Nottingham College of Education and the University of Nottingham, a bishop of the Church of England, a trade union secretary and members of the county council.¹⁹ A station manager serves as the chief executive of the station, integrating the wishes of the council with his responsibilities to traditional BBC standards.

The local radio experiment uses FM in the VHF band ("VHF radio") and thus is not so widely received as the standard frequency AM broadcasts of the BBC. This was not an attempt to put local radio in limbo as happened with FM radio in the United States in the early 1940's. The British started using VHF transmitters for their regular services in 1955 when it became evident that any expansion of radio broadcasting had to take place on other than the crowded, interference-filled medium wave lengths. Since then, the Government has built a system of transmitters putting VHF within range of 99% of the population, and all the domestic services except Radio 1 are using some VHF transmitters directly.²⁰ BBC's audience research indicates that about half of the people living within the areas

covered by four of the new stations receive its broadcasts, either via their VHF set or the wire distribution system. About half of these listen at least "fairly frequently."²¹ A newspaper in Leicester, the *Sun*, reported that people had gone "radio mad" since the station opened. Set sales in the area increased some 30%.²² Altogether, the potential audience in the experimental areas is about six million.

If local radio is deemed a success when it is evaluated by the Government sometime in 1969 (after all stations have been in operation at least a year) more stations will be introduced throughout the nation. Postmaster General Short estimates 200 to 250 in the next five years.²³ The BBC has proposed 80 to 90 in that period.²⁴ If the Government experiment fails, there are always interests standing by ready to press for a different system. Among the hundred or so companies hoping and working for the introduction of commercial radio is the Greater London Council, which has a plan for four stations to serve London. It wants a system for radio similar to the Independent Television Authority wherein private companies supply a program service with commercials for the Government's transmitters. Another organization watching and waiting is the Local Radio Association, whose secretary, John Gorst, has criticized the Government's radio plan for its use of the VHF spectrum, its dependence on under-financed sources, the threat of hidden sponsorship and the potential influence of government "over a public medium of communication."²⁵

Changing British Institutions

The metamorphosis of aunty BBC is hardly a lone case of change in British life. One mark of contemporary Britain is its fantastic pace of change. Professor Frederick Marcham, professor of English History at Cornell University, says that "no country in the Western world has rearranged its pattern of social, cultural, economic and political life as Great Britain has since World War II."²⁶ The vast Empire of pre-World War II has shrunk to a fraction of what it was. Traditional old military regiments are being phased out. The venerable House of Lords faces extinction. The educational system, once open mainly to the privileged, now serves the mass society. For a poor boy to go to Oxford 30 years ago was indeed unusual; today it is rather commonplace for students there to be on full scholarship

support. The Theater Act of 1968 abolished the power of the British Lord Chamberlain to censor the English stage—a power of some 400 years standing. The sacred cows which so marked Britain in her days as a great colonial empire have given way to an emphasis on technical competence to meet the demands of the modern world.

Threaded through much of the recent change in Great Britain has been the increasingly dominant role played by the interests of the young and the working classes. The point was well put in a recent *Punch* editorial entitled "Democracy, of a Sort, Hello!" The students, says *Punch*, are no longer the privileged, secure minority they once were. They protest, act radically and express their idealism while they may—before they lose their "bargaining power." The workers "know that if only they are obdurate enough their demands will be met."²⁷

It is almost as if these groups, long submerged in the tradition, aristocracy and conservatism of long years of English history, have been suddenly released and their rejoicing is expressed in the culture of the Beatles and the mini-skirt. And it is reflected in some of the transformation appearing in organizations such as the BBC. For decades, British broadcasting has been the model of restrained, "proper" broadcasting—a model copied by former members of the Empire and other nations. It was designed to give the people a little better than what they want. With the passing of "aunty," the BBC, in giving the people what they want, joins many other institutions that have seen fit to adjust to the tempo of changing society.

Footnotes

¹*New York Times*, May 23, 1965, p. 8L.

²A "European Agreement for the prevention of broadcasts transmitted from stations outside national territories" had been signed by the United Kingdom at the Council of Europe in 1965, but, by itself, it had no impact on the pirate broadcasters. E. C. Robbins, "The Postmaster General and the Pirates," *EBU Review*, 102B, March 1967, pp. 52-53.

³Little has changed concerning the Network Three (which includes the Third Programme) and the Home Programme except to designate them as Radio 3 and Radio 4.

⁴Robin Scott, "Radio 1 and Radio 2," BBC Lunch-time Lecture, October 11, 1967.

⁵For a more detailed explanation of the records problem, see Robin Scott, "Radio One is One," *EBU Review*, 111B, September 1968, pp. 18-23.

⁶Scott, "Radio 1 and Radio 2," *op. cit.*

⁷*Variety*, November 9, 1966, p. 50.

⁸For an interesting account of the transition from local to regional and national services, see Asa Briggs, *The Golden Age of Wireless*, London: Oxford University Press, 1965, pp. 293-339.

⁹*London Times*, March 18, 1960. Cited by Burton Paulu, *British Broadcasting in Transition*, Minneapolis: University of Minnesota Press, 1961, p. 207. In many regions VHF transmitters carrying the Home Service cut away from the network briefly to give items of local interest.

¹⁰*BBC Local Radio, Some Questions Answered*, London: British Broadcasting Corporation, 1967, p. 5.

¹¹*BBC Record*, 55, November 1967, p. 1.

¹²*Ibid.*

¹³*BBC Record*, 57, February 1968, pp. 6-7.

¹⁴*Variety*, June 21, 1967, p. 33.

¹⁵*BBC Record*, 55, November 1967, p. 1. Short has since become Secretary of State for Education and Science.

¹⁶*BBC Record*, 57, February 1968, pp. 6-7.

¹⁷This and the following incident are related by Donald Edwards in "Local Radio," a BBC Lunch-time Lecture, January 24, 1968.

¹⁸*BBC Record*, 55, November 1967, p. 1.

¹⁹Personal communication from Gerald Nethercot, Radio Nottingham station manager.

²⁰*BBC Local Radio, Some Questions Answered*, p. 7.

²¹*BBC Record*, 62, October 1968, p. 1. Wire distribution of radio, similar to community antenna television systems in the U.S.A., have been common for many years in England. Its overall importance in British radio has been declining with fewer than 10% of the population subscribing. See Paulu, *op. cit.*, p. 175.

²²*BBC Record*, 57, February 1968, p. 7.

²³*BBC Record*, 55, November 1967, p. 3.

²⁴*BBC Local Radio, Some Questions Answered*, p. 10.

²⁵*Variety*, February 15, 1967, p. 34.

²⁶I am indebted to Professor Marcham for confirming some of my hunches on these changes and adding evidence and additional dimension to them.

²⁷*Punch*, Vol. 254, No. 6666, June 12, 1968, p. 831.

Addendum

Events, unfortunately, sometimes move faster than publication schedules. In late July, the day this issue was being sent to the printer, we received a "stop press!" letter from our faithful London Correspondent, Gordon L. Gray. He reports that on July 10, the BBC published a highly controversial 13-page recommendation on the future of radio in Great Britain, under the title *Broadcasting in the Seventies*. Although under attack from across the political spectrum, and although the report clearly is labeled as "recommendation," it is apparent that it will be the basis for future discussion. The Postmaster General, who is to make his decision concerning the future of "local" radio stations within the next few months may or may not follow the plan offered by BBC.

Apparently, if the BBC plan is accepted, some of the "local" stations will lose much of their local character and will, in fact, become regional stations. Rather than the three present regions, there will be eight. BBC is asking that the government provide capital expenditure for the 40 "local" stations to occupy channel 5 and each community provide operating funds, at no expense to the BBC's usual sources of revenue. At the same time, to reduce operating expenditures, BBC proposes to disband several major orchestras (involving hundreds of musicians) and the BBC Chorus. Other departments will suffer "some staff reductions," and the "Third Programme" title will be dropped.

It is proposed that there be a choice of four national radio services by day, and three each evening. Radio One and Radio Two will be separated into more definite channels, with Radio One programming pop music and Radio Two light music. Both channels will broadcast hourly news summaries, and will merge in the evening. Radio Three will broadcast a larger output of standard classical music, with some cultural speech programmes, poetry and plays in the evening. Radio Four will be largely speech, with an emphasis on news and current affairs and some plays, discussions and light entertainment. Radio Five is the new designation for the 40 local stations giving local news and local community programmes. Whether or not any or all of these recommendations will be adopted by the government is now unknown.

MARVIN ALISKY

Uruguay's Utopian Broadcasting: Political and Artistic Freedom

Although a number of larger nations—Canada, Great Britain, etc.—have successfully established broadcasting systems in which both commercial and non-commercial stations can prosper, few smaller nations have been able to do so in a political atmosphere of uninhibited free speech. Uruguay, despite a continuing economic crisis, is believed by the author of this article to be Latin America's most genuine democracy—one whose broadcasting system is well worthy of study. Dr. Alisky is Director of the Center for Latin American Studies at Arizona State University, where he holds the rank of professor of mass communications and political science. This article is adapted and updated from a paper presented at the 1967 SAA convention, which in turn was prepared following research in Montevideo in 1967 for Dr. Alisky's just-published book, URUGUAY: A CONTEMPORARY SURVEY (Praeger).

URUGUAY leads most other Latin American nations in many fields: 92% of its adults are literate, 90% of its school-age children attend primary schools, and its effective suffrage compares favorably with that of the United States. For most of this century Uruguay has rejected dictatorship, press censorship, and the lack of social justice which characterize a majority of the nations of Latin America. As flexible as that of the United States, Uruguayan culture epitomizes the only really open society in its geographic area.

In surveys of leading scholars of Latin American affairs conducted every five years by political scientist Russell E. Fitzgibbon, Uruguay invariably ranks ahead of all other Latin American nations in achievement of democratic representative government. This top rating is based

on many political, economic and social criteria, ranging from honest elections to the complete absence of censorship.¹ Within such a political milieu, Uruguayan broadcasting also has evolved a tradition of candid commentary, a tendency to air new ideas in both entertainment and information programming, and a system whereby privately-owned stations coexist with governmental outlets.

The Setting

Although only four television channels are in use in Montevideo, they reach not only the capital but the surrounding republic. Uruguay has a land area the size of the New England states or of North Dakota or half that of Arizona—but almost half of the republic's 2.7 million citizens live in or near Montevideo. Similarly the 11 daily newspapers of Montevideo also have a readership throughout the nation. The leading radio stations of the capital also reach half of all Uruguayans, but of all the mass media, radio stations are the most diffused geographically. Montevideo has 23 AM radio stations, and the remainder of Uruguay supports an additional 32.

Unlike Guatemala, Ecuador, Bolivia, and Peru, the Republic of Uruguay holds no large Indian minorities, alienated by language or economics from the mainstream of national life. Uruguayans typically are Spanish, Portuguese, Italian, or French in origin. Unlike Cuba, Haiti, the Dominican Republic, Panama, and Brazil, this progressive nation has no large numbers of Negroes, nor masses of citizens below the poverty line. Two-thirds of all Uruguayans identified themselves to 1963 census-takers as members of the economic and social middle class.

Though the Uruguayan government has entered the business world with 22 public corporations—ranging from the national airline and the railroads to the telephone company and electric power—the state has never attempted to preempt the field of broadcasting. One of the four television stations, Channel 5, is government-owned and operated, but it runs the same kind of commercials as its three privately-owned video competitors. Of all the radio stations in the nation, only *Radio Sodre* is governmental, the remaining 54 outlets being privately-owned. Unlike its television affiliate, *Radio Sodre* airs no commercials. But its large theater studios and auditorium can be rented for commercial concerts when *Sodre* is not itself offering free concerts to the public.

Early Broadcasting

In 1921 the General Electric company set up an experimental 20-watt transmitter in the Urquiza Theater, at the corner of Mercedes and Andes streets, where today the *Radio Sodre* is located.² The following year, Sebastián Paradizábal, a Montevideo merchant who lived until 1965, bought the experimental station and hired Claudio Sapelli as engineer and Luis Viapianna, a popular young singer, as an announcer, to broadcast commercials for his retail store. *Radio Paradizábal* had a number of "firsts" to its credit before General Electric established a competing station—on the shortwave band, however—in Montevideo on April 23, 1923. *Radio Paradizábal* presented the first broadcast by a Uruguayan chief executive (President José Batlle, November 1, 1922), as well as such programs as the South American soccer championship matches from Rio de Janeiro (in cooperation with Brazilian stations on October 1, 1922), and commercials for such products as Spinet cigarettes, imported from England, and for Trinaranja cigarettes, made in Uruguay.³

By 1924, thousands of radio receivers were in nightly use, with programs coming into Uruguay from neighboring Brazil to the north and Argentina to the west. As early as 1922, the Radio Corporation of America transmitter in Buenos Aires, only 100 miles across the La Plata estuary, provided Argentines with daily newscasts and livestock and market reports which also were of interest to Uruguayans, whose economy depended on the export of meat, hides and wool. Late in 1922, RCA engineers estimated that they clearly reached a "bonus audience" in Montevideo.⁴

A 1912 law governing the Bureau of Telegraph Service offered few guidelines for regulation of commercial broadcasting. The Uruguayan Department of Commerce issued *Radio Paradizábal* a license stamped "experimental," no different from the few that had been issued to ham operators of the Uruguayan Amateur Radio Club of 1922. The 1923 GE shortwave station, *Radio Sud América*, also received an experimental permit. The first Uruguayan commercial broadcasting license was issued to CW 35 or *Radio Paysandú* on May 25, 1924. On December 24, 1924, the republic's second commercial radio station, CX 20 or *Radio Monte Carlo*, received its license.⁵

President Batlle had helped Uruguay become Latin America's first welfare state, with extensive social security benefits—and costs. In

1930 *Radio Sodre* (or CX 6), the governmental station, considered selling air time to defray the cost of remote pickups for the popular broadcasts of soccer matches, the national pastime. But once the economy began to recover from the economic depression, CX 6 relinquished commercials to the privately-owned stations, which by 1939 overshadowed the governmental voice in total audiences no matter what the hour of the day. Only in the late 1950's when *Sodre's* television outlet, Channel 5, went into daily service did the governmental broadcasting company again send out time salesmen.

Commercial station Channel 10, the Saeta Company affiliated with *Radio Carve*, on December 7, 1956, became the first Uruguayan TV station on the air. Soon it was joined by two other commercial rivals, Channels 4 and 12, plus the government's Channel 5. Channel 4, known as *TV Monte Carlo*, is an affiliate of veteran AM station *Radio Monte Carlo*.

