

An Almost Incredible Absurdity for a Democracy

Much of the contemporary debate regarding the First Amendment and its significance for the mass media in the United States presupposes that the mass media are directed by capitalists for the primary purpose of earning profits and that commercial advertising is an appropriate source of revenues for these businesses. By this dominant reasoning, it is simply assumed that the capitalist marketplace of ideas is the "natural" media set-up for a democratic society and, moreover, that this capitalist marketplace will best protect the public interest and promote the creation of an informed citizenry so necessary to the functioning of a democracy.

Accordingly, the state serves as the primary agency of evil; the lesser the role for the state, the better off are free expression and democracy. Within the parameters of these presuppositions, the major concerns regarding the relationship of the First Amendment to the mass media are arguably those which address which specific activities by the commercial media (e.g. advertising, pornography, libel, exposing celebrity lifestyles) are eligible for First Amendment protection from government regulation. In effect, the First Amendment has become trade legislation for one of the most dynamic sectors of the capitalist economy as much as it serves as any sort of charter for the establishment and maintenance of a democratic polity.

In general, the trajectory of the past few decades has been for the scope of the First Amendment to be expanded to cover many new activities, often commercial in nature, that had not been considered fair game for the First Amendment in earlier years. By conventional reasoning, one might anticipate that this expansion of the First Amendment would be accompanied by a flowering of the marketplace of ideas with a consequent enrichment of American political culture. To the contrary, however, U.S. political culture has deteriorated and is presently awash in a crisis of apathy, cynicism and ignorance of historic proportions. In short, there is the paradoxical combination of a relatively unleashed marketplace of ideas, in

the dominant sense, and a moribund political culture. Granted, the contemporary media system is by no means solely or even primarily responsible for the pathetic state of the U.S. polity; nevertheless, it seems indisputable that its functioning must be examined in any effort to come to grips with the problem (Bennett, 1988; Entman, 1989). Yet, although this crisis of contemporary participatory democracy is often acknowledged by observers, this paradox of the unleashed marketplace/bogus political culture has defied systematic explanation, particularly by those encumbered with the (generally unexamined) belief in the infallibility of the capitalist marketplace of ideas.

Largely overlooked in these debates is the vast cache of criticism by intellectuals and activists in the early 1930s which argued that a concentrated, for-profit, advertising-supported broadcasting system, by its very nature, was inimical to the communication requirements of a democratic society. These critics argued that such a system would discourage political awareness and involvement and would tend to generate a depoliticized society subject to manipulation by elites. By the logic of this criticism, the public had the right and the obligation to create a new broadcasting structure which would better preserve and extend the democratic foundations of U.S. society. This criticism did not posit the state as any sort of panacea — most of the critics suggested reforms that would create a substantial non-governmental, non-profit media sector — but it dismissed the dominant notion of free expression as irrelevant to the concentrated, commercial media culture of the 20th century. Moreover, to these critics if the public did not address the inherent flaws in a capitalist, commercial media set-up, all other measures to render the United States more democratic would be of only limited value.

This criticism was directed at the fledgling commercial broadcasting industry in the years 1930-1935, before the basis of the industry became sacrosanct in U.S. political culture. This article will survey this body of criticism from the early 1930s and locate it within the context of the early years of commercial broadcasting. It is intended that a recognition of this tradition in U.S. media analysis and democratic theory may assist those attempting to come to terms with the pressing crisis of participatory democracy in the United States in the late 20th century. At the very least, the following will hopefully set the historical record straight and reveal that to many Americans there was nothing “natural” or “democratic” about the corporate, commercial domination of the mass media.

Important Developments in U.S. Broadcasting, 1925-1930¹

U.S. broadcasting in the middle 1920s was far different from the system that would be entrenched only a few years later. Several hundred non-profit broadcasters had commenced operations in the first half of the

decade, the majority of which were affiliated with colleges and universities, and well over 200 of these, of approximately two-fifths of all stations, remained on the air in 1925. Those broadcast stations established by for-profit companies were intended to create favorable publicity for the company's primary enterprise, not generate profits in their own right. As late as 1929, it was commonly posited by the broadcasters, the Federal Radio Commission (FRC), and industry analysts that few if any private broadcasters were earning profits from the business of broadcasting, and there was little sense, in the public discourse at least, that they ever would (Codel, 1929, p. 39).

