

ORAL TESTIMONY OF THEODORE PETERSON BEFORE THE
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My name is Theodore Peterson, and I am dean of the College of Journalism and Communications at the University of Illinois. As such, I have a strong professional interest in broadcasting. However, I should like to emphasize that I am appearing before the Commission as a private citizen, not in any professional capacity. I do not represent either the University of Illinois or the College with which I am affiliated. My opinions are my own, and they may or may not be shared by others on the faculty.

Today, when television is getting more unsolicited advice than a losing football coach, I do not pretend to be an authority on all of the ills of broadcasting. However, I do have some knowledge of broadcasting and its problems; and as a citizen, I have a citizen's concern for the proper use of a medium which occupies more of the waking time of most Americans than any other activity outside of earning a living and which, if surveys are to be believed, numbers most first-graders among its regular users.

When I look at television, and that is often, I am sometimes saddened that an invention which promises mankind so much delivers so little. There is much that is good on television, but it is adrift in a vast sea of insanity. For one thing, television has been characterized by a woeful lack of program experimentation. It has borrowed many of its staples from radio: the quiz show, for example, and its opera, soap and horse. It has been marked by imitativeness, apparently on the assumption that if viewers like one domestic comedy or one adult Western they will like twenty even better. Instead of taking creative leadership in showing people what they might like, it has evidently assumed that giving people what they want of existing fare is an end of its responsibility. The result has been a lack of the diversity in program

content which the Commission has tried to achieve in its licensing and other policies.

And ever all are the shrill cry and the manipulative hand of the advertising pitchman. Advertising domination, as I see it, is partly but by no means exclusively behind the pressure on broadcasters to attract mammoth audiences, followings of such huge size that they insure a bland, trivial and monotonous program diet. The broadcaster seems to assume that if he is to serve the people, he must serve them all at the same hour. In 1958 Robert S. Salant, a CBS vice president, said that the great bulk of broadcasting's material must appeal not "just to the thousands or hundreds of thousands but to millions and tens of millions." So long as the prime objective of broadcasting is to corral viewers and listeners for advertisers, there is certainly logic in that view. But if the prime objective of broadcasting is to serve the people to whom it belongs, then it strikes me that a greater number of individual programs than at present can content themselves with audiences of considerably fewer than tens of millions. The value of a program to society cannot be measured by sets-in-use, for this criterion utterly ignores the importance of a program to a loyal, devoted audience--one might be quite large numerically (as was that for the Firesome Hour) but not large enough for the market saturation which broadcasters regard as essential.

My views on television are based on certain assumptions. One is that the airwaves belong to the people, not to the broadcaster or advertiser. Another is that this costly medium of television, this voracious consumer of talent, will and should continue to depend upon advertising for its support. Still another is that television must serve all of the people, not just a part of them. On the one hand, then, its programs need not all be pitched at the intellectual level of the Socratic dialogues. On the other hand--and this is even more important, given the level of the bulk of programming--television

should not disfranchise persons whose tastes run higher than for the common denominator fare which characterizes so much of the medium. With those assumptions in mind, I make these proposals.

First, I think that the F.C.C. should do everything in its power to reaffirm the public's ownership of the airwaves. It should do what it can to counteract an unfortunate change in attitude towards the airwaves which has taken place since radio aeriels first began sprouting on housetops in the 1920s. As the Commission well knows, the airwaves belong to the people. Broadcasters do not own them; advertisers do not own them. They belong to all of the people, not to General Foods, General Motors or even General Sarnoff. That point was pretty uniformly accepted in the 1920s, but it is often lost sight of today. Too many broadcasters today regard the channels they use as their personal and perpetual property, not as something held conditionally in trust for the public. When a broadcaster does transfer his license, it is he who pockets the often considerable capital gains resulting from the transaction --not the people, as one might expect, since the channel was really theirs in the first place. Too many broadcasters and advertising men alike regard the airwaves as an adjunct of the marketing system, an effective means of peddling soap, soup and cereals. While I do not dispute the contributions that advertising has made toward promoting our dynamic and expanding economy, I do submit that the broadcast media are too noble an invention to be subjugated to advertising interests.