News and Views

All four of Uruguay's television stations depend on cigarette advertising for part of their revenues, yet these stations alone among Latin American video outlets have not lacked the courage to run panel discussions on the harmful effects of smoking. From Mexico City to Buenos Aires, most Latin American TV and radio stations have remained silent about negative reports on smoking, as the revenues from cigarette commercials have soared. In Uruguay, with a tradition of libertarian candidness, not only the governmental channel, but the three commercial TV stations turned a documentary spotlight on smoking health dangers. Channel 5 acquainted Uruguayans with the U.S. Surgeon General's report on the dangers of cigarette smoking, the first broadcasting station in the hemisphere outside of the United States and Canada to air such a documentary.

Almost any public controversy, no matter how shocking to staid traditionalists, can get a hearing somewhere on the air in Uruguay. If not on the television channels, then on one or more of the radio stations. The progressive political climate of Uruguay for decades has prepared the public to listen to the merits and demerits of almost any issue, from sexual abnormalities to rock music.⁷

On July 1, 1967, nine of Montevideo's 11 daily newspapers—which also serve the surrounding republic, where good roads mean easy dis-

tribution—went on strike. For three months an extra burden to keep Uruguayans informed fell to radio and television, until the government offered to bail out the publishers late in September by offering subsidies for newsprint. Yet, of the 22 Montevideo radio stations, only a half-dozen have real news departments with teletype printers from one or more of the news agencies and one or more trained newsmen to gather local stories.⁸

Radio Carve, owned and operated by Raúl Fontaina, former president of the Inter-American Broadcasters Association, has the only Associated Press full wire service among radio stations. One of Fontaina's sons manages the affiliated television station, Channel 10. Another son is a Congressman. But Don Raúl has never lost his affection for radio news, and keeps a managerial emphasis on it in terms of programming.

Radio El Espectador, whose capable news department is directed by Hugo Milton Infantino, has a special congressional correspondent to telephone stories from the Senate press gallery. *Espectador's* parent corporation also operates a second radio station from the same building in Montevideo, *Radio Libertad Sport*, popular in a nation which idolizes soccer players. (The licensing agency of the Ministry of Communications, Transportation, and Tourism—a bureau called the *Dirección General de Telecomunicaciones*—permits an owner to run two AM stations in the same city).

Radio Sarandí, *Radio Oriental*, and *Radio Ariel*, with copy from United Press International, Agence France Presse, and Reuters, give regular five-minute hourly news roundups. *Radio Monte Carlo*, which also should be rated as among the leading news stations, hooks several provincial stations into its early afternoon roundup of news. *Sarandí* has affiliated stations in Artigas and Salto, near the Brazilian and Argentinean borders, for its one-hour roundup of news every morning from 7 to 8 a.m.

Radio station licenses must be renewed every year, but so long as the technical transmitting standards are maintained and profanity is not aired, the renewal is automatic upon the filing of a programming summary. Television station licenses are issued for a ten-year period and renewal consideration by the *Telecomunicaciones* bureau is much more extensive. Certainly all four channels will be able to point

proudly to their July-September 1967 record of extra news programs to help bridge the gap during the newspaper strike. Channel 10 added obituaries and wedding announcements, and Channels 4 and 5 added want ads. All four channels added an extra hour of daytime news, to supplement their normal late afternoon and evening newscasts. Documentaries and panel shows have long been programming features of all four stations.

Conclusion

Uruguay has learned how to avoid the political ills of much of Latin America: dictators, censorship, alienation of large segments of its citizenry. Numerous strikes (700 in 1966 alone) in recent years have intensified a continuing economic crisis of inflation (cost-of-living rose nearly 40% in the first half of 1967 alone). Yet, Uruguayan democratic political processes have continued to function. And, although the nation in general has been suffering a business slump, radio and television advertising revenues have been holding their own and the anti-Communist broadcasting union leaders have been content with relatively modest demands. Like its representative government, Uruguay's broadcasting industry remains a facet of national life in which Uruguayans can take justifiable pride.

Footnotes

¹Russell H. Fitzgibbon, "Measuring Democratic Change in Latin America," *Journal of Politics*, May, 1967, pp. 129-166. Also, Russell H. Fitzgibbon, "How Democratic is Latin America?," *Inter-American Economic Affairs*, Spring, 1956, pp. 65-77; Freedom of Information Committee, Inter-American Press Association, "Lack of Press Freedom is Total in Cuba and Haiti," *Press of the Americas*, April-May, 1968, pp. 1-4; Freedom of Information Center, University of Missouri, *Press Codes, American and Foreign*, Fol Publication 160, May, 1966, pp. 1-6; Freedom of Information Center, University of Missouri, "Press Freedom in Latin America," news release, January 1, 1967. Also see: John C. Merrill, Carter R. Bryan and Marvin Alisky, *The Foreign Press*. Baton Rouge: Louisiana State University Press, 1964, pp. 128-167.

²Jacinto A. Duarte, *Dos Siglos de Publicidad en la Historia del Uruguay*. Montevideo: Editorial Sur, A.A., 1952, p. 317.

³Luis Viapianna to Marvin Alisky in an interview, August 4, 1967. Sr. Viapianna, at age 72, not only recalled the pioneer broadcasts in Montevideo, but produced the well-preserved original commercial scripts and daily logs cited.

⁴Marvin Alisky, "Early Mexican Broadcasting," *Hispanic American Historical Review*, November 1954, pp. 514-518; Consejo Superior de Enseñanza, *Caminos del Aire*. Río Piedras, Puerto Rico: Universidad de Puerto Rico, 1951, p. 30; "Argentina," *Bulletin of the Pan American Union*, January-March 1923, pp. 72, 177.

⁵Inspección General de Telegrafía Sin Hilos, *Memoria*. Montevideo: Imprenta Nacional, 1912, pp. 1-10; *Reglamentación, Estaciones Radio-eléctricas Oficiales y Particulares*. Montevideo. Imprenta Military, 1927, p. 10; Asociación Nacional de Broadcasters del Uruguay, *Programa Oficial de Estaciones Uruguayas*. Montevideo: ANDEBU, 1932, p. 14.

⁶"Anuario 1967, Lista de Etaciones de Radio y Television, Uruguay," *Adebu*, February, 1967, p. 57.

⁷Luis Carlos Benvenuto, *Breve historia del Uruguay*, Montevideo: Arca, 1967, pp. 99-115. Since 1904, freedom of the press has survived political controversies and even the pressures of the economic depression of the 1930s. As historian Benvenuto points out, candid public debates have long been part of the public service programs of Uruguayan radio stations. During June-August 1967, the author of this article heard radio or television panels discuss the dangers of smoking marijuana, the problems of trial marriages, the difficulties of setting limits on literature some may consider pornographic, and interviews with politicians of every view in the political spectrum from far left to far right. See also: Asociación Nacional de Broadcasters del Uruguay, "Actividad del Consejo Directivo," *Memorandum Mensual*, July, 1967, p. 2.

⁸See: John F. Newman, "Radio Newscasting in Latin America," *JOURNAL OF BROADCASTING*, X:1, Winter, 1965-66, pp. 25-32.

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JOSEPH T. PLUMMER

A Theory of Self-Perception in Preferences for Public Figures

Joseph Plummer currently is Research Supervisor at Leo Burnett Advertising Company in Chicago, responsible for creative research development. He earned his Ph.D. in Communications from the Ohio State University in 1967. This article is a thoroughly revised version of a paper presented at the SAA convention in Los Angeles in December, 1967.

WILLIAM Shatner as Captain James Kirk is the daring, courageous, intelligent and exciting commander of the starship *Enterprise*, taking viewers into the year 2000 on the television show *Star Trek*. Hugh Downs is the articulate, friendly, easy-going and pleasant host of the *Today Show*, who has become the regular early morning breakfast (or coffee) companion for millions of viewers. Both these television personalities are enjoyed by rather large audiences, yet differ considerably in their reflection of people we know in the world around us. Can their popularity be explained by the fantasy they provide through the "escape" of television as discussed by Katz and Foulkes?¹ Perhaps Captain Kirk's popularity can be explained in this way, but not Hugh Downs, who does not represent much fantasy. What theory might account for the popularity of these and many other seemingly opposite personalities—"the super-hero" and "the man next door"?

One answer to this question may be the viewers' personal orientation to television viewing. Some people may view television to escape from the world around them as suggested by Katz and Foulkes. Others may view television to extend their world as suggested by McLuhan.²

Perhaps there is a combination of orientations depending upon the viewers' predisposition at the time.

In other areas of public interest, however, the same kind of differentiation of personalities seems to exist, i.e., "the super hero" and "the man next door." In movies we find a contrast similar to our television example, with Sean Connery as Ian Fleming's super-spy, James Bond, and Gregory Peck, who plays a variety of roles, most of which reflect people we might know. In politics the same contrast seems to be operating in men like the late president John Kennedy, who personified courage, the future, and talent for leadership, and Harry Truman, who was simple, straightforward, and a man of the people.

A person has a preference for one of these public figures or others like them because he feels some identification, some cognitive interaction with them via the mass media. In the case of the "super heroes," this identification is probably not on the basis of similarity between the hero and the viewer since few of us in our life roles are like Captain Kirk, James Bond, the Marlboro Man, etc. Yet, in terms of our preferences for those people around us at work, home, etc., research has indicated that persons tend to associate with and identify with other people whom they perceive as similar to themselves. Davitz states that a study on children "indicates a significant positive relationship between the degree of similarity an individual saw between himself and another and his tendency to choose the other on a sociometric device."⁸ This kind of research finding seems to help explain a preference for Hugh Downs, Arthur Godfrey or Gregory Peck, but not the "super heroes," which leads me to suggest the following theory. It is a theory based on an individual's self-perceptions *and* his perceptions of others.

We postulate that a person's perceptions of himself "as he actually is" influence his preferences⁴ for certain public figures who are perceived as similar to himself. As stated above, this would help explain some preferences for "the-man-next-door" type of public figure. We also postulate that a person's perceptions of his ideal self or what he "would like to be like" influence his preference for certain public figures whom he perceives as similar to his ideal self. Subsumed in this theory is the interaction or counter-influencing of the self-perceptions (actual or ideal) and the perceptions of others. That is, while the

perceptions of the hero are similar to the person's ideal self-perceptions, the personality dimensions of the hero that are different from or in addition to the person's "ideal self" may have some influence on his ideal self-perception. It is a dynamic, on-going reciprocal process.

There is a good deal of support in the literature and in the personality theories of Horney, Mead, Syngg and Combs, Freud and Maslow for a person having both actual and ideal perceptions of himself. We are suggesting that perceptions of self play a key role in preferences for public figures. Until recently, the ideal dimensions of self-perception have not been investigated nor incorporated into many theories. We have a notion that we have been overlooking a key dimension in the communication process. George Kelly⁵ has given us some food for thought in this direction and a way to measure ideal self-perceptions and their meanings. In an earlier study⁶ the meanings and predictiveness of ideal self over time had "reality" for the people studied.

Thus we have the basis for a theory of preference for public figures rooted in the self-perceptions of the viewer, voter or consumer. Individual preferences for public figures are influenced by the actual and ideal self-perceptions of the viewer, voter or consumer. In some cases, the preference may be explained via the actual dimension and other cases via the ideal dimension. This theory is not intended to imply that other variables are not operating in preference—we all know it's never that simple—but the two dimensions of self-perception might be significant variables which might provide a fresh, "working" theory of preference.

Design

To see if any support for this theory existed via observation, we set out on a small pilot study (with no funds at all!) using a very small sample of persons and selected the design accordingly. It is possible to gain insight into theory using a small sample according to Stephenson⁷ if the study design is well thought out and the methodology relevant and powerful enough. With all of Stephenson's rationale as background, the study used a rather crude P-sample that gave sample representation of: four males, two under 35, two over 35, two white collar and two blue collar; and four females with the same distribution of characteristics. Thus, we have a rather wide variety of demographic orientations within a sample of eight people which should give

some insights into our theory. No attempt will be made from this embarrassingly small sample to project our results to a large population, but we can say that what we learn about these eight has some reality.

From previous studies⁸ 27 factor dimensions of self-perceptions were the basis for our measurement instrument—called a Q-sort.⁹ The respondents were asked to sort these 27 factor dimensions, which were in the form of statements written on 5 x 7 cards, five times under different instructions designed to reflect the two self-perceptions and three areas of preference for public figures. The distribution of each of the five sorts was as follows: 2, 3, 5, 7, 5, 3, 2 and ranging from “most like” to “least like” along this quasi-normal distribution. First, the respondents were asked to sort the statements from those which “best describe you as a person” to those that “least describe you.” This was to reflect their *actual* self-perceptions. Second, to reflect their *ideal* self-perceptions, they were asked to sort the statements from those that best describe “how you would like to be like as a person” to those which “least describe how you would like to be like.” Then probes were made into the respondents’ reasons for selecting the two “most like” and the two “least like” statements under the two conditions. This was done to gain further insights in their self-perceptions and the meanings *they* had for the statements.

Next we moved into the area of preferences for public figures and the respondents were first asked to think about people in national public office and then sort the statements from those which “best describe the political candidate you would be most likely to vote for in the next election to those which least describe him.” Second, they were asked to think about their favorite male television personalities and sort the statements from those which “best describe the male television personality you would most likely enjoy to those which least describe this male television personality.” Finally, the respondents were asked to do the same with regard to female television performers. After these last sorts on preference were completed, probes were made on their extreme choices and the personalities they like in politics and on television.

Proceeding under a Q design, each respondent’s Q-sort of the statements was correlated with every other person’s Q-sort for each of the five conditions in order to produce five 8 x 8, person-by-person, inter-

correlation matrices. Each of the five matrices were subjected to elementary factor analysis¹⁰ to learn the dominant similarity patterns of perception and preference under each of the five conditions. In order to learn which of the self-perceptions (actual or ideal) were operating in each person's preferences for the public figures, a correlation was run across all five conditions for each of the eight respondents. The first analysis across people by condition can be called Q analysis and the second analysis across conditions by people can be called O analysis.¹¹

Findings

The findings and observations of this study are interpreted within the design of our study and are the perceptions of the respondents in terms of our instruments and conditions of instruction. The findings suggest a potential for the theory and suggest what may be some of the perception and preference patterns operating in people. Let us first look at the patterns of perception and preference found to be operating in each of the five conditions and then move into a discussion of the influence of self-perceptions in preference for public figures.

A single pattern emerged from the respondents' perceptions of themselves as "they really are" or *actual* self-perceptions. This is not to say that everyone saw themselves "actually" just like everyone else, but that only one pattern or factor emerged made up of three of the respondents—the others did not form additional patterns. We might typify this one pattern as reflecting "inner-directedness."¹²

Two patterns emerged from the respondents' perceptions of themselves as they "would like to be" or *ideal* self-perceptions. The first pattern seemed to reflect a "humanistic orientation to others" and the second pattern seemed to reflect a desire for "full enjoyment of life." One pattern appears interested in the lives of others and making a contribution to society, while the second pattern is seeking the richer experiences life promises. These two patterns take in the perceptions of all eight respondents, which may suggest there is a little more similarity among ideals than among actual perceptions. That is, there may be more of a consensus among people about ideals in our society and less consensus among the way people describe themselves. Or it may merely be an inadequacy in our instruments in terms of too few alternatives.