The two major networks, the National Broadcasting Company (NBC) and the Columbia Broadcasting System (CBS) were established in 1926 and 1927 respectively and they did not have much of an impact until late 1927 or 1928. Throughout the late 1920s, NBC presented itself as a public service corporation rather than a traditional for-profit corporation, which would only sell that advertising that was necessary to subsidize high quality non-commercial programming (Aylesworth, 1929a). As for commercial advertising, the other pillar of the emerging status quo, it did not begin its stampede to the ether in earnest until 1928. As has been amply documented in the major studies of the period, commercial advertising was very controversial and more than a little unpopular throughout the 1920s. Few, if any, observers at the time projected the eventual role that NBC, CBS and commercial advertising would assume within the U.S. broadcasting system in short order. Indeed, in all public discourse on the matter prior to 1927, there was general agreement that non-profit broadcasting should play a significant and perhaps a dominant role in the U.S. system, and that commercial advertising should be regarded with great skepticism as to its potential contributions to the field.

The Radio Act of 1927, which provided the statutory framework for broadcast regulation, had been passed as emergency legislation in February, rushed through with little debate after a Federal judge had ruled that the Department of Commerce's ad hoc licensing of broadcasting stations was unconstitutional in 1926. With any effort at regulation discontinued, the ether had become a mass of chaos; 200 new broadcasters immediately commenced operations, the total wattage increased by 75 percent, and few stations respected the frequencies occupied by other broadcasters. The committee deliberations and floor debate concerning the Radio Act of 1927 were what one might expect for emergency legislation. There was almost no discussion of the meaning of the legislation for the type of broadcast system to be created. Congress recognized the temporary nature of its action. The topic of establishing the permanent basis for broadcast regulation was before Congress at each and every session right up until the passage of the Communications Act of 1934, when the matter would be disposed of, seemingly, for all time.

The Radio Act of 1927 established the FRC on a one-year basis to allocate licenses and to bring order to the ether by reducing the total number

of stations. The only directive the law gave the FRC as it made its determinations as to which stations would get preference for the scarce channels was that the FRC should favor those station applicants that best served the "public interest, convenience, or necessity." In 1928, the FRC appointed three of its members, all with close ties to the commercial broadcasting industry, to determine the reallocation plan. The plan was determined during unpublicized sessions between the FRC, commercial broadcasters, and radio engineers, who often were in the employ of commercial broadcasters. The FRC implemented the reallocation in August 1928 with the issuance of General Order 40. Virtually every broadcaster was assigned to a new frequency with a new power level. Forty of the 90 available channels were set aside to be 50,000 watt stations which would have only one occupant nationally. The other 50 channels would house the remaining 600 or so broadcasters who could operate simultaneously on the same channel at much lower power levels and, furthermore, broadcasters in the same region would share the same frequency by using it at different times of day.

To lower the number of stations, the FRC utilized a process whereby anybody could challenge an existing broadcaster for their frequency assignment at the end of its three month term. In general, the FRC would have the various applicants for a particular frequency share its usage and allocate the majority of the hours to the applicant it deemed most worthy. This direct head-to-head competition for the scarce broadcast channels created great antipathy between the contending applicants, particularly, as was often the case, when commercial broadcasters successfully challenged non-profit broadcasters for the use of their frequencies. In the long run, the station allocated the fewest hours on a shared channel often found it very difficult to stay on the air. Accordingly, without the FRC having to turn down outright the license renewal applications of very many broadcasters, there were over 100 fewer stations on the air by the autumn of 1929. General Order 40, which had almost no public or Congressional input into its formulation, effectively established the modern system of U.S. broadcasting. The FRC elected to recognize and accentuate the commercialization and capitalization of the ether and not make any effort through public policy to address these developments (Webster, 1931; Webster, 1934).