My viewpoint is not a new one. In the 1920s, even advertising and broadcasting spokesmen were so jealous of the public service aspects of the miracle of radio that they urged the medium not be debased by advertising. Printers' Ink, the advertising trade weekly, in its issue of April 27, 1922, editorialized:

Any attempt to make the radio an advertising medium, in the accepted sense of the term, would, we think, prove positively offensive to great numbers of people. The family circle is not a public place, and advertising has no business intruding there unless it is invited. Imagine the effect, for example, of a piano sonata by Josef Hoffman followed by the audible assertion, "If you are under forty, four chances to one you will get pyorrhea." "Pickle Bros. are offering three-dollar silk hose for \$1.98." Exaggerated, no doubt, yet the principle is there. To break in upon one's entertainment in his own house is quite likely intolerable, and advertising as a whole cannot be the gainer by anything of the sort.

Some broadcasters themselves saw broadcasting as a public institution free from commercial taint, akin to a college or library. David Sarnoff in 1922 said:

Once the broadcasting company is established as a Public Service and the General Public is educated to the idea that the sole function of the company is to provide the public with a service as good and extensive as its total income permits, I feel that with suitable publicity activities, such a company will ultimately be regarded as a public institution of great value in the same sense that a library, for example, is regarded today. Also, it would remove from the public mind, the thought that those who are doing broadcasting today are doing so because of profit to themselves. In other words, it removes the broadcasting company from the atmosphere of being a commercial institution.

Herbert Hoover, then Secretary of Commerce, summed up a common attitude toward broadcasting: "It is inconceivable that we should allow so great a possibility for service . . . to be drowned in advertising matter."

These days of innocence are long since past, of course. Today, as advertising pioneer James Webb Young has observed, many agencies regard television as a nation-wide, electronic medicine show, in which the pitchman gathers his crowd with a little free entertainment, then gives the spiel for his cure-all snake-oil. The program is not an end in itself; it is the bait for the greater end of peddling merchandise.

The assumption of many--but by no means all--advertising men is that the airwaves exist primarily as a means for selling products. Their assumption seems to be that the value of any program can be measured by the number of boxes of cornflakes, cakes of soap, or jars of depilatories it sells. Their assumption seems to be that any proposal to change this state of affairs is an unwarranted infringement of their rights. Advertising Age in an editorial on November 23, 1959, spoke pertinently on this point when it commented on the reaction to its proposal for subordinating the influence of advertisers on programing:

We are nevertheless surprised at some of the comments--not because they disagree with our position, but because they state a position with regard to advertising and broadcasting which we cannot accept, even though we are wholly devoted to advertising. We cannot accept the position that broadcasting is a function or a lackey of advertising, or that it exists primarily to serve advertisers; and it shocks us that any advertiser should harbor such a delusion.

The airwaves and broadcasting belong to the people. Advertisers do not own them and should not control them. In a very real sense, advertisers use them by sufferance, and it would be wise to recognize this reality before someone stuffs it unpleasantly down our throats.

What I am proposing is not that advertising be denied access to the airwaves. What I am proposing is that we give more than lip service to the basic fact that the airwaves truly belong to the people; that the broadcaster uses them as a privilege, not as a right; and that so does the advertiser. What I am proposing, in short, is that advertising be put into its proper perspective.

My second proposal, then, is this: One way of putting advertising into proper perspective is for the F.C.C. to give its weight to getting advertisers and advertising men out of the entertainment business. Advertisers should disassociate themselves completely from broadcast programing, an area which

should be the exclusive responsibility of the network or individual station. Broadcasters should be as completely responsible for the program content of their stations and networks as publishers are for the editorial content of their publications. Advertisers should buy time in much the same fashion as they buy space in the printed media.

This proposal, I know, has its objectors. One argument against it is that advertisers just won't stand for it--an argument which, it strikes me, assumes that advertisers have a greater right to the airwaves than the rest of the population; that television needs advertisers more than advertisers need television; and that this plan would necessarily work against the long-term interest of the advertiser. Another objection is that the advertiser could not be sure that his message would be compatible with the adjacent content and hence that it might not reach the intended market. This argument assumes, I think, that the advertising would be scheduled willy-nilly. Still another objection is that the plan might lead to a decrease in revenues for broadcasting and hence would cause programming to deteriorate. In basic principle, this argument sounds akin to advising Henry Luce that Time Inc. cannot afford to have photographers shoot 1,500 photographs for a one-page picture story in Life, so he had better have their assignments and their features underwritten by some kindly sponsor from the outset. True, this proposal might scale down the incomes of some TV performers to something approaching their real contributions to society, but I cannot foresee any serious loss of income to broadcasting.