In the preferences for *political figures* two patterns emerged from the data, again accounting to some degree for all eight respondents. The first pattern of preference might be for an "intellectual problem-solver" and the second pattern of preference might be for a "willing, sincere man of the people." It was interesting to note that there was a preference for "honesty and straightforwardness" operating strongly in all eight preference patterns.

A single, rather fuzzy, pattern emerged in the preference for *female television performers* which I have attempted to characterize as the "lighthearted and understanding female." This preference pattern took in four of the respondents—all males. Each female had her own unique preference pattern! Some of the favorite female personalities mentioned by the men represented in this pattern were Lucille Ball, Donna Reed, and Mary Tyler Moore of the old *Dick Van Dyke Show*. Two patterns of preference for *male television performers* emerged, accounting for all but two of the respondents. The first pattern might be called the "articulate observer" and the person most representative of this pattern named Eric Sevareid, the CBS News Analyst, as his favorite. The other pattern that was identified might be called the "strong, gregarious" type. The person most representative of this pattern named Ben Cartwright of *Bonanza* as his favorite.

Now we come to the analysis which sheds some light on our theory of how self-perceptions operate in preferences for public figures. There is some indication from the preference patterns described above that seemingly opposite kinds of public figures are preferred—Eric Sevareid vs. Ben Cartwright. What happened in these two cases was that both were more reflective of ideal self-perceptions than of actual self-perceptions. In fact, in seven out of the eight respondents, ideal self-descriptions were operating more strongly than actual self-descriptions in their preferences for the public figures described by their Q-sorts. But, this is by no means a hard and fast rule since there were personality dimensions operating strongly in some cases in preference description that were not operating in self-descriptions and seldom vice-versa. This may suggest, as was mentioned in our theoretic discussion, that preference is influenced by other variables such as the program content in television, or issues that a candidate stands for in politics, or exposure to certain things and not others, etc. In the eighth respondent the

actual self-description appeared to be operating more strongly in her preference than was the ideal self-description.

Another finding was that some self-description dimensions were operating strongly across all three preference descriptions for six of the eight respondents. In other instances, a self-description dimension was operating in just one of the preference dimensions and not the others. This suggests a rather intriguing notion, which has been mentioned in Kelly, that certain constructs or dimensions are operating in a number of life endeavors and others are unique to particular segments of a person's life. One respondent, for example, had two ideal dimensions operating strongly in his political preference—nowhere else—and three ideal dimensions that were operating strongly across all three preference patterns.

Implications

I have articulated a theory of how self-perceptions may be operating in preferences for public figures which has gained some support from the small pilot study. There is no question that further research needs to be done before the theory becomes a "working theory," but the implications do appear exciting. Since the initial thinking on this theory and the pilot study were done more than a year ago, there has been some research activity in this area, particularly in product development where "ideal" has begun to prove itself useful in learning something about potential market segments. In most of these cases, people are asked to describe available brands or products along certain characteristics and then to describe an ideal brand or products along these same characteristics. This helps indicate where needs are not being met by existing brands or products. There has also been research using ideal self-perceptions in learning about television commercials. People are asked to describe themselves as they are, as they would like to be, and then, after seeing the commercial, to describe the kind of person they think might use the product. This helps gain insights into which dimension the user image projected by the commercial is closest to or farthest away from actual or ideal self.

A use of this theoretic approach in television might be in new program development in order to gain insights into what kinds of personalities might be enjoyed most by the intended audience. Thus, one

could begin to make some predictions about the effectiveness of certain types over others and perhaps use a kind of personality in a format that previously had been considered an undesirable combination.

Perhaps this thinking will stimulate further research into the perceptions and preferences for "public figures." I believe the research will prove fruitful and give us insights into viewers' personal orientations which are usually thought about in terms of Nielsen ratings, large surveys of opinion, etc. A more wholistic approach is needed in future research aimed at understanding the mass communication process. Self-perception needs to be considered as one of the important dimensions in a wholistic and human approach to human communication. Research may indeed indicate that self-perception (actual *and* ideal) is a major variable in understanding preference and may help develop a useful model to improve the communication process.

Footnotes

¹Elihu Katz and David Foulkes, "On the Use of Mass Media as 'Escape,'" *Public Opinion Quarterly*, 26 (Fall, 1962).

²Marshall McLuhan, *Understanding Media* (New York: McGraw-Hill), 1964.

³Joel Davitz, "Social Perception and Sociometric Choice of Children," *Journal of Abnormal Social Psychology*, 50 (1955), 176.

⁴A distinction is made here between preference and present likes. For a fuller discussion of preference see: Robert R. Monaghan, "Television Preference and Viewing Behavior," unpublished Ph.D. dissertation, Michigan State University, 1964.

⁵George Kelly, *The Psychology of Personal Constructs, Vols. I & II*, (New York: W. W. Norton & Company) 1955.

⁶Joseph T. Plummer, "Man the Scientist," Ohio State University, 1966, (mimeographed report).

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⁸Robert R. Monaghan, Joseph Plummer, Dave Rarich and Dwight Williams, "Recommended Target Audience and Appeal Elements for 'The Girl From U.N.C.L.E.,'" commissioned research study for MGM-TV (September, 1966).

⁹William Stephenson, *op cit*.

¹⁰Louis McQuitty, "Elementary Factor Analysis," *Psychological Report*, 9 (1961).

¹¹William Catell, *Handbook of Multivariate Experimental Psychology*, (Chicago: Rand McNally & Company), 1966, Chapter 3.

¹²Selected from the theoretic framework of David Reisman, et al., *The Lonely Crowd*, (Glencoe, Illinois: The Free Press), 1953.

LAWRENCE D. LONGLEY

The FCC and the All-Channel Receiver Bill of 1962

After nearly a decade of pinning its hopes for an expanded television service to American homes on such concepts as good will and deintermixture, the members of the Federal Communications Commission who wished to break the vicious circle of UHF television broadcasting (no audience-no sponsors-no money for the station-no good programs-no reason for people to watch or buy receivers-no audience, etc.) decided to support the principle of using legislative methods to ensure that all new television receivers would have the capability of receiving UHF as well as VHF. This would reduce the impact of technology, and would allow stations to compete on more equal footing. This decision took several years to make, and several more years of political wrangling before it could be implemented . . . the topic of this article. Dr. Longley, who has contributed to the JOURNAL in the past, is assistant professor of government at Lawrence University in Appleton, Wisconsin.

ONE of the persistent problems facing the Federal Communications Commission throughout the 1950's and early 1960's was that of UHF television. Introduced in 1952 on an intermixed basis with already flourishing VHF television, UHF television found itself unable to compete with VHF for advertisers or audience. While the Commission, during this period, repeatedly expressed its concern with the preservation and development of UHF television, it failed to implement any reliable plan for doing so. The result was that the FCC was faced, by 1961, with a failing broadcast service. It was in the All-Channel Receiver Bill of 1962 that the means were found for the rejuvenation of UHF television.

The roots of UHF's problems go back to 1945 when the Commission allocated but 13 VHF channels (subsequently cut to 12) to serve all the needs of television. Its action rested on two assumptions: that (1) twelve VHF channels would suffice to fill TV's immediate needs, and (2) when UHF broadcasting became technically feasible later, this new service could be introduced as either a supplement to, or a replacement for, VHF television. Neither of these assumptions, however, proved to be true. UHF television, when it was finally authorized in 1952 as a supplement to existing VHF television, faced disastrous competition from established, economically secure VHF stations. This came about because the Commission, in its 1952 *Sixth Report and Order* on television allocations, rejected "all-UHF" television—nationally, or in selected areas—as being economically disastrous to existing broadcasters—conveniently forgetting its precedent for such disruption in the shift of FM radio in 1945.¹

Throughout the 1950's, the FCC spent much time dealing with the consequences of this 1952 decision. UHF broadcasting did not prove economically feasible during this period,² and the Commission involved itself in a series of controversial, inconclusive, and ultimately unsuccessful moves to remedy this situation. Among these were:

1. The consideration and rejection, in 1954, of proposals for the deintermixture of seven markets currently assigned VHF television—these to be made all UHF,
2. the reconsideration, in March of 1955, of five of these rejections,
3. the decision, in November of that year, not to undertake deintermixture in these five cases—or in any of the 30 other proceedings which meanwhile had been initiated,
4. the statement, on January 20, 1956, that deintermixture was, of course, a very real possibility and that the FCC was still considering it,
5. the announcement, on June 25, 1956, of plans to deintermix 13 markets (including the five twice rejected earlier).
6. The failure, during the period from 1956 to the 1960's, to implement deintermixture in even the majority of these 13 cases. Only five of the 13 deintermixtures proposed in 1956 actually were carried out, and these did little to help the UHF industry generally. It is likely, moreover, that the lengthy debates and disputes over UHF during the 1950's served more to point out its sickness to advertisers and viewers than to relieve its problems.

By 1961 and 1962, the condition of UHF had deteriorated to such an extent that some new initiative seemed required. The production

of all-channel television sets, capable of receiving UHF as well as VHF channels, had fallen to a record low of 5.5% of all new sets, thus giving the 83 commercial UHF stations marginally on the air little hope of being able to increase their already tiny audiences.³ Lack of audiences made UHF television unattractive to advertisers, while the lack of advertising revenue spelled bankruptcy and an end of operations to the UHF broadcaster. These conditions were of great concern to the "New Frontier"-inspired FCC, and especially to its new chairman, Newton M. Minow, who had been outspoken about "the vast wasteland" of television and the need to counter TV's mediocrity through the development of additional channels offering further program variety and diversity—channels which could come only through an unprecedented utilization of the UHF band.⁴

As a result of these concerns and hopes for the future of UHF television, the Commission announced, on July 27, 1961, a package proposal including such varied items as: (1) deintermixture of UHF and VHF markets in eight areas,⁵ (2) a "shoehorning" in of new VHF assignments at less than the standard mileage separation in eight other cities, and (3) a request for Congressional action on legislation authorizing the FCC to require that all new sets be capable of receiving both VHF and UHF television.⁶ If this combination of plans seems bulky and somewhat contradictory, it was because on specific proposals such as that calling for efforts at deintermixture, the Commissioners were split 4-3, and only by combining several such items was the Commission able to obtain a final unanimous vote on the package.⁷ The FCC was, however, unanimous in deciding to request all-channel television receiver legislation.⁸

The two most important elements of the 1961 package were the proposals for deintermixture, and the request for all-channel television legislation.⁹ In conjunction, they gave rise to considerable fear that the FCC was moving toward an all-UHF television system. As Dr. Frank Stanton of CBS put it, "I get nervous when the Commission talks about deintermixture at the same time it talks about all-channel sets."¹⁰ Chairman Minow tried to calm such fears by pointing out that only one Commissioner (Robert E. Lee) currently favored a shift of all television to UHF¹¹—a possibility which later was seen even by Commissioner Lee as "an exercise in futility."¹²

While the combination of deintermixture and all-channel television made broadcasters nervous, deintermixture by itself distinctly upset them. Unlike deintermixture proposals made in 1955 and 1956 which would, in most cases, have changed only VHF assignments unfilled as of 1956, the Commission was now suggesting moving VHF stations already on the air to the UHF band. Commissioner Robert E. Lee described this difference: "It's one thing to tell people they can't have something, it's another thing to take away something they have."¹³ In an editorial on the new deintermixture proposals, *Broadcasting* warned:

There was a time—before the new VHF stations were built in single station markets—when deintermixture would have been workable with minimal injury to the public and broadcasters. Any change now may be a major wrench and we have the notion that the public will make itself heard.¹⁴

All eight members of the Congressional delegation for the State of Connecticut, for example, united in opposition to the proposal to shift Hartford's only VHF station to the UHF band.¹⁵ By early 1962, *Broadcasting* was able to report cheerfully that: "Almost all Senators in states with markets slated for deintermixture and Congressmen from districts containing those stations and others have expressed their opposition to the plan."¹⁶ Those industry groups opposed to deintermixture were to make good use of this Congressionally articulated concern over deintermixture plans.

During much of 1961, while controversy developed deintermixture, little action occurred on all-channel television legislation. However, in late September, 1961, FCC Chairman Minow suggested that such a bill might resolve many of the same problems as deintermixture.¹⁷ On January 11, 1962, Minow further emphasized the all-channel television bill by calling it "our chief legislative proposal of 1962."¹⁸

Legislation designed to grant the Commission the desired all-channel authority was pending in Congress at this point in the form of Senate Bill 2109, introduced by Senator John Pastore of Rhode Island, and House Bill 8031, introduced by Representative Oren Harris of Arkansas, chairmen of the Senate and House Commerce Committees. Both of these bills granted the FCC authority to make rules requiring that all television sets shipped in interstate commerce have the capacity to

receive all channels—UHF as well as VHF—allotted to television. Hearings on this FCC-supported legislation were held by the Senate Commerce Committee on February 20, 21, and 22, 1962,¹⁹ and by the House Commerce Committee on March 5, 6, 7, and 9, 1962.²⁰ Much of the testimony at these hearings, however, revolved around the topic of deintermixture rather than all-channel television. Many bills had been introduced to halt deintermixture, and strong sentiment seemed to exist in both Commerce Committees for a rider to any all-channel television bill which would specifically prohibit changes in existing VHF assignments designed to achieve the deintermixture of television markets. As *Broadcasting* jubilantly concluded, "It was made clear in both the Senate and House Committee proceedings that there will be no all-channel bill without a commitment to forego deintermixture now."²¹

Faced with such a dilemma, the FCC sought to head off a legislative prohibition through testifying that any statutory moratorium on deintermixture proceedings would be unfortunate since it would deny the Commission needed flexibility, and that "unless Congress wants to go into the frequency allocation business, we should be left free to make such decisions."²² It soon became clear, however, that *Broadcasting* was correct in that unless the FCC gave up completely on its deintermixture plans, any all-channel receiver legislation which might pass—if any—would be certain to contain statutory language prohibiting further deintermixture proceedings. Consequently, the Commission, on March 16, sent House Committee on Interstate and Foreign Commerce Chairman Harris a letter stating:

... if the all-channel receiver television legislation is enacted by this Congress, it is the judgment of the Commission . . . that it would be inappropriate, in the light of this important new development to proceed with the eight deintermixture proceedings initiated on July 27, 1961, and that, on the contrary, a sufficient period of time should be allowed to indicate whether the all-channel receiver authority would in fact achieve the Commission's overall allocations goals. . . . Before undertaking the implementation of any policy concerning deintermixture, the Commission would advise the Committee of its plans and give it an appropriate period of time to consider the Commission's proposals.²³

The result of this letter was, in the words of Commissioner Robert E. Lee, "Congress in effect made a deal with the Commission—drop

deintermixture, and we get the all-channel television bill."²⁴ Legislative support for the bill quickly picked up, and *Broadcasting* reported that "Representative Harris was assisted in his support of the bill by a number of his committee members representing districts threatened by the Commission's deintermixture proposal."²⁵ Another observer of this legislation concluded that "...since the strong VHF interests prefer an all-channel bill over deintermixture, the bill has a strong chance of passing."²⁶ The linking of deintermixture and all-channel television in the original 1961 package, then, had an unforeseen but important result—it greatly enhanced the prospects of the all-channel television bill in 1962. One key individual, Commissioner Lee, put it rather simply: the decision to propose deintermixture, and the resulting opposition to this plan, was "the reason we got the all-channel television legislation."²⁷

Now supported by those opposing deintermixture, the all-channel television bill faced comparatively little opposition. Some Congressmen expressed reservations about the "loss of freedom" involved in requiring people to purchase television sets equipped in a certain way, and vocal, but isolated concern was expressed by the Electronic Industries Association about the rise in set costs—variously estimated as \$25-\$40 retail—that would result from having to include a UHF tuner in each set.²⁸ This opposition, however, was minor compared with the massive industry support for the bill coming from all three networks, major manufacturers such as General Electric and RCA (despite the Electronic Industries Association stand), several industry groups including the National Association of Broadcasters,²⁹ as well as from President Kennedy (on March 14, 1962).