The networks and advertisers were the big winners. Whereas in 1927 NBC had 28 affiliates and CBS had 16 for a combined 6.4 percent of the broadcast stations, within four years they combined to account for 30 percent of the stations. And this, alone, vastly understates their new importance as all but three of the 40 clear channel stations were owned by or affiliated with one of the two networks. Indeed, when the number of hours broadcast and the level of power are factored into the equation, NBC and CBS accounted for nearly 70 percent of American broadcasting by 1931. By 1935, only four of the 62 stations that broadcast at 5000 watts power or greater did not have a network affiliation. Moreover, commercial advertising, which barely existed on a national level prior to 1928, grew

by leaps and bounds to an annual total of 72 million dollars by 1934. One commentator noted in 1930 that, "Nothing in American history has paralleled this mushroom growth" (Volkening, 1930). This point has become a staple insight of broadcast historians (Barnouw, 1966, p. 270; Rosen, 1980, p. 12).

The other side of the coin, however, was reflected in the equally dramatic decline in non-profit and non-commercial broadcasting. Non-profit broadcasters found themselves in a "vicious cycle" where the FRC, noting the non-profit broadcasters' lack of financial and technological prowess, lowered their hours and power to the advantage of well-capitalized private broadcasters, and thus made it that much more difficult for the non-profit broadcasters to generate the funds necessary to become successful. The number of stations affiliated with colleges and universities, which had totalled in the hundreds in the middle 1920s, declined from around 100 in 1927 to less than half that figure by 1930. The total number of non-profit broadcasters decreased from some 200 in 1927 to less than one-third of that total by 1933. Moreover, almost all of these stations operated with low power and restricted hours on shared frequencies. Hence, by 1934, non-profit broadcasting accounted for but two percent of total U.S. broadcast time. For most Americans, it simply did not exist (Frost, 1937).

The FRC defended its reallocation in its *Third Annual Report*. It equated capitalist broadcasters with "general public service" broadcasters since, in their quest for profit, they would be motivated to provide whatever programming the market desired. In contrast, those stations that did not operate for profit and that did not derive their operating revenues from the sale of advertising time were termed by the FRC as "propaganda" stations, since, according to the FRC, these stations were more interested in spreading their particular viewpoint than in satisfying audience needs. The FRC emphasized that it did not use the term "propaganda" in a derogatory sense, since it was referring to educational and religious broadcasters, but rather to clarify their function vis-a-vis the general public service broadcasters. Hence the FRC argued that it *had* to favor the capitalist broadcasters since there were not enough channels to satisfy all of the "propaganda" groups. The FRC stated that propaganda groups should discontinue their efforts to maintain stations and learn to broadcast through the facilities of the commercial broadcasters, whom the FRC claimed were more than willing to accommodate the various groups being excluded from direct access to the airwaves (Federal Radio Commission, 1929, pp. 31-36).

The commercial broadcasters were exultant with the reallocation and the manner in which the FRC had interpreted the term "public interest, convenience, or necessity" to favor commercial broadcasting. The displaced non-profit broadcasters, on the other hand, were outraged. The notion that educators, labor, religious organizations and other "propaganda" groups could cooperate to have their material broadcast over the commercial stations was dismissed categorically by these groups as "not

possible.” “That practice has been tried for a decade and proved unworkable,” one educator noted in 1931. “It is no longer open to discussion” (J. Morgan, 1931a, p. 128).

It was in the aftermath of General Order 40, as the contours of modern U.S. broadcasting fell into place with astonishing speed, that there developed, for the first time, a coherent opposition to the emerging capitalist domination of the ether. The shock troops for this opposition movement came from displaced and struggling non-profit broadcasters, who felt their stations were being “unprotected” by the FRC as they were “attacked constantly by commercial broadcasters,” who were beginning to sense the immense profit potential in the new medium (Perry, 1931a, pp. 16-17). The leading national broadcast reform group was the National Committee on Education by Radio (NCER), which had been put together by Secretary of the Interior Ray Lyman Wilbur and Commissioner of Education William John Cooper in 1930 at the urging of the National Education Association. The NCER was a non-profit, non-governmental umbrella organization of nine leading national educational organizations and was subsidized by a five-year, \$200,000 grant from the Payne Fund. It was chartered, among other things, to organize support for statutes which would reserve a place on the ether for educational broadcasters.

