

CHAPTER ONE: OVERVIEW

"It is nevertheless often true that one man's
vulgarity is another's lyric."

Justice John Marshall Harlan "Cohen v. Calif 1971"

"Democracy means the power to choose and choice is an
illusion without information."

Lui Binyan

During thirty years of tumultuous social and
political change, I was chief censor of entertainment

programming for the American Broadcasting Company. From 1960 to 1990, as one of three independent, competitive gatekeepers, my decisions shaped the texture and taste of television programs which eventually reached 90 million homes. In this retrospective of the battles, occasionally waged frame by frame, over program content, I trace the evolving, sometimes accelerating changes in our national life as reflected on the television screen.

What was once sexually daring is now prosaic, yesterday's blood and gore tame, but even in today's free-wheeling media environment, familiar issues, with which I once grappled, remain in play: Does violence on the screen, large or small, breed real-life violence? Should children be protected from the influence of the media? And if so, how? Which demands from special interests groups are valid? What is the role of the censor in a free society?

In the invisible, but unique role I played behind

the stage in television, I answered these questions in different ways at different points in time. This book is the inside story of my experiences as censor in what often seemed a quixotic quest to maintain an appropriate equilibrium for television entertainment programming as new issues, such as civil rights, feminism, homosexuality, euthanasia, sexual abuse emerged in our society. The pace of social and political change was also matched by changes in the media market place as the dominant three networks faded into the multi-channel media universe.

The tensions in this ongoing drama were not only between the producers of programming and the networks with all the attendant economic pressures, but also the forces brought to bear by government, industry watchdogs, the public, and a chorus of special interest groups. This book details the "backstairs" cast of characters and their conflicting needs and demands, but unlike insider stories of other corporations, this one deals with the images, ideas,

and fantasies which dominated the public airwaves:
the diary of our lives.

It begins in the late 1950s when scandals erupted over Quiz Shows and Payola. When the public learned that those sweating contestants on such television game shows as "Twenty-One" and "The \$64,000 Challenge" had received the answers in advance, an uproar ensued. The other deception primarily involved disc jockeys who accepted payment to play records instead of selections based on sales records or merit.

When the government and public attention came to bear on network executives, they reshaped the industry in ways which directly affected my future. In January, 1960, after a brief stint at CBS, I returned to the ABC Television Network as vice president of administration. One of my first mandates from an unhappy Leonard Goldenson, president of ABC, was to see that he never again suffer the embarrassment of having to defend himself before a Congressional

investigating committee.

Goldenson had been called to testify about ABC's relationship with Dick Clark and his receiving money from an airline in exchange for an on-air mention. At the time, there was no legal requirement for such disclosure, but in the climate of scandal it came to be looked upon as another form of deceiving the public.

In the unhappy glare of public and government criticism, each of the networks, ABC, CBS, and NBC, took direct control over entertainment programming and expanded their departments of standards and practices. From that point on, every script, every program, live, film or tape, was to be scrutinized by an editor for taste, accuracy, violent portrayals, sexual overtones. This far-reaching review did not apply to news, documentaries, or sports, where the traditional rules of journalism governed. Eventually, that strange mixture of fact and fiction, the docudrama, would

create a new programming category, which required the adoption of some of the news department's practices and guidelines.

The network's censorship of entertainment programming began in one of the most tumultuous decades of social change in American history. Political debates took to the streets, and the pattern of family life began to shift in ways which continue to reverberate. Innovation, experimentation and exploration were the buzzwords in television programming as the adolescent medium "grew up" along with the nation. Television itself became the lightning rod for many controversies about what was happening in society.

Was television a "vast wasteland" corrupting the values of the young? How did television affect children's behavior, their attitudes, their reading scores, their perception of the world around them? The underlying question: what was television doing to

us? That central question appears with each new medium, but with television and its intimate reach into the home, the question took on a new urgency.

In the 1960s, Congress began to hold hearings on the effects of violence on television, and a substantial part of my thirty years was spent worrying about how to treat violence, which is where I begin an in-depth report of a censor's life in the edit rooms, corporate suites, and government hearings.

To me, it's ironic that while opinion leaders, congressmen, educators, sociologists, and children's advocates intensely debated and tried to determine cause and effects of depictions of violence, by and large, the viewing public remained untroubled. Regional differences did appear on the topic of violence as well as other issues, but the gap between what the viewers watched and the opinion leaders debated created that territory where producers gained important leverage.