Favorably reported out of the House Committee on Interstate and Foreign Commerce on April 9,³⁰ the bill passed the House by a vote of 279-90 on May 2. The Senate version was favorably reported by the Senate Commerce Committee on May 24,³¹ and was approved by the Senate by a voice vote on June 14. Minor differences between the Senate and House bills were agreed to by the House by a voice vote on June 29, and on July 10, 1962, President Kennedy signed the legislation as Public Law 87-529. As the last stage in this process, the FCC availed itself of its newly conferred authority on September 13, 1962, to institute rule-making to require that all television sets shipped in interstate commerce be all-channel television receivers.³² This rule

was made final on November 23, 1962,³³ to go into effect April 30, 1964.

One of the strange things about the all-channel television law of 1962 was that no one seemed to realize how *well* this plan would work. Because of the boom in portable TV sets and the great growth in color TV sales, the proportion of all-channel receivers in American homes increased more quickly than anticipated.³⁴ In its Annual Report for 1967, the FCC reported 42.1% of all U.S. television sets as able to receive both UHF and VHF television,³⁵ and predictions project this level to 90% by the end of 1970.³⁶ The result of the general ability to receive UHF stations, coupled with new technical advances in UHF transmitters, antennas, and tuners, may then make the traditional distinction between UHF and VHF television virtually obsolete.³⁷

The politics of this controversy were rather curious, for it can be said that deintermixture was the reason that the all-channel receiver bill passed in 1962. The opposition to deintermixture was particularly strong, since in every area considered for deintermixture VHF stations already on the air would have been affected. This opposition to deintermixture was transformed, as time went by, into positive support for an alternative policy—the all-channel receiver bill. The linking of a highly unpopular measure to a proposal VHF interests could accept resulted in sufficient support accumulating for the all-channel receiver bill so as to ensure its enactment by Congress and its implementation by the Commission. This controversy shows an interesting converging of the interests of the industry in avoiding a certain type of policy, with the renewed interest of the Commission in providing for diversity and additional competition in TV broadcasting. The result was a pattern of pressures favoring the all-channel receiver bill sufficient to ensure its adoption as definitive public policy.

The initiation of the request for action along the lines of the all-channel receiver bill came from the Commission itself—although, as earlier stated, the idea of such legislation derived from a suggestion contained in the 1957 House Judiciary Committee report.³⁸ The reason for this initiative was that the FCC, involved in berating the television industry's "vast wasteland," was taking a renewed interest in UHF television as a means of broadening program choice for the viewer. In

addition, the FCC had been under pressure from the Senate Commerce Committee for more than five years to find some means of alleviating UHF's woes. The result of this Commission interest and Congressional pressure was the package of proposals of July 27, 1961. The subsequent focus on all-channel legislation as the chief means of UHF development, however, came about largely because it alone, of the various proposals, did not face immediate overwhelming opposition.

The opposition to deintermixture arose from self-interest on the part of VHF interests, and constituency interests (and thus political self-interest) on the part of Congressmen. In terms of the all-channel bill, however, involvement was determined for participants (save for the Commission and the Electronic Industries Association itself which was concerned about set sales after a rise in prices) by a desire to use the legislation as a means of permanently ending the specter of deintermixture.

Unlike the endless deintermixture controversies of the 1950's, the UHF operators and the Commission were successful in 1962, in implementing a policy to assist UHF television. The victory for the FCC in successfully obtaining Congressional support for all-channel set requirements, may well have been particularly sweet, since to get it the only thing the Commission had to give up was a proposal limited in applicability and backed only by a slim majority of the Commission. In return, the FCC received authority to implement a policy which had favorable results beyond all expectations. In this sense, those UHF investors and operators which had so long suffered financially "really won," for in the successful FCC initiative to obtain the manufacture and sale of all-channel sets, the means were found for the realization of UHF television.

Footnotes

¹See: Lawrence D. Longley, "The FM Shift in 1945," *JOURNAL OF BROADCASTING*, XII (Fall, 1968), 353-365.

²See: Harvey J. Levin. "Economic Structure and the Regulation of Television," *Quarterly Journal of Economics*, LXXII (Aug., 1958), 424-450. A valuable analysis of the linkage between audience size, advertising revenue, program quality, and UHF set conversions is provided in the Plotkin report to the Senate Commerce Committee in 1955: U. S. Senate, Committee on Interstate and Foreign Commerce, *Television Network Regulation and the UHF Problem*, 84th Congress, First Session, 1955.

³"Statistical Analysis, 1946—63: The Television Industry"; table titled "The UHF Story," *TV Factbook No. 34 for 1964*, p. 38a. It should be noted that this all-channel receiver production figure of 5.5% is a national average, and in some areas, such as central Illinois or central Massachusetts, where major network service was provided largely or entirely by UHF stations, the all-channel set "penetration rate" was much higher — possibly even 65 or 70%. These areas, however, were much outnumbered by markets where all network service was supplied by VHF stations, and UHF stations, if they existed at all, had but second rate programs to broadcast to an audience largely unequipped to receive UHF transmission. Prior to late-1952, all sets were VHF only. In 1953, slightly more than 20% of TV sets manufactured were equipped for UHF; this proportion dropped each year until the effects of the 1962 law were felt.

⁴"Notes: The Darkened Channels: UHF Television and the F.C.C.," *Harvard Law Review*, LXXV (June, 1962), p. 1578. See Chapter VI, "All-Channel Television," in Newton N. Minow, *Equal Time: The Private Broadcaster and the Public Interest* (New York: Atheneum, 1964), pp. 132-145.

⁵This was essentially a renewal of an approach attempted — unsuccessfully — in the 1950's. The deintermixture of markets would involve ". . . a reallocation of channel assignments so that any one community will be either all VHF or all UHF; no single community would have both UHF and VHF stations." Dr. Frank Stanton, President of CBS, at the 1954 Potter Hearings, United States Senate, Committee on Interstate and Foreign Commerce, *Hearings on the Status of UHF and Multiple Ownership of TV Stations*, 83rd Congress, Second Session, May and June, 1954, p. 978.

⁶FCC Public Notice: "Comprehensive Actions to Foster Expansion of UHF T.V. Broadcasting," July 28, 1961 (mimeo). See also *Broadcasting*, August 7, 1961, p. 54. Kittross observes concerning the Commission request for authorizing legislation: "There is some precedent for the view that the FCC had the power all the time, via asking the FTC to act along the lines of: 'It is fraudulent to sell any receiver in interstate commerce that cannot pick up all channels of a given service. . . .' Another approach is the one used in 1910. The problem was the failure (by order of their company) of the Marconi Company operators to communicate with ships/shore stations that used equipment of other manufacturers. This was against public policy. The U. S. enforced an international agreement against the Marconi practice by writing into the Radio Act of 1910 that all ships of certain classes leaving U. S. ports had to be 'equipped with an efficient apparatus for radio-communication' and that 'for the purpose of this act apparatus for radio-communication shall not be deemed to be efficient unless the company installing it shall contract [it] in writing to exchange, and shall, in fact, exchange, as far as may be physically practicable, to be determined by the master of the vessel, messages with shore or ship stations using other systems of radio-communication.' A very interesting use of a 'technical' requirement to accomplish a 'social' purpose." Personal letter to author from John M. Kittross, February 2, 1968.

⁷Washington interviews with FCC Commissioner Robert E. Lee, October 25, 1965, and Phil Cross, legal assistant to Commissioner Robert T. Bartley, October 25, 1965.

⁸United States Senate, Committee on Interstate and Foreign Commerce, *Hearings on All-Channel Television Receivers*, 87th Congress, Second Session, February 20, 21, and 22, 1962, p. 31. This idea of dealing with UHF problems through attacking the low level of all-channel receiver penetration was

not new in 1961. As early as 1957, Congressman Emanuel Celler had suggested that the heart of the problem lay in the limited sales of sets with UHF receiving capacities, (United States House of Representatives Committee on the Judiciary. *Report of the Antitrust Subcommittee Pursuant to House Resolution 107 on The Television Broadcasting Industry* 85th Congress, First Session, March 13, 1957, p. 9.), and proposals had been made during the 1950's for some type of legislative requirement that all new television sets be capable of receiving both UHF and VHF channels, but nothing had come of this.

⁹The FCC dropped its proposal for new "drop-in" VHF assignments after the passage of the all-channel television bill on the grounds that the effects of the new legislation should first be determined. This was greatly regretted by the Senate Commerce Committee, which had backed VHF "drop-ins" as a means of strengthening TV network competition through increasing the number of cities with three VHF stations. The proposal, however, was strongly opposed by established VHF licensees whose broadcast signal would be degraded by "short-spaced" stations transmitting on the same channel. Interviews with Nicholas Zapple, Counsel of Senate Commerce Committee, October 21, 1965, and Commissioner Robert E. Lee, October 25, 1965.

¹⁰*Broadcasting*, March 12, 1962, p. 40.

¹¹*Ibid.*

¹²Washington interview with Commissioner Robert E. Lee, October 25, 1965.

¹³Washington interview with Commissioner Robert E. Lee, October 25, 1965.

¹⁴Editorial in *Broadcasting*, August 7, 1961, p. 114.

¹⁵*Broadcasting*, August 21, 1961, p. 50

¹⁶*Broadcasting*, February 26, 1962, p. 56.

¹⁷*Broadcasting*, October 2, 1961, p. 4.

¹⁸This speech to the National Press Club on January 11, 1962, can be found in Newton N. Minow, *op. cit.*, Chapter VI.

¹⁹U. S. Senate, Committee on Interstate and Foreign Commerce. *Hearings on All-Channel Television Receivers, op. cit.*

²⁰United States House of Representatives, Committee on Interstate and Foreign Commerce, *Hearings on All-Channel Television Receivers and Deintermixture*, 87th Congress, Second Session, March 5, 6, 7, and 9, 1962.

²¹Editorial in *Broadcasting*, March 12, 1962, p. 106.

²²*Broadcasting*, February 26, 1962, p. 100.

²³United States House of Representatives, Committee on Interstate and Foreign Commerce. *All-Channel Television Receivers*, House Report No. 1559, 87th Congress, Second Session, April 9, 1962, pp. 19-20. The complete text of the letter can be found on pp. 18-21 of this report. The deintermixture proceedings were officially terminated on September 12, 1962.

²⁴Washington interview with Commissioner Robert E. Lee, October 25, 1965. One might ask why Congress and the broadcasting industry felt a "deal" was necessary—why wasn't, for example, a prohibition of deintermixture considered in the absence of an All-Channel Receiver Bill? The issue seems to be that the events of recent years (including the quiz-show scandals, reports of improper industry-Commission contacts, and the general stir over FCC Chairman Minow's criticisms of television) had put the broadcasting industry, and its Congressional allies, on the spot. A purely negative response to the problems of UHF television, and the Commission's attempts to alleviate them, then, seemed untenable.

²⁵*Broadcasting*, May 7, 1962, p. 54.

²⁶"Notes: The Darkened Channels: UHF Television and the F.C.C.," *op. cit.*, p. 1602.

²⁷Washington interview with Commissioner Lee, October 25, 1965.

²⁸*Broadcasting*, January 15, 1962, p. 28. Much concerning this problem is found in: "All-Channel (VHF-UHF) Television: Information and Press Clippings," file of the Consumer Products Division, Electronic Industries Association, on the All-Channel Receiver Legislation. Unlike these predictions, however, actual retail prices, after the all-channel television bill went into effect, increased only \$5 or \$7 per set—if at all—due to heavy competition. Washington interview with Jack Wyman, Staff Director of Consumer Products Division, Electronic Industries Association, October 20, 1965.

²⁹See the statement of LeRoy Collins, President of the National Association of Broadcasters, before the House Commerce Committee, March 9, 1962 (concerning all-channel television) (mimeographed).

³⁰House Report No. 1559 on *All-Channel Television Receivers*, *op. cit.*

³¹United States Senate, Committee on Interstate and Foreign Commerce, *Report on House Bill 8031 (All-Channel Receiver Bill)*, 87th Congress, Second Session, May 24, 1962.

³²FCC, "Notice of Proposed Rule Making," Docket No. 14769, September 13, 1962, (concerning all-channel television) (mimeographed).

³³FCC, *First Report and Order in Docket No. 14769*, November 23, 1962. (concerning all-channel television) (mimeo.).

³⁴John Serrao of Kaiser Broadcasting, a company with large investments in UHF television, credits color and portable television with much of the growth of UHF television, but also says, "We wouldn't have gone into UHF without the all-channel bill." Quoted in Morris J. Gelman, "'U' as in Upward," *Television Magazine*, October, 1965, p. 56.

³⁵Federal Communications Commission, *Annual Report for 1967* (Washington, D.C.: U.S. Government Printing Office, 1968), p. 4.

³⁶Gelman, *op. cit.*, p. 23.

³⁷The new tuners with improved sensitivity and signal/noise ratio are particularly needed to help overcome the slight (usually, approximately 10 miles) range advantage of VHF. Also, the inertia caused by existing network affiliations with VHF stations will continue to affect the finances of UHF stations in communities with three or more VHF stations operating.