In addition to the NCER, the opposition to the status quo included much of the labor movement, whose sole station, WCFL of Chicago, was in constant battle with commercial broadcasters and the FRC during this period. Another major broadcast reformer was the Paulist Fathers religious order which operated station WLWL in New York, which, like WCFL, was in a constant struggle for survival before the FRC and experienced commercial broadcasting interests eager for its frequency (McChesney, 1987). In addition to displaced non-profit broadcasters, the opposition movement included newspapers angered by the business threat posed by commercial broadcasting. Perhaps the single most active opponent of commercial broadcasting was the American Civil Liberties Union (ACLU), which established a radio committee to determine a new plan for broadcasting which would eliminate “the restrictions” on free expression “inherent in the American system.” This ACLU radio committee, which included Norman Thomas and Morris Ernst, lobbied for much of the decade for the thorough reconstitution of U.S. broadcasting on free speech grounds (McChesney, 1988a).

Between 1930 and 1935 the opposition movement lobbied for a number of congressional measures that would have set aside significant portions of the broadcast band for non-profit and non-commercial utilization. The first major proposal was the “Fess Bill,” so-called after its sponsor, Senator Simeon Fess, Republican of Ohio, which would have required the FRC to reserve 15 percent of the channels for non-profit utilization, and which was before Congress between 1931 and 1933. In 1934, Senators Robert Wagner, Democrat of New York, and Henry Hatfield, Republican of West Virginia, would introduce an amendment, the

"Wagner-Hatfield amendment," which would have set aside 25 percent of the channels for non-profit broadcasters. Defeated 42-23 in May 1934, this was as close to success as the opposition movement would get.

The opposition movement always faced an uphill fight, battling an entrenched and powerful industry, and much of its energy was expended trying to publicize the notion that the public even had a right to determine broadcast policy and that the manner by which the FRC had acted in reallocating the ether had been undemocratic. Between 1932 and 1934 most of the opposition movement simply lobbied for legislation which would have authorized an independent commission to study broadcasting and develop a plan for the reconstruction of U.S. broadcasting in the public interest. Such a procedure had taken place in Canada and Britain, where each country resolved to develop their broadcast services in a non-profit and non-commercial manner. The opposition movement considered it axiomatic that any neutral audit of U.S. broadcasting would determine that the status quo was fundamentally flawed.

During the years following General Order 40, commercial broadcasting was far from sacrosanct in public discourse, at least by any subsequent standard. Indeed it would appear that significant elements of the listening public found broadcast programming far too commercialized and may have favored some reform of the status quo. "Radio broadcasting," *Business Week* (February 10, 1932, pp. 18-19) alerted its readers, "is threatened by a revolt of listeners ... Newspaper radio editors report more and more letters of protest against irritating sales ballyhoo." Even staunch proponents of commercial broadcasting routinely acknowledged the depth of public dissatisfaction with commercial broadcasting during this period. The most vociferous proponent of commercial broadcasting on the FRC, Harold Lafount, informed the National Association of Broadcasters (NAB), the commercial broadcasters' trade association, at their 1932 convention that "an irate public is besieging Congress to stop overcommercialism of radio in America" (Dunlap, 1932). Unless the industry responded, Lafount warned, the public "will demand that the government take over the radio and operate it, as England does, as a government monopoly" (*Broadcasters News Bulletin*, March 28, 1931).

Nor were these warnings lost on the industry. "Broadcasters themselves are well aware of the wave of resentment against excessive advertising," the trade publication *Broadcasting* (December 1, 1931, p. 6) acknowledged. "The plaint is heard from every quarter. It has been picked up by the reformers as the bludgeon with which to smash the present system of broadcasting." "This structure is in very serious danger," NAB chief lobbyist Henry A. Bellows informed the NAB convention in 1931. "More people are after our scalps than in any other industry" (*Printers' Inks*, November 15, 1931, p. 7).

The commercial broadcasters were opposed to any and all of the efforts of the opposition movement in no uncertain terms. One NAB executive described the conflict between the commercial broadcasters and the oppo-

sition movement as “a fight between life and death.” Henry A. Bellows (1934, p. 618) stated that measures like the Wagner-Hatfield amendment “obviously would have destroyed the whole structure of broadcasting in America.” The commercial broadcasters revealed little respect and great contempt for the concerns of the opposition movement. To the NAB, the opposition to the status quo came from “groups who either have selfish ends to gain by destroying commercial broadcasting or who, having been unwilling to bear the trials of pioneering [sic], now seek to get into the broadcasting business” (*Broadcasters News Bulletin*, February 14, 1931). Nor were the intellectuals who criticized the status quo held in any higher regard by the stewards of the ether. In a letter to Radio Corporation of America (RCA) president David Sarnoff, NBC president Merlin H. Aylesworth (1934) dismissed the intellectuals who wrote articles critical of commercial broadcasting as “people who have an axe to grind or want a job.”