The public might have been blasé, but government officials in a continuing series of hearings and other pressure-making initiatives shaped the public debate, the headlines, and raised concerns within the industry. The chapter on violence provides an eye-witness view of the Dodd-Pastore Congressional hearings which ran clips of violence excerpted from action programs on all three networks. Is this responsible use of the nation's airwaves? was the critical question posed to the government-regulated broadcasting industry.

The Surgeon General of the U. S. received funding from Congress to conduct research and studies on the effect of violence in television programming on children's behavior and the hearings continued.

Senator John O. Pastore asked, "Even if only one child is affected by watching violence on television, don't you think you have a responsibility to do something?"

The government, broadcasting's landlord so to speak, raised issues in the public forum, and, inside the house, the battles began with the producers. At ABC, we met with Warner Bros. executives to urge, cajole, persuade them to tone down the violence on such action adventure series as "Surfside 6," "Maverick," "Hawaiian Eye." How do we attract an audience without action? they asked. And that is where the censor's work begins. How much is enough? too little? When is violence appropriate to the story?

Programs such as "The Untouchables," "Combat," "Mod Squad" all required tough negotiations to retain the action format and yet decrease the level of body count. At ABC, we developed a unique analytical system called the ICAF, Incident Classification and Analysis Form, to aid editors in the evaluation and containment of violence.

To give a flavor of this sustained, unremitting debate over appropriate violence, I recall two hours

in a room with producer David Wolper and Brandon Stoddard, program executive in charge of ABC mini-series, counting the number of lashes in the whipping of Kunta Kinte in "Roots." And questions about how many scenes in an hour could contain violence in "Mod Squad" or "The Rookies," and if humor mitigated the impact of violence? How to use slow motion? Would slow motion footage make "The Six Million Dollar Man" acceptable for eight p.m. on Sunday?

ABC, CBS, and NBC, each set up Social Research departments and conducted independent research on the effects of television violence in programs on the child viewer. We got data. We acted on data. We were called to testify almost every year from 1962 to 1972. The battle to entertain, to capture an audience, to portray conflict, to eliminate gratuitous and excessive violence was joined. It culminated in the ill-fated Family Viewing hour.

The noisy debate over violence often was drowned

out by equally vociferous complaints about the portrayal of sexuality, which I discuss in Chapter Three. Congress and other public voices blamed television for sexual promiscuity, the breakdown of the family, pre-marital sex and adultery.

While the 60s roared on with increasing sexual permissiveness, our BS&P editors had to contend with the strange American dichotomy between what's acceptable in private behavior, but not to be acknowledged or depicted on the television screen. The sexual times indeed were changing, but how much of that was "appropriate" in entertainment programming. Many a call by editors in the Chapter Three on Sex could be designated as arbitrary and capricious, and many once "controversial" topics are today's routine programming fare.

In the late 60s and early 70s, television began to treat such topics as adultery, premarital sex, pregnancy (at first without use of the word),

abortion, but not without sometimes protracted negotiations about the actual presentation. This chapter provides an industry-wide view of the turning points in social change as reflected in television programming.

At ABC, relationships with producers over sexual content were often stormy. Indeed, Norman Lear scoffed at us when we turned down "All In the Family" for the ABC television network. Danny Arnold hated us for our objections to stereotypical homosexual portrayals in "Barney Miller" and rejection of a script about a prostitute. At a highly charged acrimonious session on the set, Arnold walked away in anger when we clashed on the use of "hell's" and "damn's" and my insistence that the "adult theme" dealing with a prostitute was inappropriate for the Family Viewing Hour.

In the late 70s, Aaron Spelling attended every producer's meeting to explain the care and good taste he gave to "Charlie's Angels." He insisted the

program was not "jiggles" television, but action adventure with three women detectives with brains and beauty solving crimes. A hit with viewers, "Charlie's Angels" was one more expansion of "acceptable" sexual content.

At a luncheon in the elegant ABC dining room on the 41st floor of corporate headquarters in New York, Susan Harris, producer, writer, creator of "Soap," Fred Silverman, then head of ABC programming, Julie Hoover, vice president for standards and practices, East coast, and I sat down to write the "rulebook" for the program which pushed the envelope in sexual comedy on television.

To the delight of the producer and Silverman, the program was controversial before it aired. Would Billy Crystal, prime time's first openly gay character, glorify homosexuality? Help normalize it as the religious community feared? Or would his portrayal stereotype homosexuals as the gay community

feared? What would be the impact of such a humorous depiction of sexual adventures? That was 1977, and "Soap" did open wide the bedroom doors of situation comedy.

Year by year, program by program, in comedy and drama, television programming ventured into more and more controversial and sensitive subjects in the arena of sex. Often a theatrical movie or a made-for-television movie would push the limits of acceptable content or language, and series programming would follow. At other times, a unique drama, such as "Something about Amelia," with a theme of father/daughter incest, was developed especially for television. For that 1983 broadcast, ABC provided a caller "help" line.