³⁸United States House of Representatives Committee on the Judiciary, *Report of the Antitrust Subcommittee . . .*, *op. cit.*, p. 9.

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G. JOSEPH WOLFE

Some Reactions to the Advent of Campaigning by Radio

How did the social commentators and critics of the day react to the first uses of radio for national political campaigning? Many of them showed a great deal of foresight; more perhaps than the politicians themselves. Quoting from newspapers and periodicals of the time, the author of this article concentrates on the effects of some of the earliest non-entertainment American broadcast programming—the election campaigns of 1924. Dr. G. Joseph Wolfe is associate professor of radio-tv-film in the department of Speech and Dramatic Art at the University of Missouri.

THERE is little doubt that the continually increasing use of the electronic media for political purposes literally has forced the American citizen to view broadcasting as an inescapable part of politics. The days of the “stump speaker” rapidly are fading. Today, the politician figuratively speaks from the uppermost branch of the tree. Such a change in the communicative “position” of politics and politicians raises the interesting question of public reaction to the beginnings of this ascent.¹

Most writers agree that broadcasting for general public consumption² and political broadcasting are precisely the same age—both having been born in 1920. So close was the relationship, that the latter partially was responsible for the premature birth of the former.³ Though the broadcast of the Harding-Cox election returns in 1920 marked the first use of a licensed radio station for political purposes, it must be conceded that this modest beginning was, in fact, so

modest in terms of the number who received the broadcast that it hardly can be construed as the beginning of political campaigning in the broader, more meaningful sense of the word. As Bohn points out, "coverage and audience reception were greatly expanded" in 1924.⁴ Thus this investigation will be concerned with an assessment of published reactions to the first full-blown radio campaigning for the presidency of the United States.

Perhaps the single most striking feature of the commentary on the radio campaigning of Coolidge, Davis, and LaFollette was the penetrating insight demonstrated by the writers of the day. Here were writers who were reacting to a strikingly new phenomenon in the realm of political campaigning. Yet, their reactions exhibited a sophistication which would be expected only from one who had long been acquainted with the medium, its effects, and demands. And too, their observations regarding the effects and the future of broadcasting and politics were quite prophetic.

Since radio campaigning was basically new and different, it was only natural that social commentators would question how this new medium would affect politics and politicians. More specifically, the writers of 1924 appeared to be preoccupied with the question of how this new medium of communication would affect oratory, the staple of the politician. As we shall see later, a few writers commented on the native speaking ability of the individual candidates but, in general, there appeared to be more interest in how radio would modify the form of oratory, regardless of the candidate. Of those writers who addressed themselves to the question of how radio might change political speaking, the majority predicted that effective radio campaigning would necessitate a more lucid, tightly organized oratorical form.⁵ In a typical article, candidly entitled "Blotting Out the Blah," it was argued that for the first time in history the voter had been offered a means whereby he might escape from political "blah." To do so, the writer said, the listener "raises a languid thumb and forefinger, turns his dial one tenth of an inch, and the blah is gone. But he remembers the blaher; and he will remember him on election day."⁶ Likewise, *The Milwaukee Journal* insisted that "whatever makes [the candidate] speak less and more to the point will improve government."⁷ Agreeing in principle, the *Springfield Republican* said: "Cut it short will have to be the rule."⁸ Last,

and perhaps most important, even the candidates knew that brevity would become the tool of the successful politician. John W. Davis predicted:

The radio will completely change campaign methods, in my opinion. I believe it will make the long speech impossible or inadvisable, and that the short speech will be the vogue. Otherwise your audience might tune out on you without your knowing it. It's just a matter of turning a knob.⁹

Bound up in the issue of radio's effect on the length of the political speech was the question of whether or not broadcasting would force the politician to face squarely the issues of the campaign rather than engaging in oratorical meandering calculated to enhance his image. Exactly half of the articles examined directly or indirectly referred to the question of issues vs. personality, although, unlike today, the majority avoided using the word "issue." "Facts" seemed to be the favored word. Typical of the circuitous approach was General Electric president, Owen D. Young's comment that "facts, only, will be countenanced" and that time-worn "meaningless oratorical demonstrations . . . will not be of any consequence to a radio audience."¹⁰ However, one who faced the problem squarely was Henry Wallace, Secretary of Agriculture:

It is probably that more attention will be given to the content of political speeches which will be heard in the calm of the fireside. . . . The effective talk will be one that is brief and limited to the real issues of the day. The speaker does not have his audience at his mercy and can lose them with the same ease with which he secured them.¹¹

And finally, in a comment which contained some of the same sentiments voiced by Richard Nixon in his "farewell press conference" of the 1962 Gubernatorial campaign, the Third Party candidate, Robert LaFollette, had this to say regarding the value of addressing oneself to the issues:

The consequences of this great stride toward giving the people a first hand knowledge of political debate can hardly be estimated. Undoubtedly it will serve to minimize misrepresentation in the news columns of the press. The most reactionary newspapers will fear to twist facts which thousands of its readers receive directly by radio.¹²

Underlying these and other comments on radio's propensity for shortening political speeches was an acute awareness of the devastating power of the on and off switch of the "wireless." In addition, the writers clearly seem to have perceived the relationship between radio's demand for brevity and how this demand could easily force the politician into the compromising position of having to devote himself solely to the issues of the campaign.

As was suggested earlier, the "personality" dimension of radio campaigning was not overlooked completely. For instance the *New York Times* published an editorial in which they repeated the views of a Frenchman who insisted that in the future, statesmen and politicians would be chosen on the basis of whether or not they were "radiogenique" or "photogenique."¹³ One month later the Democratic candidate, John W. Davis, came forth with this coincidental statement: "Ultimately a candidate may be chosen for two things—first, that he films well, and second, that he has a good radio voice."¹⁴ Likewise, the opposition, Mr. Coolidge, was well aware of the personal aspect of broadcasting, for it was he who was given credit for putting some "heart" into politics. It seems that the incumbent closed the final address of his campaign with the words: "To my father, who is listening in my old home in Vermont, and to my other invisible audience I say, Good night."¹⁵ Normally a bit more reserved, the *New York Times* said that these words "counted for merit to an astonishing degree with not a few, especially women, and a searcher of hearts probably would discover that they won for the President more than a few votes."¹⁶ Clearly, such comments illustrate the candidates' own concern with their broadcast personality.

Those few writers who chose to assess the relative abilities of the candidates gave Coolidge the edge in terms of broadcasting talent. Comments ran from an enthusiastic, "Calvin Coolidge is positively the last word in effective radio speaking,"¹⁷ to a more relaxed "Cool Cal sounds well over the radio."¹⁸ In short, Mr. Coolidge could do no wrong as far as his broadcasting talents were concerned. Vices were turned into tongue-in-cheek virtues. To wit: "Even his Vermont accent is not a handicap. That Yankee nasal quality blends nicely into static or into any other untoward atmospheric condition."¹⁹ Perhaps the most interesting and prophetic evaluation of the various speakers of the 1924 campaign was concerned not with the candi-

dates themselves, but rather with a young man by the name of Franklin Delano Roosevelt who later was to exploit fully the personal aspect of radio.

Sometimes it may be one quality that accounts for a man's radio personality, and sometimes another. Franklin Roosevelt, for example, has it because of his knack for making things sound personal and informal. The radio audience listens in on speechifying in informal groups of twos and threes. That's perhaps the dominating factor that has put grandiloquence out of joint. The radio audiences like to feel that the speaker has dropped into its parlor for an informal chat.²⁰

The same writer also bemoaned the fact that FDR's smile could not be transmitted.

In addition to comments on the candidates' broadcast personalities, considerable attention was given to the personal and impersonal aspects of the medium itself. On this point, a small majority of writers saw radio as a rather cool (apologies to McLuhan), impersonal instrument which failed to convey the true excitement of the candidates and the campaign. However, one contention was that radio, as the primary channel of communication for many people in the nation, was the *only* way by which the voter might judge the the personality of the candidate. Typifying this view, the *New Republic* stated:

[Radio] does bring to the physically remote voter a type of first-hand information he has never had before. For it not only transmits to him the candidates' complete and exact words, which the newspaper too can do, and sometimes does, but it gives them in his own voice, with his own revealing emphasis, with his own chuckle, or candor, or unction, with the immediate warm reaction of his personality, down to the very creaking of his shirt studs.²¹

Some six months later, however, the same magazine had shifted its position slightly and was arguing that handshaking, baby kissing, the famous teeth and melodramatic fist of Teddy Roosevelt, and the "portentous solemnity of Dr. Wilson" would all be lost on the "head phones."²² The *El Paso Times* held that the voter really was not too concerned with what the candidates said, but rather was interested in observing the shape of his ears, and how his nose wrinkled when he laughed at his own jokes; qualities of the candidate which radio could not convey.²³ Likewise, the *Brooklyn Eagle*

felt that radio detracted from the true personality of the candidate since it could not transmit, through voice alone, his smile, his frown, and his gestures, all of which were a part of personality.²⁴ Even broadcasting officials were not in agreement as to what the listener might gain or lose as a result of this new medium. General James G. Harbord of the Radio Corporation of America was downright ecstatic:

Over the broad highways of the ether will come, in the campaign that is now upon us, the human contact between statesman and people that will supplant professional politics and mechanical effort at the front door of the voter, with truth and conviction within the home.²⁵

On the other hand, H. P. Davis, Vice President of Westinghouse, was of the opinion that the listener would suffer from the loss of the excitement of the demonstrations, the enthusiasm, and what he called the "three ring circus aspect" of the typical political campaign.²⁶ Most uncertain as to what position to take on this question was the *New York Times*. A June 14, 1924 editorial contended that the listener was able to receive not only the speaker's words, but ". . . his every intonation and expression of emotion, as well as a little something of what was going on around him—the atmosphere of the occasion."²⁷ Two weeks later, however, another editorial suggested that the speaker's personality would be lost, or at least weakened, thus forcing politicians to rely on argument and fact rather than mass excitement.²⁸ Yet, the following week they were again insisting that the little sidelights, and mistakes of the convention broadcasts ". . . gave to the listener the feeling of actual presence at the convention."²⁹ The *Nation*, on the other hand, had its mind made up about the whole process of campaigning by radio; their unqualified feeling was that the entire business was, and would continue to be, an abysmal failure. With regard to the personal-impersonal argument, they asserted:

The radio listener, moreover, is lonely; there is no mob presence to sweep him out of his Yankee cynicism. He is an onlooker, not a participant, and is more likely to turn off his instrument with a smile than to thrust his fist into the solitary air and cry "Hurray for Cal."³⁰

It remained for the the *New York Times* to come forth and freely admit that the problem had not been studied sufficiently:

The value of radio in politics has been little studied by political leaders, and, according to program experts of the great broadcasters, radio is a double edged political weapon, because it is apt to make the old time political spellbinder sound flat and cheap and a plain, blunt man sound like a Demosthenes.³¹

While there existed not a great deal of detailed analysis with regard to the structure of the radio audience, 88% of the articles examined made some mention of the problem of "who listens." Aside from speculation about whether or not radio would increase the vote, it was generally agreed that radio reached more potential voters simply because no physical effort was necessary on the part of the voter.³² As a result of radio reaching a greater number of people, there was the logical conclusion that politicians would be forced to revamp their campaigning methods in an attempt to meet the demands of differing tastes among the larger audiences. Or, in the words of the *New York Times*, it would be necessary ". . . to meet the exacting taste of Brooklyn newsboys, or college professors and of home keeping females."³³ The homemaker, incidentally, was also looked upon as an ". . . entirely new political public that the [radio] had tapped."³⁴

In addition to the heterogeneity of the audience, the question was raised as to what effect structured listening habits might have on political broadcasting. For instance, the *New York Times* contended that set owners were accustomed to short programs of a specific length, thus the politician would be forced into the same mold if he wished to remain popular.³⁵ Sounding much like today's researcher who talks about "selective listening" and "selective viewing," the Third Party insisted that there were too many entertainment programs to choose from to expect much of an audience except for speeches by the major Presidential candidates themselves.³⁶ And finally, the *New Republic* exhibited considerable insight in its comment about audience structure; a comment which sounds much like current reference group theory:

The other distinctive contribution of the radio [the first being its ability to reach the masses] lies in the unique position of the auditors themselves, the position of being of an audience yet each alone in it, apart from its collective whimsies, transports and rages. . . . The listeners do not have to declare themselves. In an atmosphere untroubled by group contagion they hear him each practically alone. It is his sheer personality against each of theirs.³⁷

As mentioned earlier, the writers of 1924 unknowingly predicted things which were to come.³⁸ While the *Nation* flatly stated that radio campaigning was a fad which, like the bicycle, would "follow the cinderpath into oblivion,"³⁹ the *New Republic* came up with a prophetic statement:

It remains a question how long the political use of the radio will be merely as a transmitter of the direct campaign utterances of candidates. When the battle is definitely transferred to the air, may we not expect all the familiar features of the usual campaign reproduced there? Will not the voice of the radio agent fill the air as the typewriter of his brother the press agent fills the newspapers? We may then expect bedtime stories burbling with anecdotes of some candidate's boyhood, tenors expanding on his favorite lullaby, radio orchestras playing his special march directly after the Star Spangled Banner, even the voice of his aged mother now and then quavering out a tribute.⁴⁰

The writers of 1924, reacting to a striking innovation in the political process in the United States, saw radio as having a profound effect upon political oratory, particularly its length. They reasoned that for the first time in history the voter had the ability literally to "turn off" the politician at any time, thus speeches would be shortened. A smaller group of writers saw brevity as a function of structured listening habits brought about by the medium itself. While the problem of issues versus personality was touched upon, the writers did not seem to view the issue/personality question as an "either or" proposition as is often the case today.

Radio as a new medium of political campaigning was looked upon by a small majority of writers as a rather impersonal instrument which would tend to shortchange the prospective voter largely because he was unable to partake directly of the candidate himself. On the other hand it was recognized that the radio campaigner was able to reach out to a new and largely untapped voting public; a public which would in turn force the politician to adapt his appeal to more diverse tastes and political beliefs.

Viewed from the standpoint of today's knowledge of political broadcasting, any conclusions drawn from these reactions will appear painfully obvious and elementary. Yet, in order to be fair to the writers of 1924, we must forget what little we know today and remember that these men were commenting upon and speculating

about a peculiarly new addition to both broadcasting and politics. Most, it would seem, possessed an admirable gift of foresight. An inescapable conclusion is that the majority of these men were concerned with what might come of a marriage between two communicative instruments—political oratory, the human instrument, and radio, the electronic instrument. This concern, it appears, grew out of a knowledge of the former and a certain skepticism and lack of knowledge of the latter. Regardless of the subject discussed, all the arguments and speculations eventually returned to the very basic question of how well did the politician communicate with the voting public and whether broadcasting helped or hindered.