Intellectuals Who Addressed Commercial Broadcasting

The most striking feature of the intelligentsia’s response to network commercial broadcasting during this period was how *unanimous* the sentiment was in opposition to the status quo. The director of the NCER, Joy Elmer Morgan (1933a, p. 82), was on the mark when he stated in 1933 that it was impossible to find *any* intellectual in favor of the status quo unless they were receiving money or broadcast time from a commercial broadcaster. This does not mean that the issue of broadcast policy was anything close to a preoccupation for the intelligentsia during this period. Indeed, numerous prominent social thinkers from the period seem scarcely to have considered the matter; all things considered, this debate transpired during the depths of the Great Depression, when there were probably more important issues to consider.

This point notwithstanding, those intellectuals that considered and commented upon the implications of the emerging capitalist broadcasting set-up for the maintenance of a democratic society regarded the topic as one of the utmost importance. “The radio is the most powerful instrument of social education the world has ever seen,” John Dewey announced in a radio address in 1934. “It can be used to distort facts and to mislead the public mind. In my opinion, the question as to whether it is to be employed for this end or for the social public interest is one of the most crucial problems of the present” (*School and Society*, December 15, 1934, p. 805). “The conditions of our radio at the present time constitute a national scandal and disgrace,” Upton Sinclair wrote in 1931.

If they are allowed to continue for another ten years we shall have the most debased and vulgarized people in the world, and the fault will not rest with the people, who are helpless, and have to take what is handed out to them by exploiters and commercialists of the basest type (*Education by Radio*, 1931, p. 156)

Needless to say, this sentiment was shared by the organizers of the opposition movement. "As a result of radio broadcasting," the NCER's Morgan (1931a, pp. 120-121), who also edited the *NEA Journal*, informed one audience,

there will probably develop during the twentieth century either chaos or a world-order of civilization. Whether it shall be one or the other will depend largely upon whether broadcasting be used as a tool of education or as an instrument of selfish greed. So far, our American radio interests have thrown their major influence on the side of greed.

"I believe we are dealing here," Morgan (1932, p. 79) informed another audience, "with one of the most crucial issues that was ever presented to civilization at any time in its entire history." Nor was Morgan any sort of lone wolf in this regard. "Whoever controls radio broadcasting in the future," the chief labor broadcast lobbyist proclaimed, "will eventually control the nation" (Nockels, 1930, p. 414).

Alone among academics and intellectuals, Dr. Herman S. Hettinger (1933; 1935) of the Wharton School of Finance, published actively throughout this period on the merits of commercial broadcasting over any alternative. However, Hettinger, in accord with Joy Elmer Morgan's thesis mentioned above, had much of his research funded by the NAB. This is not to suggest that Hettinger was some sort of intellectual prostitute whose services were available to the highest bidder; rather, whenever the commercial broadcasters sensed an ally among intellectuals and academics, they appeared eager to support and encourage that scholar's work. In 1935 Hettinger edited a volume on radio for the prestigious *Annals of the American Academy of Political and Social Science*. As one critic noted, since "Hettinger has been a frequent consultant to the broadcasting industry," it was not surprising that he included "in his imposing list of contributors, a substantial number of persons to whom the role of apologist for commercialized radio is not unknown" (Ingram, 1935, p. 251).

Among those notable intellectuals who provided criticism of the status quo during this period, with no discernible immediate financial gain for doing so, were the aforementioned Dewey and Sinclair, Walter Hale Hamilton and Richard Joyce Smith of the Yale Law School, Alexander Meiklejohn, Charles A. Beard, Jane Addams, Frederick Lewis Allen, E. P. Herring, H. L. Mencken, *New Republic* editor Bruce Bliven, Stuart Chase, Jerome Kerwin, Malcolm Willey, Adolph Berle and Norman Woeful. Some intellectuals, most notably William Orton of Amherst College, Jerome Davis of the Yale Divinity School, and James Rorty, not only published numerous critiques of commercial broadcasting, but they also coordinated their activities with many elements of the opposition movement. Rorty, for example, was a former advertising copywriter and social critic who wrote several books and pamphlets criticizing the status quo and who worked closely with the NCER and the ACLU radio committee. In addition, Rorty was the official representative on radio matters of the League of Professional Groups, an association of artists and intellectuals

which included Sidney Hook and Edmund Wilson among its members. The battle for the control of the ether was serious business to Rorty (1931, pp. 714-715).