In addition to nitty-gritty battles with producers, I was asked to explain or defend my decisions as the censor to the network's affiliates or before industry panels. An important part of my role

was to listen and learn from public and industry debates to frame a flexible standards and practices policy, but my bottom line: the realities of commercial broadcasting. Working in a highly competitive industry, my objective was to keep entertainment programming responsive to change without forcing unwanted change on the viewers. My role as "censor" developed and changed along with the substance and style of entertainment programming during those 30 years.

Perhaps gatekeeper better describes the function of the television censor. When new doors are opened, taboos broken, the censor holds the key to standards of entry or passage. There is no better illustration of the dynamics of change than the confrontation we had with Woody Allen when ABC purchased the motion picture "Annie Hall," or the caustic sessions with the late Richard Brooks over edits in "Looking for Mr. Goodbar," The latter event occasioned a change in a long standing policy of requiring the MPAA to review

our edits and re-rate "R" pictures.

After editing the "Last Picture Show," in the Fall of 1974 on a movieola on a backlot in Los Angeles with Peter Bogdonovich on one side and Andre De Szekely, our creative editor on the other, I vowed I would never subject myself to such tension and stress again.

Bogdonovich resisted our editors cuts and the only solution was to sit and negotiate frame by frame our cuts and his reluctance. Editing Theatrical Movies for Television as Chapter Four details was a chore, which cable never faced and today's broadcaster find less of a burden.

Is it strange, hypocritical to mention freedom of expression in the same breath with the activities of censorship? Maybe, but as the reader will learn censorship in television sometimes created strange alliances. Often our role was to try and see how to

help get the program on the air rather than just say "no."

Probably a turning point in both television acceptability of program content and the audiences awakening to a hidden problem in our society was a Movie of the Week, "Something About Amelia," the story of father/daughter incest. Producer Leonard Goldberg convinced Brandon Stoddard in ABC Programming that he could deliver a movie within acceptable boundaries. Leonard Goldberg and I found the way. Movies of the Week, MOW's, was the brainchild of Barry Diller, early in his career in the programming department.

Motion pictures originally produced for theatrical presentation were becoming more expensive as each network bid higher license fees for top product. Barry created the ninety minute movie as an economic and entertaining substitute and promoted it as he would a motion picture bought for television viewing. He sought provocative and controversial

subjects, which broke down barriers in topics and treatment.

For example, "That Certain Summer" was the first full length television drama about homosexuality. The story behind that groundbreaking drama is told in Chapter Five about the MOW's. The movie won critical acclaim and distinguished the movie of the week as a hit weekly series.

Also in Chapter Five, a lengthy discussion about the controversies, political and social, which surrounded "The Day After," plus an examination of all the facts behind such an expensive and complex project.

The impact on children was one aspect of "The Day After" controversy, one we were well-prepared to handle, because concerns about children had been high on the BS&P agenda. One of the motivators and leaders in the battle for programs designed for children was

Peggy Charren. Founder of Action for Children's Television (ACT), she focused her attention, and ours, on the question: when was television going to give children the healthy, educational, pro-social, entertaining programs its public interest responsibility dictated? Chapter Six relates the efforts ABC made to address that question.

Saturday morning, weekday and special programming designed primarily for children and teenagers became the target. In the mid 70's the term "pro-social" was coined to set a standard for program content in these categories.

Academic researchers, the PTA, and the baby boomers of the 50's who were beginning to raise their own families took interest. The responsibility of the media, they said, was not only to insure that children were not harmed, but that programming should help develop skills and values conducive to positive mental growth. Children's programs should deal with sex

roles, role modeling, ethnicity, stereotyping.

But all this "goodness" and conscience had to be placed within the framework of a commercial broadcasting system governed by the economics of free enterprise. We could not just educate. We had to educate, entertain and sell.

What to do? James Duffy, then President of the ABC Television Network had the idea to convene the ABC Workshop for Children's Television. This workshop brought together educators, child psychologists, parents, broadcasters, producers, performers, critics to share ideas about what television should be for young viewers. Out of this workshop, ABC management, including programmers and BS&P staff, hammered out a philosophy to move us from the 60s into the 70s.

Of prime concern, then as now was the effect of Saturday morning cartoons. It was not until the late 60s that animated cartoons were created primarily for

television. Earlier cartoons were originally made for theatrical distribution and catered to both an adult and child audience. Filled with violent action, stereotypes, white and male oriented, they became the subjects of critical disdain and research papers espoused their behavioral harm on young minds. The controversy emerged between those who argued violence is violence in whatever form, and those who excepted comedic violence from the potentially harmful category.