This proposal to dissociate advertising from programming also has its supporters, and significantly some of them are advertisers and agency men who are enlightened enough to see that their long-range interests are best

served by the divorce. In early November, Advertising Age repeated a position it has held over the years: "As long as the end-aim of all programing is to achieve a high rating, and as long as advertisers can associate their commercial messages with high-rated programs, stations and networks can attain truly balanced programing in the public interest only at great economic risk." The airwaves must fulfill their primary responsibility of serving the public interest before they meet the demands of advertisers, the publication concluded. "They can do it easiest and best, ultimately, when broadcast advertising is as completely divorced from broadcast programing as printed advertising is normally divorced from magazine or newspaper editorial content." Taking a similar position is Winthrop Hoyt, board chairman of the Charles W. Hoyt Co., New York: "I have always believed that control of broadcast programs should be in the hands of the stations and networks. When television first arrived on the scene, I had hoped the change would take place at that time. Some day this will be the case." And here is the viewpoint of L. G. Wesley, president of Wesley Associates, New York: "The history of advertising has shown that any medium is weakened when the editorial and advertising departments have not been separately administered."

My third proposal is that the authority of the Commission be extended to cover networks. In any medium, responsibility for content must be clearly fixed somewhere. In the broadcast media, the legal responsibility for programing seems to me fixed at the weakest possible place for maintaining high standards--the local station. The average network affiliate produces fewer than 10 per cent of the programs it carries; local stations depend greatly on the networks not only for their programs but also for their economic survival. As the Barrow Report on network broadcasting put it:

. . . network practices have, to some extent, restricted the programming responsibility of the station licensee and limited the licensee's opportunities to program according to the specific needs of his local community. They have also curtailed the availability of alternative program sources to the station and thus to the public which it serves.

True, the networks are to some degree accountable to the Commission through the stations for which they hold licenses. But this to me seems a devious and unsatisfactory way for the Commission to exert its influence. Indeed, even Frank Stanton of CBS in testimony in 1956 said that he thought the direct application of existing regulations to networks rather than their indirect application through company-owned stations would represent "a less complicated way to live."

I am quite aware, of course, of some of the problems, legal and otherwise, involved in extending the Commission's authority over networks. I am quite aware, too, of the special nature of networks: that they exist essentially as dealers in services, that they technically do no broadcasting of their own (except through their company-owned stations).

Yet I think that network regulation is important enough to demand serious study and consideration by the Commission and Congress. One possible approach might be to give legal recognition to the important and unique part which the networks play in broadcasting operations and to license them under standards of performance similar to those asked of individual stations.

My fourth proposal is that the Commission be far less prone than in the past to take applications of station licensees at face value, more prone than in the past to check upon subsequent performance. My observation is that the behavior of an applicant for a license is somewhat like that of a little boy just before Christmas. He behaves circumspectly; he promises to be

good for evermore. His angelic behavior holds until Christmas morning, when he gets that chrome-plated, red fire engine he coveted; thereafter, he reverts to his less angelic ways. He knows that if he breaks his promise, Dad will never take back the fire engine.

So too the Commission, it strikes me, has been as content with promises as with performance. The Commission does ask that stations carry a reasonable number of public affairs programs, a reasonable number of sustaining programs, but it asks only that they be carried, not that they be good. It could require that some such programs be carried during prime viewing hours. By doing so, the Commission might encourage stations to spend enough money, effort and creative talent on non-commercial programs so that a greater number of public interest programs would really hold the public interest. If networks were licensed as stations are now and if this requirement were made of them, the result might be to liberate such programs from what Edward R. Murrow has called the intellectual ghetto of Sunday afternoon. I might add that while I believe stations and networks should carry sustaining programs, I further believe that some commercially-sponsored programs might also be regarded as public service broadcasting.

To review the suitability of existing license-holders in anything but a most perfunctory way is costly, to be sure, and the Commission has responsibilities in addition to those of radio and television broadcasting. If the Commission is to do just one of the tasks with which it is charged--interpreting the public interest in terms of the suitability of license-holders--it must have adequate staff and funds. My impression is that it has never had either.

Finally, I think that the Commission should seek from Congress a more precise definition of its function, responsibilities, power and jurisdiction

than that embodied in the Federal Communications Act of 1934. Uncharitable as it is to say, many laymen interested in broadcasting have the impression that the Commission has never sufficiently exerted the powers granted it under the 1934 act. On the other hand, it seems to me, Congress has failed to indicate the jurisdiction of some matters which might properly come before the Commission. To do its job with maximum effectiveness, the Commission should know just what responsibilities and authority are within its mandate.