At bottom the issue is part of the larger conflict between exploitation for private profit and the increasingly articulate movement for public ownership and operation of essential public services. In this conflict, the citadel of radio is the key position, because the control of radio increasingly means the control of public opinion.

As these comments by Rorty indicate, the battle for broadcast reform was one that could easily be attractive to those with left-wing political outlooks, which probably encompassed no small portion of the intelligentsia in the early 1930s. Socialist Norman Thomas (*New York Times*, March 30, 1934, p. 19), for example, argued that since "any genuine discussion of great issues" fared badly in a commercially based broadcast system, all of broadcasting should be "conducted by a non-profit making body set up by the government." Yet this point can be easily overstated. First, most of the organized left avoided the issue entirely. The Communist Party's *Daily Worker*, for example, ignored the issue and only criticized the nature of the broadcast set-up at the end of the decade, long after the system had become politically and ideologically consolidated. Second, much of the support for broadcast reform came not from liberal and reform-minded Democrats, although they were significant, but from Midwest Republicans. Indeed, the NCER was funded by Republicans and it was with Republicans that the group had its strongest ties in Congress. In the early 1930s, commercial broadcasting was not yet synonymous with Americanism in the minds of mainstream America and there was significant room for fundamental criticism, particularly by any subsequent standard.

Radio inventor Lee DeForest emerged as one of the most strident critics of the status quo in the early 1930s, which was a source of more than a little embarrassment for the commercial broadcasters. "To be known as the 'Father of Broadcasting' was once an honor of which I was proud," DeForest told one audience,

but I'm disgusted and ashamed of my pet child. I will lend to any group of citizens who think as I do every ounce of aid within my power to help drive direct commercial advertising off the air, for I seriously believe it to be a national disgrace (*Broadcasters News Bulletin*, November 14, 1931).

DeForest would remain supportive of the opposition movement throughout this period. He applauded the founding of the NCER and hoped that it would arrest "the ever growing tendency to prostitute this magnificent medium in the interests of commercialism and salesmanship" (*Education by Radio*, March 5, 1931, p. 14). DeForest would be one of only two Americans to testify before the Special Committee on Radio Broadcasting in Canada in 1932, whose report would lead to the nationalization and decommercialization of broadcasting north of the United States. DeForest (1932, p. 73) termed U.S. broadcasting "a vulgar, cheapjack show de-

signed solely to coax dollars out of the pockets of the public,” and called upon Canadians to “lead radio in North America out of the morass into which it has pitifully sunk.”

Core Elements of the Critique of the Status Quo

The criticism generated by intellectuals of the emerging network, commercial broadcasting system was, at its core, radical criticism. It identified ownership and support as the decisive elements in accounting for the nature of U.S. broadcasting and argued that any meaningful reform of U.S. broadcasting would have to alter the existing patterns of ownership, control and support. “Ownership of the facilities is the crux of the matter,” one Methodist minister informed an NCER conference. “Whoever controls facilities is bound to control their uses” (Alexander, 1934, p. 119). One member of the ACLU radio committee noted that “Broadcasting is conducted on the whole as a purely private enterprise for private gain.” He concluded that

broadcasting has become a profitable and powerful business for those few in control. It has been and is a discouraging business to those whom the less desirable facilities have been given and the public to whom the commercialized aspects of broadcasting are offensive (Webster, 1934, p. 125).

To the opposition movement and the intellectual critics of the status quo, this concentrated, private control of the ether gave the U.S. broadcasting system a distinct bias toward preserving and expanding upon the interests of the business class and maintaining the contours of contemporary U.S. society. To the American Federation of Labor’s (AFL) Edward N. Nockels (1936, p. 13), it was clear that “all of the 90 channels for radio broadcasting” had been “given to capital and its friends and not even one channel to the millions that toil.” To Midwest populist Joy Elmer Morgan (1933a, p. 110), this made the issue stand out starkly.