Michael Eisner, now Chairman of Walt Disney, then head of Saturday morning children's programs at ABC, came to the office to seek acceptance of the new "Superfriends," a version of Superman and Batman in action adventure cartoons. Was this an opportunity to effect a child's perception of sex roles and role modeling? You bet it was! Superfriends would introduce the first woman Superhero, "Wonder Woman," along with Black, Asian and Indian superheroes as role models.

The education of young children about sex was hardly a topic of conversation, let alone television programming in the early 60s. In 1965, Jules Power, Director of Children's Programming for ABC-TV produced a first, a program and a book, based on one of the programs from the "Discovery" Series entitled "How Life Begins," an astonishing accomplishment for the 60s.

In 1972, ABC began an afternoon series of one hour specials which reached deeply into the quality of life for young teenagers. All the programs in "The ABC Afterschool Specials" had one common goal: to display respect for the needs, intelligence and sensitivity of children.

Throughout these several decades conscious efforts were made to meet the intelligent and valid criticism of programs for children. It was an enlightened era in which we sought to brighten the

horizon of young people and test the borders of their receptivity to issue exploration, including another unique program in the afterschool special series, "My Mom's Having a Baby."

To participate in change, as I often witnessed, requires courage and stamina. Frequently, television was the scapegoat and sometimes simply caught in the crossfire of cultural wars. The public, elected officials, individual station operators and management, and the advertising community all looked to the networks to meet and answer the frustrations of the time.

Stop destroying the moral fiber of the nation, some cried. Set standards to hold back the tide of change, others insisted. At the same time, the networks had to respond to the voracious appetite of viewers for new and diverse programs. Most of whom seemed ready for changes in programming content. One facet of the censor's job became to serve as the

gatekeeper of values and morals, as arbiter of good taste, as judge of fairness. He was to listen to the pleas of the conservative, religious, and cultural elite interests. On the other hand, he was not to turn away from the liberal, civil libertarians, feminists, ethnic and social constituencies seeking similar opportunity to influence the viewer.

Chapter Seven reviews my experiences with the numerous special interest advocates who wanted their voices heard on television or their point of view presented in programming. Returning from a short lunch one afternoon in the middle 60s, I learned a gay activist group had taken over Leonard Goldenson's office to protest an episode of "Marcus Welby, M.D." This was the first of many clashes with the gay community. While most confrontations with special interest advocates were not as dramatic, the necessity to listen and respond to divergent interests occupied much of my time and energy.

Television matured and so did viewers, who became more sophisticated not only in their viewing, but in their tactics to get a response from the industry. Morality in Media held hearings about family values; the Rev. Donald Wildmon formed fund raising groups to sustain attempted boycotts on advertisers who sponsored programs which they felt should not be telecast. This is also part of the story.

In addition to my role at ABC, I served along with several station representatives, some affiliated with networks, others from independent stations, on the National Association of Broadcasters Television Code Review Board. Its function was to serve as the legislative and judicial body governing industry compliance with a code of principles and guidelines. The code was in addition to rules of permissible entertainment programming under which all the networks and some stations operated.

I became the Code Review Board's Senior Member in

the mid 70s and dominated its deliberations for the next 20 years. The Code Board meetings in the 70s were the scenes of rancorous debates about the Family Viewing Hour, which I chronicle in Chapter Eight.

The debacle over the Family Viewing Hour brought to a crescendo the debate on violence and sex on television. It also raised such questions as whether FCC Commissioner Richard Wiley with his jawboning to the networks was doing for the government what it could not do by regulation? Was it "state action" and a violation of the First Amendment? Was it to benefit the health and welfare of our children or the beginning of government control of programming?

But it wasn't just the broadcasters who battled this major initiative to change television programming by creation of a "no violence and no sex" zone, the Hollywood production community also rose up in arms also. They believed that their First Amendment rights were being trampled upon to their creative (and of

course their economic) detriment. Norman Lear and Danny Arnold among others led the charge and brought suit to reverse the policy and also sought damages. A court ruling which eventually found the "Family Viewing Hour" unconstitutional was reversed on appeal, and the issue remains an open question.

The debate, however, over violence in television programs and the government's role in pushing for industry reform continues in today's headlines.

As I looked at how I approached the portrayal of violence, the expression of love and sex, the intertwining of the breaking of taboos in this three-decade review, I realized that television is a diary of our lives. Television programming is ultimately the culture. Family values have been in constant clash with the pushing of the envelope, the opening of reality, the press of exploration.