Footnotes

¹That there was a reaction is hardly open to question, for as Weeks has suggested, "there was much speculation as to the value of radio as a political tool." Lewis E. Weeks, "The Radio Election of 1924," *JOURNAL OF BROADCASTING*, VIII:2 (Summer 1964) p. 234.

²The phrase "general public consumption" takes account of, but does not recognize as significant in terms of this paper, DeForest's 1916 coverage of the Wilson-Hughes returns. For a detailed account of DeForest's broadcast, see Georgette Carneal, *A Conqueror of Space* (New York: Horace Liveright, 1930), pp. 272-273. For an account of an even earlier use of radio for broadcasting political information, see Erik Barnouw, *A Tower in Babel* (New York: Oxford University Press, 1966), pp. 33-34.

³Archer reports that station KDKA was rushed to completion as a result of Westinghouse's desire to inaugurate its first station by broadcasting the Harding-Cox election returns. Gleason Archer, *History of Radio to 1926* (New York: The American Historical Society, 1938), p. 202.

⁴Thomas W. Bohn, "Broadcasting National Election Returns: 1916-1948," *JOURNAL OF BROADCASTING*, XII:3 (Summer 1968), p. 272.

⁵For the most part, the materials examined for this investigation were published during or immediately following the campaign. Those articles which discussed radio campaign speaking were concerned with either the length of the speeches or with whether or not the candidate attacked the issues of the campaign. Of these articles, more than seven out of ten predicted that brevity and/or tighter organization would be critical to successful radio campaigning. In addition to the illustrative material cited in the text, see the *New York Times* for the following dates, all 1924: June 17, p. 2; June 18, p. 18; June 26, p. 22; July 2, p. 18; July 20, p. 1; July 29, p. 4; October 19, p. 6; October 29, p. 20; October 30, p. 18. See also: *Literary Digest*, August 9, 1924, p. 11; *Saturday Evening Post*, August 23, 1924, p. 20; *New Republic*, September 3, 1924, p. 9; *Popular Mechanics*, December 24, 1924, pp. 879-881.

⁶"Blotting Out the Blah," *Colliers*, August 23, 1924, p. 10.

⁷Quoted in "Doubts About Campaigning by Radio," *The Literary Digest*, August 9, 1924, p. 11.

⁸*Ibid.*

- ⁹*New York Times*, July 23, 1924, p. 3.
- ¹⁰"How Broadcasting June Conventions Affects the November Elections," *Wireless Age*, August, 1924, p. 18.
- ¹¹"Getting the Rural Vote," *Wireless Age*, November, 1924, p. 45.
- ¹²*New York Times*, July 21, 1924, p. 1.
- ¹³*Ibid.*, June 27, 1924, p. 18.
- ¹⁴*Ibid.*, July 23, 1924, p. 3.
- ¹⁵*Ibid.*, November 6, 1924, p. 18.
- ¹⁶*Ibid.*
- ¹⁷*Ibid.*, July 29, 1924, sec. 4, p. 1.
- ¹⁸"Getting the Rural Vote," *Wireless Age*, November, 1924, p. 57.
- ¹⁹*New York Times*, July 29, 1924, p. 4.
- ²⁰*Ibid.*
- ²¹"Radio Politics," *The New Republic*, March 19, 1924, p. 92.
- ²²"Electioneering On the Air," *The New Republic*, September 3, 1924, p. 9.
- ²³Quoted in "Doubts About Campaigning by Radio," *The Literary Digest*, August 9, 1924, p. 11.
- ²⁴*Ibid.*
- ²⁵"How Broadcasting June Conventions Affects November Elections," *Wireless Age*, 1924, p. 57.
- ²⁶*Ibid.* For a brief look at some of the more colorful events of the 1924 nominating conventions, see Art Ronnie, "First Convention on Radio," *JOURNAL OF BROADCASTING*, VIII:3 (Summer 1964), pp. 245-246. The supreme irony of this situation is that while the radio campaign of 1924 brought with it the question of whether excitement would be generated or completely lost due to the increased use of broadcasting, today serious questions are being raised about the extremely thorough, computerized coverage of the election process. Our sophisticated technology has perhaps taken from an election some of the old fashioned joy of anticipation. See John M. Kittross, "Many Happy Returns" (editorial), *JOURNAL OF BROADCASTING*, VIII:3 (Summer 1964), pp. 209-210.
- ²⁷*New York Times*, June 14, 1924, p. 10.
- ²⁸*Ibid.*
- ²⁹*Ibid.*, July 2, 1924, p. 18.
- ³⁰"Radio Convention Year," *The Nation*, July 9, 1924, p. 34.
- ³¹*New York Times*, June 17, 1924, p. 2.
- ³²"Radio Politics," *The New Republic*, March 19, 1924, p. 92.
- ³³*New York Times*, July 20, 1924, sec. 4, p. 1.
- ³⁴*Ibid.*
- ³⁵*Ibid.*
- ³⁶*Ibid.*, October 19, 1924, p. 6.
- ³⁷"Radio Politics," *The New Republic*, March 19, 1924, p. 92.
- ³⁸Discounting those articles which dealt with only set ownership and audience size, all writers engaged in some sort of speculation ranging, as this paper has tried to suggest, from predictions about radio's effect on speech structure to predictions about the way in which the medium had restructured the politician's audience.
- ³⁹"Politics By Radio," *The Nation*, January 2, 1924, p. 5.
- ⁴⁰"Radio Politics," *The New Republic*, March 19, 1924, p. 92.
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BRADLEY C. CANON

The FCC's Disposition of "Fairness Doctrine" Complaints

How the FCC actually handles "Fairness Doctrine" complaints was the topic of Bradley Canon's 1967 Ph.D. dissertation, completed in the University of Wisconsin. Dr. Canon currently is assistant professor of political science at the University of Kentucky.

THE FCC's "fairness doctrine" has been the object of heated controversy for several years among those concerned with the broadcast media. Some have praised the doctrine as an equitable although flexible requirement needed in an industry charged with considerable public responsibility. The FCC is seen as a mild-mannered policeman giving offense to no one except a small minority of broadcasters with penchants for "unfair" behavior.¹ But others have charged that the doctrine is a wedge for FCC arbitrariness or harassment and that, moreover, it forces stations to give undue emphasis to the demands of chronic malcontents or "far-out" minorities at the expense of their responsibilities to the wider audience.² However, despite the controversy, there has been little if any systematic research into the manner in which the FCC actually handles "fairness" complaints. Most of the charges and counter-charges are based upon suppositions or anecdotal material.

This article reports the results of an investigation into the nature and disposition of all "fairness" complaints received over a two year period. Complaints are the lifeblood of the doctrine. The Commission never

takes any action against a licensee in the absence of one or more complaints. In fact, the FCC seldom follows up complaints with an independent investigation; rather a complaint is considered solely on the basis of its allegations and supporting evidence.³ In short, complaint disposal is the "fairness doctrine" operationalized. The Commission receives about 500 complaints annually, although there is considerable fluctuation depending on the occurrence of Presidential elections, the salience of divisive policy issues (e.g., Vietnam), etc.⁴ In the two years studied, 1964 and 1965, there were 993 such complaints.

Complaints are defined as any communication which alleges, implicitly or explicitly, that a particular station or network is "unfair" in its treatment of one or more viewpoints regarding a controversial issue or has allowed a personal attack to be made over its facilities without affording the victim time to reply. The term "controversial issue" as used above refers to any matter which the complaining party deems controversial, regardless of how the FCC treats it. Complaints are basically computed in terms of the number of communications received. When a particular occurrence provokes a number of letters to the Commission, they are counted separately. Petitions, complaints in tandem or otherwise obviously coordinated, however, are recorded only once. It should also be noted that where one communication levels charges against two or more stations, a separate complaint is counted for each station, unless they are jointly-owned radio and TV stations operating in the same community.

Disposition Alternatives

There are four possible dispositions of a complaint:

1. It can be judged so insufficient as to be what will be termed "*non-actionable*." In this case, the Commission sends the complainant a letter explaining the relevant portions of the doctrine and points out that the information submitted either does not allege a violation of the doctrine or does so in an inarticulate and unsupported manner.

If, however, the complaint presents a *prima facie* case that the doctrine has been violated, a letter of inquiry is sent to the offending station. When the licensee responds, the three alternative possibilities are:

2. The FCC can *reject* the complaint. It does this by forwarding a copy of the response to the complainant and explaining to him why it has accepted the response as denying or excusing any violation.

3. The complaint may be *mooted* by the licensee's taking some action which satisfies the FCC and/or the complainant.
4. The FCC may *sustain* the complainant and direct the licensee to meet some or all of his requests or otherwise act in accordance with the tenets of the "fairness doctrine."

Table I breaks down the complaints received during the two-year period by disposition. Almost 80% were considered "non-actionable." Of the remaining, over half were rejected by the Commission after receiving the licensee's reply while only 15% were sustained. If we consider the "mooted" category a victory for the complainant (which it usually is), however, there is a more even balance between the triumphs of complainants and those of licensees among those complaints given serious consideration by the FCC.

In the main, solid criteria or tangible guidelines are not available to the staff as it disposes of complaints. Of course, in certain situations such as personal attack complaints, reasonably concrete standards of guidance have been established by precedent or formal rules. But generally the "fairness doctrine" is quite long on virtuous admonitions, but short on detailed prescriptions; the emphasis is more on the spirit of licensee behavior than on the letter. Thus it becomes extremely difficult for the staff to articulate broad and yet meaningful criteria against which complaints are judged. Explanations such as the following are typical but unenlightening.

A violation has to be pretty obvious before we will send out a letter to the licensee.⁵

Once we have the facts, we usually have to let the station off the hook unless the evidence is really damning.⁶

As "obvious" and "really damning" are more subjective than objective judgments, the treatment of "fairness" complaints becomes something of an *ad hoc* or intuitive process.

Complaint Characteristics and Disposition

Given the amorphous nature of the "fairness doctrine" as a whole, a systematic investigation of the characteristics and disposition of all complaints should give us more insights into the actual operation and impact of the doctrine than will Commission rules, precedents or official explanations. Moreover, from such an investigation we will gain inferences about the staff's decision-making processes which are not

likely to be otherwise obtained. All complaints have certain characteristics (or variables) which are useful for comparison with one another—who complains, who and what are the object of the complaint, what remedy is sought, etc. This section cross-tabulates several of these characteristics with the disposition alternatives. From this, we can determine what types of complaints the FCC is most likely to consider initially “actionable,” and which the agency is most likely to sustain or help cause to be mooted.

Nature of the Complaint. Although there is considerable variety in “fairness” complaints, it is possible to place them in four basic categories depending upon the specificity of the incident(s) under complaint and the remedy sought.

1. Personal attack complaint—allegations that a licensee has broadcast material maligning the character, integrity or honesty of an individual or organization without giving the victim an opportunity to respond.
2. “Appeals”—allegations that a station has denied the complainant or others of similar viewpoints (sufficient) air time to present opinions on a particular controversial issue accompanied by a request that the FCC direct the station to do so.
3. General imbalance accusation—complaints which charge that a licensee has presented a preponderance of views favoring one side in broad ideological, partisan or other types of disputes. Such complainants are not asking that anyone in particular be given air time, but that the FCC “do something” to rectify the imbalance.
4. Miscellaneous charges—that programs contain false, distorted or damaging information, that “open-mike” programs are “rigged,” etc.

Table I also shows the disposition totals for each type of complaint. What stands out is that the first two categories have an almost 1:1 ratio of “actionable” to “non-actionable” complaints. In the latter two categories few complaints are “actionable” and only a miniscule amount are successful.

This reflects three things. First, in personal attack or “appeals” situations, the complainant is offering to rectify the imbalance himself. He is asking the FCC merely to adjudicate his right and not to “prosecute” the station. Second, considerable specificity normally is inherent in such complaints. An allegation that a personal attack or denial of access to a licensee’s facilities occurred usually cites program, time, place and other pertinent details. Finally, both types of complaints involve the more tangible elements in the “fairness” doctrine. Here

TABLE I
Disposition of "Fairness" Complaints by Their Nature, 1964-65

Disposition	% of total complaints	% of 'actionable' complaints	Type of Complaint			
			Personal attack	'Appeals'	Im-balance	Misc.
Non-Actionable	79.2%		53.6%	52.2%	88.8%	93.0%
Actionable	(20.8)		(46.4)	(47.8)	(11.2)	(7.0)
Rejected	11.9	57.0%	26.8	18.8	8.3	6.6
Mooted	5.7	27.5	8.0	19.8	2.4	.4
Sustained	3.2	15.5	11.6	9.2	.5	—
Total	100%	100%	100%	100%	100%	100%
N =	993	207	112	186	423	272

there are normally a number of rules or precedents which are applicable. By contrast, imbalance complaints are often quite general in their allegations and highly impressionistic in their evidence. Many simply charge a station with bias on "style" issues such as liberalism v. conservatism. Often, as FCC Commissioners and staff will admit, complainants' impressions are accurate.⁷ But because of their lack of detail and because of the Commission's inadequate investigatory staff, such complaints are given little consideration. An exception may occur when one is exceptionally well documented and alleges blatantly unfair behavior over a long period of time.⁸

Initiation of Complaints. More than 75% of the "fairness" complaints emanate from private citizens. However, more than 75% of the successful complaints come from sources other than private citizens. A cross-tabulation of complaint source and disposition is presented in Table II. There the fate of the lone individual's complaints stand out starkly. They are dismissed without inquiry at a ratio of better than 7:1; even of those initially found "actionable," only one in five are successfully concluded.

By contrast, political organizations and economic or religious interest groups are able to take advantage of the doctrine with considerable success. As one FCC staffer put it:

Most people write us just to get something off their chest. When most groups write us, that's different. They're aware of the "ins" and "outs" of the doctrine and are making a [serious] and articulate complaint.⁹

TABLE II
Disposition of Complaints by Initiating Party

Disposition	Economic or Religious Group			
	Individual	Religious Group	Political Group*	Other
Non-Actionable	89.1%	39.6%	46.2%	64.7%
Actionable	(10.9)	(60.4)	(53.8)	(35.3)
Rejected	8.7	25.0	21.2	20.6
Mooted	1.2	30.2	16.3	5.9
Sustained	1.0	5.2	16.3	8.8
Totaled	100%	100%	100%	100%
N =	759	96	104	34

* Includes public officials.

There is another explanation here also. Most organizations possess prestige and respect far beyond that of the private citizen. A staff member frankly conceded:

Of course it depends upon who's complaining. It's just not good politics to ignore a complaint from a respectable organization. Take the complaint. It's covered by precedent, an open and shut case. But you can't routinely dismiss a complaint from [a prestigious national organization].¹⁰

Program Format. Table III shows how complaints fare when broken down by the format of the offending program. As expected, formats regularly dealing with controversial topics had higher percentages of "actionable" complaints, although it is surprising how many complaints about religious programs the FCC took seriously.