The real question at issue is whether the common people, having spent centuries of blood and sacrifice to secure a right to a voice in their own destinies, are now ready to surrender that right to the money-changers or whether they wish to keep their hard won freedom for themselves. *With its radio broadcasting in the hands of the money-changers, no nation can be free.* [his emphasis]

Socialist James Rorty (1934a, p. 529) would sum up the situation by stating that “For all practical purposes radio in America is owned by big business, administered by big business, and censored by big business.”

Moreover, the opposition movement criticized the emerging trend of cross-ownership and affiliation between the broadcasting networks and daily newspapers. This was a mushrooming phenomenon in the early 1930s and, indeed, it was actively encouraged by the networks to defuse any potential opposition to commercial broadcasting on the part of major newspaper publishers (McChesney, 1991a). Some elements of the opposition movement, like Dr. Arthur E. Morgan (1934, p. 81), chairman of the

Tennessee Valley Authority, argued that the limitations of private, for-profit ownership and commercialism for broadcasting was equally valid criticism of the print media and, therefore, "the newspaper, the radio, and the moving picture should not be operated for profit, that they should be operated as social services, just as our public schools." Dr. Morgan was one of the few intellectuals willing to extend his critique of commercial broadcasting to challenge the legitimacy of the existing newspaper industry. Most intellectuals and members of the opposition movement were careful to distinguish between the two. When commercial broadcasting eventually became ideologically entrenched in the latter half of the 1930s, it would do so to no small extent by attaching itself to the ideological coat-tails of the sacrosanct newspaper industry.

Regardless of any affiliation with daily newspapers, the opposition movement and intellectuals associated with it were alarmed by the vast power that the commercial broadcasters were able to wield in society, and the corresponding difficulty the public seemingly faced in attempting to make the commercial broadcasters politically accountable. "The use of commercial broadcasting facilities also tends to place administrative and legislative officials who should be independent in representing the people," one educator observed in 1933, "under obligation to the great corporate interests which control broadcasting" (Perry, 1933, p. 267). According to the opposition movement, the commercial broadcasters and the mainstream political elites were enjoying a magnificent, symbiotic marriage of convenience, with the public being the powerless losers in the affair. The development of paid political advertising only consolidated this trend and, accordingly, alarmed the opposition movement. As Raymond Gram Swing informed the Institute of Public Affairs,

The principle that radio companies may derive revenue from selling political time is fundamentally repugnant to democracy, for it limits the radio to political interests which have money to pay for the time, and that at once makes the ability to pay the test of time.

Swing concluded that, "The moment broadcasters sell time for political purposes, they cease to be democratic" (*Education by Radio*, August 1936, p. 27).

Two fundamental themes dominated the criticism of the status quo that intellectuals and the opposition movement generated in the early 1930s. First, they argued that the functioning of the status quo was inimical to the communication requirements of a democratic society. This point was at the center of virtually every critique of commercial broadcasting. This was at once a theoretical and practical concern. "Censorship is inevitable in any broadcasting system," one educator commented, echoing the entirety of the opposition movement, "because there is never enough time for all the programs that might be broadcast. Calling it by other names does not eliminate it" (Perry, 1935, p. 26). Morris Ernst (1926, pp. 473-475) of the ACLU observed that

Granted that some censorship is at this time an engineering necessity, those who believe in the right of free speech must see to it that this censorship is controlled so far as possible by the listening millions of the country.

When this assumption was fused with the critique of how U.S. broadcasting was actually structured, the results were explosive. "The existent set-up of the United States is dominated by two monopolistic networks. They decide the types of educational programs that shall do on the air; what social, political, economic, ethical questions shall be discussed; what points of view shall be presented," wrote an officer of the Paulist Fathers in a representative passage.

None of us would put an axe in the hands of a man who wanted to cut down our most fruitful plum trees, and leave him alone in the orchard for fifteen minutes. Would the managers of commercial stations do an equally foolish thing by giving the use of their facilities to a University professor, however learned, whose economic views clashed with their own? We are not yet in Utopia (Harney, 1934, pp. 21, 32)!

"There are those that profess to fear the censorship of radio stations operated by local, state, and national government," the NCER's Morgan (1931a, p. 128) stated.