The censor's role in television program review is

a delicate one. If television indeed defines our culture as it both reports and sets the agenda, the censor is in a position to temper its message or permit an accurate reflection of its realities. A news editor has to determine how many times should the Zapruda film of Kennedy's assassination be run? How many times do we witness excerpts of the beating of Rodney King? An entertainment editor has to determine how many programs can deal with child abuse, or sexual harassment in a short period of time? How much violence is permissible? Should we show blood, decapitation, gore. Television acts out our conflicts and in doing so sometimes portrays our excesses. Television shows and applauds our sexuality while mirroring our behavior. How much skin do we show? Can two people, man and woman, man and man, woman and woman, be seen in bed together? Can they hold hands, can they 'do it'?

Another major task of the censor involves the sensitive question of how to achieve balance. Unlike

censors in other media, the television censor is the guardian of the public interest. The licensee, the owner or operator of a television station, owes his operating privilege to the public, but to run a successful business requires shareholder or private investment, advertiser support and station distribution. Those dual realities, the government license and the economic enterprise nature of the business, put restraints on advocacy. The privilege carries the responsibility to preserve a sense of fairness and good taste in balancing diverse interests in the presentation of controversial issues. That is also the role of the gatekeeper.

The "docudrama" is a form of drama/storytelling invented by the entertainment divisions of the networks to portray real people and real events. This type of drama is fraught with the danger of misleading the viewer. Its success, however, depends on dramatic moments of shock, sensation, jeopardy, fear and personal grief. The censor finds himself constantly

in the middle of satisfying these conflicting options.

Because of television's unique capability of bringing visually and timely news and entertainment into the home, clear distinctions had to be made between fact and fiction. Dealing with a movie about "Mae West," where legendary tales were not that harmful to the subject's public personae, was much different from presenting the life story of "Jackie O." That docudrama prepared without Jackie Kennedy Onassis' cooperation had to meticulously follow the public record for legal reasons as well as those of credibility.

In programs like "Baby M," the surrogate mother case, the final transcript became the bible. In "Brown vs. Board of Education," the landmark case retitled "Separate but Equal," an irate and furious George Stevens, Jr. battled for dramatic license scenes that we felt were incorrect. Former President Richard Nixon never forgave ABC for telecasting "Final

Days."

While not a docudrama, but television novels rooted in historical events, "Winds of War," and "War and Remembrance" prompted questions from us about the facts and events used in the story-telling. This approach upset Dan Curtis, the producer, writer, director and Herman Wouk, author of the novels. The broadcaster's duty to support dialogue and picture with a reasonable basis in fact led to many difficult encounters with producers as Chapter Ten points out.

The telling of real events about real people constantly created battles as truth and accuracy clashed with creative license for story telling as will be seen in Chapter Ten on the docudrama. To serve the public on a local basis as a community station operator takes a great deal of discrimination and judgment. To serve the public from a network point of view can only be accomplished by consensus.

Not only did the censor have the responsibility of being the conscience of the network, and the arbiter of good taste, he also had to answer to Congress on behalf of his company along with program and senior management.

The censor deals with certain givens. The medium is the message. The viewer believes what he sees, most of the time. Television's role is to entertain, to inform, to educate. Often it is difficult to distinguish one from the other. A license to broadcast is to operate in the public interest, convenience and necessity. Often it is difficult to distinguish what is in the public interest and what is in the private, the advertiser, the advocates or the creator's interest. So there is a censor - a gatekeeper.

"For better or for worse", Justice Warren Berger, former Chief Justice of the Supreme Court said, "editing is what editors are for and editing is

selection and choice of material. That editors - newspaper or broadcast - can and do abuse this power is beyond doubt, but that is not reason to deny the discretion (to the broadcaster) Congress provided. Calculated risks of abuse are taken in order to preserve higher values. The presence of these risks is nothing new, the authors of the Bill of Rights accepted the reality that these risks were evils for which there was no acceptable remedy other than a spirit of moderation and a sense of responsibility and civility on the part of those who exercise the guaranteed freedom of expression."

To act responsibly, to preserve a sense of fairness and good taste, to respect the dignity of man, to balance interests that the medium serves, to permit the exploration of new ideas and examination of old practices and lies, these were some of my objectives as gatekeeper, censor, editor, and manager of change. The role censorship plays in a free society is the subject of Chapter Eleven.

This book details how and when taboos were broken, which values fell, which survived, which emerged. Standards for programming changed during thirty years in response to the many twists and turns in our political and social life. These are the stories behind the stories which served as the diary of our lives.