Most saliently, however, Table III demonstrates the high vulnerability of ideological programs to successful complaints. Four explanations can be offered. First, because such programs are so openly opinionated, the FCC is more prone to give credence to complaints here than it is to protests of bias on newscasts or other more objective appearing formats. Second, because of their avowed and continuing bias, ideological programs stand out as targets for organized rebuttal campaigns by political or other interest groups to a far

greater extent than the seemingly more ephemeral and objective documentaries, news analysis, etc. Third, personal attacks are not infrequent on ideological programs as commentators, in their efforts to awaken the populace to the alleged dangers of subversion or other problems, often name names. Finally, many broadcasters are reluctant to give (but not sell) time for rebuttals to ideological broadsides, either as a matter of principle or economic welfare. However, nearly all broadcasters are willing to permit counter-editorials free of charge because editorials, unlike ideological programs, are carried on a sustaining basis. In short, many licensees are either ignorant or defiant of the *Cullman* precedent¹¹ and it takes pressure from the FCC to force compliance.

Program Origin. Table IV shows the disposition of "fairness" complaints on the basis of program origin. Complaints concerned with

TABLE III
Disposition of Complaints by Program Format

Format	Disposition				Total	
	Non-Action-able	(Action-able)	Reject-ed	Mooted		Sus-tained
Editorials	70.1%	(29.9%)	18.9%	5.5%	5.5%	100% (N=127)
Ideological ^a	63.9%	(36.1)	3.8	17.3	15.0	100% (N=133)
Public Affairs ^b	78.4%	(21.6)	18.1	2.6	.9	100% (N=116)
Political	76.4%	(23.6)	19.6	2.0	2.0	100% (N=116)
News	84.7%	(15.3)	10.4	4.9	—	100% (N=163)
"Open-Mike"	73.6%	(26.4)	18.9	6.6	.9	100% (N=106)
Religious ^c	67.4%	(32.6)	21.7	10.8	—	100% (N=46)
Entertainment	86.4%	(13.6)	11.9	1.7	—	100% (N=59)
Other	90.4%	(9.6)	5.5	2.7	1.4	100% (N=73)
General or In-determinable	96.7%	(3.3)	2.0	—	1.3	100% (N=150)

^aPrograms espousing broad political, social or economic philosophies (e.g., conservatism), but not of a strict partisan nature in sponsorship or substance.

^bDocumentary reports, interviews, *Meet the Press* type programs, round-table discussion, addresses by public officials (in a non-candidate status), etc.

^cDoes not include programs which although religious in format are ideological in substance, e.g., Rev. Billy James Hargis' *Christian Crusade*.

syndicated programs possessed by far the highest "actionability" rate and met with phenomenal success. A comparison of the "Syndicated" column in Table V with the "Ideological" column in Table IV reveals considerable similarity and, in fact, most syndicated programs drawing complaints were ideological in their nature and vice-versa.

TABLE IV
Disposition of Complaints by Program Origin

Disposition	Local	Syndicated	Network	Other	Not Applicable
Non-Actionable	75.8%	61.4%	93.6%	88.2%	95.6%
Actionable	(24.2)	(38.6)	(6.4)	(11.8)	(4.4)
Rejected	17.3	3.1	5.4	7.8	2.2
Mooted	4.9	19.7	1.0	2.0	2.2
Sustained	2.0	15.8	—	2.0	—
Total	100%	100%	100%	100%	100%
N =	566	127	204	51	45

Complaints against locally originated programs are more likely to be taken seriously by the Commission than those against the networks. As one high ranking FCC staff member put it:

The networks are aware of the "fairness doctrine" and the penalties of public reaction to a biased show. Thus they prepare their [programs] very carefully. It is ridiculous to complain on "fairness" grounds about them. Almost never is such a complaint given serious attention.¹²

Local programs—especially those on small stations—are often prepared by individuals who may often be unsophisticated about the "fairness doctrine." Moreover, such stations are often located in relatively homogenous political or ideological climates; consequently, biased programs may not be perceived by station personnel as being "unfair."

Medium. Table V reveals that most successful complaints lie against radio stations. This stems largely from the fact that television stations received the great preponderance of their fare from networks while radio offerings are largely a hometown affair. Also, the syndicated ideological programs which generate many of the successful complaints,

TABLE V
Disposition of Complaints by Medium and
by Size of Community

Disposition	Medium		Size of Community in which Station is Located*		
			Metro- politan (more than 250,000)	Medium- Sized (25,000 to 250,000)	Rural (less than 25,000)
	Radio	Television			
Non-Actionable	75.5%	83.9%	86.5%	67.9%	67.8%
Actionable	(24.5)	(16.1)	(13.5)	(32.1)	(32.2)
Rejected	12.1	11.9	9.8	19.0	13.3
Mooted	7.7	2.9	3.4	7.2	11.6
Sustained	4.7	1.2	.3	5.9	7.3
Total	100%	100%	100%	100%	100%
N =	596**	411**	386	237	233

* Complaints solely against networks are excluded

** The total for the two media do not equal 993 because several complaints were directed against jointly-owned radio and TV stations and were counted for each medium.

are found almost exclusively on radio. A few have TV outlets, but financial or audience rating considerations preclude much of this.

Size of Community Served. Table V also shows that more successful complaints are directed against licensees located in rural or medium sized towns than against metropolitan stations. Two inferences can be drawn from these figures. First, it appears that the syndicated ideological programs are found predominantly in the former types of markets. Secondly, the greater proportion of successful complaints against outlets in smaller communities is evidence supporting the hypothesis that there is a positive correlation between broadcasters' awareness of the "fairness" doctrine and the size of their market.¹³

Summary

A modal syndrome of successful "fairness doctrine" complaints stands out from the above data. These complaints have been lodged by political, economic or religious interest groups. They are appealing

from a denial of free air time to rebut a personal attack or a one-sided presentation concerning a specific controversial issue. They are primarily directed against syndicated, ideological programs that often espouse the causes of the "far right." And they are most often filed against radio stations in smaller communities. Not all successful complaints follow this pattern, of course. But complaints with these characteristics have a higher probability of being seriously considered by the FCC and terminating to the complainant's satisfaction. Here is the main area of the "fairness doctrine's" direct impact on American broadcasting. To the extent that complaints deviate from these modal characteristics, they are more likely to be ignored or rejected by the FCC.

Footnotes

¹See, e.g., Jerome Barron, "In Defense of 'Fairness': A First Amendment Rationale for Broadcasting's 'Fairness' Doctrine," *Colorado Law Review*, 37: 31-48 (Fall, 1964), and Frederick Ford, "The Fairness Doctrine," *JOURNAL OF BROADCASTING*, 8: 3-16 (Winter, 1964).

²See, e.g., Joseph Brechner, "A Statement on the Fairness Doctrine," *JOURNAL OF BROADCASTING*, 9: 103-112 (Spring, 1965), Rex Howell, "Fairness — Fact or Fable?" *JOURNAL OF BROADCASTING*, 8: 321-330 (Fall, 1964), and John P. Sullivan, "Editorializing and Controversy: The Broadcaster's Dilemma," *George Washington Law Review*, 32: 719-768 (April, 1964).

³See the author's unpublished Ph.D. dissertation, *The FCC's Fairness Doctrine: Its Substance, Enforcement and Impact* (University of Wisconsin, 1967), pp. 138-152, for a description of "fairness doctrine" enforcement procedures.

⁴In recent years, there has been an overall increase in the number of complaints as the doctrine becomes better known.

⁵Interview with Robert J. Rawson, Chief of the Renewal and Transfer Division.

⁶Interview with Stauley Kaufman, FCC attorney in charge of Section 315 complaints, 1961-65.

⁷Canon, *op. cit.*, pp. 148-152.

⁸The celebrated dispute over renewal of WLBT in Jackson, Mississippi, is a case in point. See *Lamar Life Broadcasting Co.*, 5 RR 2nd 205 (1965), and 13 RR 2nd 769 (1968). See also Judge Burger's comment in *United Church of Christ v. FCC*, 359 F. 2nd 994, at 1004 (C.A.D.C., 1966).

⁹Rawson interview, *op. cit.*

¹⁰Interview with Peter Monohan, attorney in FCC's Renewal and Transfer and Division.

¹¹*Cullman Broadcasting Co.*, 25 RR 895 (1963).

¹²Rawson interview, *op. cit.*

¹³This assertion is expounded more fully in Canon, *op. cit.*, chap. 9.

Books in Review

NATIONAL AND INTERNATIONAL SYSTEMS OF BROADCASTING: THEIR HISTORY, OPERATION AND CONTROL. By Walter B. Emery. East Lansing: Michigan State University Press, 1969. xxxi + 752 pp. \$12.50.

Although this monumental work by a man with such distinguished credentials as those of Dr. Emery is indeed a welcome contribution to our collection of data on national and international systems of broadcasting, the interpretation of the assembled facts and figures is left for the most part to readers, the ideally served being graduate and postgraduate students comparing the American and foreign systems. Using his legal background to good advantage and with the immense capacity for assembling and collating sources we might expect from the author of *Broadcasting and Government*, Emery provides us with mounds of information about the various systems but, regrettably, seldom gives us the benefit of his personal judgments and insights; indeed, he tells us that he has deliberately avoided arguing the merits and demerits of foreign systems of broadcasting.

However, an exception to this general lack of judgmental or opinion pattern is found in the opening chapter of the first section wherein Emery does give us his scholarly version of "The American Broadcasting System: A Rationale." Using this prelude as background, the student can then draw his own conclusions as to the comparisons with other countries, at least on a legal and philosophical basis. On other occasions, among them in the author's "Introduction" and in various chapters contributed by other writers, opinions and conclusions are expressed. Basically, then, the book is descriptive of national and international systems, not proscriptive or evaluative. Moreover, except as inferences can be drawn from numerical and statistical evidence, the writer withholds from comment on the impact of the various broadcast systems on the social, economic, and political life of the individual countries, although there are indications in the "Foreword" (contributed by Rosel Hyde and William G. Harley) that forecast such treatment. Again, this reviewer would have appreciated more opinions and judgments interspersed with the hard data, regardless of the controversy or critical debate they might have aroused.

In the book's first major section, which is devoted to national systems, we find an illuminating chapter pointing up some of the legal differences between the American and Mexican systems of broadcasting, a pattern which would have served admirably had it been extended to the analyses on broadcasting systems in other countries. Following on his examination of Mexican-American legal differences, Emery turns his attention to other aspects of Mexican broadcasting which he appears to know well through first hand observation. The remaining national systems, a total of 29 in all, are then treated in geographical order with Canada completing the North American segment, followed by the United Kingdom and Ireland, the Benelux Countries, the Norden countries, France and the Mediterranean countries, the Iberian peninsula, the Soviet Union and Eastern Europe, the Middle East, and Africa, Asia and Australia.

Not all of the nations of the world are covered in Dr. Emery's compendium, a recognized practical impossibility in one book. For example, Turkey is the

only country reported on in the Middle East; South America and Southeast Asia do not appear at all; the entire continent of Africa is covered in one all-inclusive piece by Donald R. Browne; and Mexico stands for all of Latin America. Nor should the reader expect parallel topical treatment to have been applied to each national system for the probable reason that the substantive parallels do not always apply. Working from available information, collected during his extensive travels, the author obviously selected the most salient and applicable facts to best reflect each specific system, placed loosely under the general headings of "History, Operation and Control." It is to be regretted that such topics as "Educational Broadcasting," "Research in Broadcasting," and "Financing" are not reported equally in each geographical area.

In contrast to the non-subjective approach of Emery, Burton Paulu, in *Radio and Television Broadcasting on the European Continent*, provided both data and analysis of broadcasting in 17 countries (as compared to Emery's 29), treating only the major topics of facilities, structure and organization, finances, and programming. Paulu also included an evaluative introduction and conclusion to his work which provided cohesion and a strong conceptual framework for the material presented. For what it is worth, Emery might have benefited from using Royal Colle's paradigm for broadcasting systems and possibly then developed a more consistently logical organizational pattern of presentation.

In the second major portion of the book, titled "International Broadcasting," brief summaries are given of some 13 of the international organizations concerned with broadcasting across national boundaries, among them the ITU, EBU and OIRT. There follows a section on "American Broadcasting Overseas" (VOA, RIAS, RFE, Radio Liberty, COMSAT and AFN-Europe) and one on "The 'Pirate' Stations." The remaining 120 pages of the book are devoted to ten appendices, including such diverse items as "Radio (TV) Programme Regulations of the Canadian Board of Broadcast Governors," texts of laws in various countries, and Loevinger's "The Lexonomics of Telecommunications," which, together with many other chapters and inclusions, had previously appeared in the *JOURNAL OF BROADCASTING*. Interestingly, the latter reference might usefully be read first as background to the entire collection. Although Dr. Emery gives us no specific clues as bases for the selection of his appendices, they appear to have been chosen as additional supportive material for earlier chapters on various systems and in some instances as otherwise hard-to-find source material for comparative study. Extensive footnotes are included after each section, and the 183-item bibliography at the end of the book is commendable for its definitiveness. An index further contributes to the utility of *National and International Systems of Broadcasting*.

At the moment, in the instance of European systems, Emery and Paulu complement each other, with detail and evaluation going hand in hand. But in Emery we do receive additional information on such countries as Communist China, Japan, and India. Many other systems of broadcasting are waiting for study, perhaps in sequels to this book.

As a source and reference book for the examination and study of comparative broadcasting systems, for the copious notes and bibliography, for the travel and labor involved in collecting documents and statistics, and, finally, for placing the whole under one cover, broadcast educators should be grateful to Walter Emery for a prodigious performance.

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THE TV DIRECTOR/INTERPRETER. By Colby Lewis. New York: Communication Arts Books, Hastings House, Publishers, 1968. 255 pp. including index. \$8.95. (Also in paper at \$5.95.)

When the beginning television director is able to rattle off "Open mike—theme under—cue talent—dissolve to three" without quivering and blanching perceptibly, he is ready to implement the principles in this book. And when the student crew member is no longer obsessed by equipment as stuff that breaks, burns and electrocutes, he is ready to execute those directions so glibly cued. Ideally, all this would come early in the student's training, because the point of *The TV Director/Interpreter* is what television production is all about.

As teacher and practitioner of television directing, Colby Lewis has given us a sophisticated yet eminently practical text on the director's chief responsibility: "To convey to the audience the right sights and the right sounds at the right times, in order to affect its members in the manner intended by the program." (p. 7.) Though there is Chapter 20, "Don't Forget Audio," it is with effective picture sequences that this book is mainly concerned. Mr. Lewis takes his picture-making seriously; not simply composing visuals for ocular pleasure, but devising images that convey relationships, information, moods and emphasis. The author is equally concerned with the careful planning necessary to achieving these ends. In scores of illustrations, purposeful directing is explained in terms of the interaction among script, analysis, shots and floor planning.

Those who have read Prof. Lewis's previous works ("Force in Camerawork," "Pictorial Paragraphing for ITV," "The Director Punctuates" among others) will find familiar territory here. Several sections from these overlapping journal articles survive verbatim. Perhaps for this reason, or maybe because principles of directing unavoidably depend on each other, the text as a codification of grammar has a mildly repetitive tone.

Colby Lewis is at his best when confronted by the director's interpretive challenge. He is constantly aware of the screen's potential and the hard realities of limited facilities, too little time and, in the case of student directors, amateur talent. The book has no competitor in the area of planning visual treatments. Poetry readings, interviews, piano numbers, demonstrations and dramatic scenes—these and many other directing situations are analyzed in depth and translated step-by-step into feasible pictures.

Implicit in every chapter is what beginning directors quickly learn—that good television programs are good before they get to the studio. Yet except for the analyses, the director's pre-studio functions receive little attention. Some of these duties can be seen as the proper responsibilities of producer and writer, whose roles Lewis deliberately excludes. Still, the director who needs to know about budgets, program structuring, dry rehearsal procedures and performer-actor coaching will have to turn elsewhere for detailed treatments.

The element of color is explained sensibly but not in great depth. Video tape editing is not touched on at all; this narrows the text's relevance to large market and network directing, where electronic editing has come to influence screen conventions as well as studio procedures.

The effort, then, has depth rather than scope, but Colby Lewis has done it justice. Principles of directing appear as logical means to effective pictures rather than ritualistic devices one plugs into his production. In terms of its stated purpose, the book is a splendid—if expensive—explanation of the craft.

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VIOLENCE AND THE MASS MEDIA. Edited by Otto Larsen. New York, Harper and Row, 1968. 310 pp. (paper, \$4.50).

In this timely anthology Otto Larsen has assembled some 30 excerpts and articles dealing with the complex issue of media violence and its regulation in American society. Many of the articles are drawn from the popular press, some are heretofore unpublished memoranda and reports, and a few are from scholarly journals (including one each from *JOURNALISM QUARTERLY* and the *JOURNAL OF BROADCASTING*). For the most part, the articles deal with the "entertainment" content of mass communications, ignoring such programming as news and documentary.

What is unique about the book is that Larsen conceives of mass media violence as a social problem in the sociological sense of the term. He has constructed a lucid paradigm that allows the reader to sort out many of the complex issues surrounding the problem into a more coherent pattern that reveals the interaction among our various social institutions.

A social problem emerges when a condition exists that is "widely perceived as a threat to cherished values and thus impels collective action to do something about it." It emerges "in a context of controversy in which opposing views are projected, persuasion processes are activated, organization is mobilized, and attempts are made to institutionalize power and authority to manage the condition in accord with preferred values." The process begins with critics and concerned citizens defining their discontent by identifying what is undesirable. This in turn leads to the then-available literature of presumed effects that result from exposure to media content. What evolves next are the "dynamic opinion processes involving a network of voluntary associations [which in turn] leads to control efforts by governmental agencies. . . . The mass media respond to controversy and threat of censorship with systems of self-regulation. . . . In American society, systems of regulation and control grow out of public opinion and are sustained by it in a delicate balance of social, political and economic forces linked to some degree to developing knowledge of the effects of violence." (pp. 5-6).

The readings are organized then, around the following concepts: (a) the context of the controversy; (b) critics "inciting social sensitivity to media violence"; (c) the content of mass media violence; (d) controversy over effects and evidence for their existence; and (e) regulation and control. In this last category there are three sections dealing with, (1) public participation; (2) governmental participation; and (3) the media industries' participation in the process of regulation and control.

The selection of articles to illustrate the various operations of violence in mass media are of varying quality. However, the inadequacy of the book in most areas can be attributed to the anthologized rather than to the anthologist. There are two sections in the book, however, which are particularly weak. The section dealing with the government's role in regulation and control is woefully inadequate. There is virtually nothing about the FCC. And, curiously, Larsen has included the 1964 *U.S. News & World Report* article entitled, "Crime Shows on TV—A Federal Crackdown Coming" concerning all of the thunder that was about to issue forth from the Dodd committee. As we now know, the thunder was the "Interim Report" of 1964 which was never printed and circulates today as a Xerox of the original typewritten copy. Perhaps Larsen has included the article to jog our memories and remind

us of what could have been if the committee had introduced its contemplated legislation.

The section of the book dealing with the empirical evidence concerning mass media violence was about four years out of date when the book was published. While there are a number of articles dealing with the problems of defining "effect" and how to measure it, the articles by Klapper and Halloran deal with pre-1964 research. Halloran's paper discusses the issues of catharsis, imitation and aggressive behavior from a sociologist's point of view. The Klapper article actually is a summary of Dr. Ruth Hartley's review of the empirical literature dealing with the impact of viewing aggression which she did for CBS in 1964. This is a particularly important paper, since the crux of the issue is the type and nature of the evidence used to support various points of view.

The crux of Hartley's concern with the empirical findings available in 1964 revolves around two issues. The first concern is: "what is an adequate definition of aggression?" To solve the problem she offers a criterion definition that contains three necessary and sufficient conditions that must be satisfied before aggressive behavior can be said to exist. However, she offers *no* evidence to support her definition except to say that it is a consensual dictionary definition. Since to my knowledge no researcher now working in this field employs such a cumbersome and unparsimonious definition of aggression, it can only be concluded that her criticism of the validity of certain dependent variable measures of aggression is moot. Her second concern is more viable. She notes that many of the studies under review are guilty of various methodological sins. However, more recent studies performed by various researchers working in different countries with differing populations have evolved more rigorous experimental designs and amassed a wealth of data that clearly shows that catharsis does not occur, that aggression can be learned from the screen, and that viewing aggression can, under specified conditions, lead to aggressive behavior.

In conclusion it should be noted that this book was designed as an undergraduate reader in the Harper and Row series "Readers in Social Problems." *Violence and the Mass Media* joins a series of readers with such titles as: *Gambling, Alcoholism, The Unwed Mother, Sexual Deviance, and Narcotic Addiction*. Not very good company, would you agree?

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THE PEOPLE MACHINE. By Robert MacNeil. New York: Harper and Row. 1968. 333 pp., \$7.50.

When Lady Godiva made her political move, she was covered by her long hair; and, alas, *nothing* could be seen. In the age of electronic media our politicians face the TV cameras, where all sham and hypocrisy are stripped away and supposedly *all* is seen. Or is it? Some important issues involving the use of television by politicians are discussed in Robert MacNeil's book *The People Machine*. This cyborgish title is taken from the nickname given a computer during the 1960 Presidential Campaign, which (Who?) tried to figure out alternative strategies from the public opinion polls fed into it. Sounds frightening? MacNeil thinks so.

Robert MacNeil gained the expertise which makes him such an excellent critic from his experiences with NBC News as a correspondent, his coverage of racial disturbances and the assassination of President Kennedy in Dallas, and as co-anchorman of the *Scherer-MacNeil Report*. He has also worked at CBS television and in 1967 joined the British Broadcasting Corporation.

Mr. MacNeil's book has much of interest for the professional broadcaster, as well as the general public, and would be of special interest to the academician who is looking for the documentation that is so necessary in teaching courses in the mass media. While Mr. MacNeil speculates on the relationship between politics and television, he masterfully identifies his opinion and provides significant detail in supporting the facts which he uses. The book, indexed, runs thirteen chapters, divided into three major parts—"Here is the News," "I give you the next . . .," and "Speaking to you from Washington." The forces that impinge and impose on the integrity of television journalism are discussed and documented. For example, after telling the reader that the television viewing public is nearly a perfect cross-section of the American public and discussing television as their major source of information, the author describes the major motivating force of those who put the news on the air—PROFIT. MacNeil laments the fact that decisions about what goes into news programs (and even the programs themselves) are perceived as entertainment and must measure up to entertainment standards first. He questions the use of the star system in news presentations; that is, having audiences built around the "anchorman."

MacNeil also questions the relationships between the people who do business with the networks and the content of the news programs. When the mechanics of the visual world of television corrupt the substance of the news itself; when the advertiser and, to some degree, the news staff only wish to reassure and not inform, when networks are pusillanimous about their confrontation with specific issues because of their fear of the government; then MacNeil asks us to concern ourselves with what television as a political tool can do to us. It is disturbing to me to learn that the NBC documentary, *The Pursuit of Pleasure*, had its sponsorship withdrawn by the Insurance Company of America because the program was not conducive to a climate "... suitable for our selling message."

In the second part of the book MacNeil provides the reader with some reasons for the networks' intensive coverage of the political conventions and election nights. (It could be summed up in a word—Prestige). What makes a good television politician? The author deals with this in detail, discussing "personality" and just *what* in the medium emphasizes the positive and the negative in a candidate's personality. One section which I found informative dealt with the political TV commercial. All this advertising and campaigning costs money. MacNeil gives the reader a good idea of how much.

In the final chapter, MacNeil speculates on the future. He probes the topics of the new technology, campaign television, and his hopes for better television journalism. This book has several appeals. It is well written, interestingly documented, coherently organized, and given some life by the personal anecdotes and responses of the author. MacNeil should be given credit for a fine job of informing and for making some intelligent suggestions for further investigation by the academician. I was personally pleased by his avoidance of the snobbishness that very often permeates discussions of television.

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THE ASSOCIATION FOR PROFESSIONAL BROADCASTING EDUCATION

We recognize radio and television broadcasting as powerful and significant forces in the lives of our people, and the American system of broadcasting as particularly suited to their needs and desires;

We believe that colleges and universities have both an opportunity and an obligation to advance broadcasting, both as an art and as an industry by preparing for the profession qualified men and women alert to their duties as citizens and capable of assuming productive and responsible roles therein;

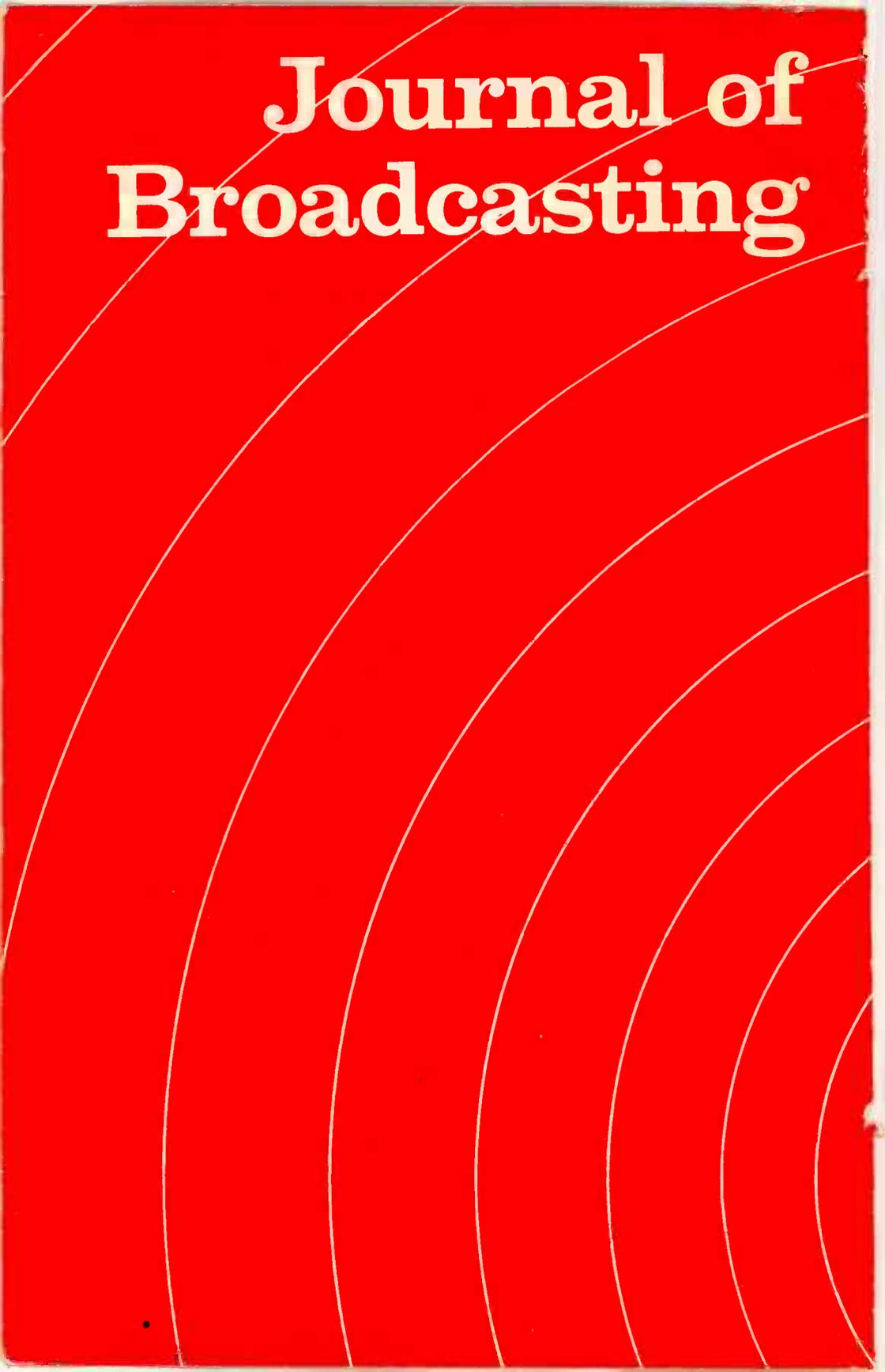
We recognize the existence of a group of colleges and universities aware of these responsibilities and presently maintaining effective programs of professional broadcasting education; and further, we see growing evidence of increased interest on the part of other colleges and universities in the establishment of such professional programs;

We further recognize an awareness on the part of broadcasters of the necessity of continually improving the professional competency of persons entering the broadcasting industry;

And finally, we believe that many mutual advantages would flow from a continuing relationship established and maintained between such educational institutions and the broadcasters themselves.

To secure these advantages and to foster these ends, we hereby establish the Association for Professional Broadcasting Education, declaring our intent to encourage and maintain in colleges and universities professional broadcasting education that will produce such men and women as can command the respect of the colleges that graduate them and of the industry that employs them.

Journal of Broadcasting

The cover features a solid red background. Overlaid on this background are several thin, white, concentric curved lines that sweep from the left side towards the right, creating a sense of motion or signal waves. The lines are most prominent in the lower two-thirds of the cover.