Do they fail to realize that we already have a censorship — a censorship applied not by government, which is elected and maintained by the people and responsible to their control, but a censorship maintained by powerful private interests who are responsible to no one but their own selfish interests?

Indeed, to Morgan (1934, pp. 26, 28) this private control of broadcasting was not simply a theoretical problem, it rendered "genuine freedom of thought" impossible: "The very points at which facts are most needed if people are to govern themselves wisely are the points at which freedom of speech is most certain to be denied." James Rorty (1934b, pp. 24-25) observed that the broadcasting corporations not only censored material that might be harmful to their own operations. More important, he argued, "the status quo of business and finance in general" was protected from any significant criticism. The accuracy of this critique of "private censorship" was at the center of the debate over broadcasting in the early 1930s. The opposition movement and the ACLU produced numerous examples of unpopular political opinions being excluded from the airwaves. To the ACLU, network domination of broadcasting meant that "the problem of censorship is magnified a thousandfold" (Kassner & Zacharoff, 1936, p. 7). "Liberals and the working class movement," one ACLU memo in 1935 observed, "must depend almost entirely, then, on the favors of the large broadcasting companies" to get on the air (Read, 1935). Even CBS newscaster H. V. Kaltenborn (1931, p. 53) acknowledged that networks only permitted the occasional "well behaved [sic] liberal or radical speaker" on the air to deflect public criticism.

The commercial broadcasters, for their part, went to great lengths to establish that they would not exercise their near-exclusive control of the

ether to favor any particular agenda. Indeed, without decisively establishing their social neutrality, the entire legitimacy of a privately owned, network-dominated broadcast system, not to mention media system, could, quite easily, be called into question. "American private competitive radio," one representative NBC (1935, p. 9) pamphlet stated, "has probably given the world its freest radio forum of open debate on the great controversial political and economic problems of the age." To affirm their commitment to balanced and responsible public affairs programming, each of the networks established advisory councils of prominent citizens to assure "fairness of policy on all matters of public interest," as NBC president Merlin Aylesworth put it (Barnouw, 1966, p. 204). By the 1940s, what with the establishment of network news divisions, these advisory councils would fall by the wayside. Network social neutrality would then be assured ostensibly, as it was in the oligopolistic newspaper industry, by professional adherence to journalistic standards of fairness and objectivity.

The second theme which dominated the intelligentsia's and the opposition movement's critique of the status quo concerned advertising and its effect upon programming. "The system of support and how it affects the program," stated one educator, "is the heart of radio" (Coltrane, 1933, p. 32). An ACLU report based upon several years examination concluded that U.S. broadcasting was typified by "the shameful condition of a public medium on which crooners are commonly considered more important than discussion of vital political and social issues" (Kassner & Zacharoff, 1936, pp. 5-7). One theologian observed that the "cardinal point" of the commercial broadcasters' programming policy was

to avoid whatever might offend the sensibilities of any of the big advertisers, or might, however unreasonably, give umbrage to any noteworthy percentage of their listeners, they keep off the air whatever is warmly controverted, whether in religion, ethics, or economics (Harney, 1934a, p. 16).

It was this tendency of advertising to encourage the airing of seemingly trivial and silly programs that drew considerable attention from the opposition movement. Arthur Crane (1931, p. 150), president of the University of Wyoming, argued that "it is unavoidable that a commercial concern catering to the public will present a service as low in standard as the public will tolerate and will produce the most profit." "In order to get large audiences," Joy Elmer Morgan (1931a, p. 130) observed, "they cultivate the lower appeals." Bruce Bliven argued that "real social usefulness for the radio" would be an "impossibility" as long as advertising was the primary means of support (*Education by Radio*, September 19, 1935, p. 97).

Much of this criticism had a distinctly moralistic and elitist tone. Bruce Bliven (*New York Times*, October 10, 1934, p. 23), for example, termed commercial programming "moronic drivel and oral garbage." He would write that

even the so-called entertainment aspects of programs are such that no civilized person can listen to them without nausea. This is often the result of a deliberate policy on the part of the advertiser, who finds that people of low intelligence respond most readily to his commercial appeal, and therefore baits his trap with material intentionally designed to reach those who are not quite bright (Bliven, 1934a, p. 201).

H. L. Mencken (*Education by Radio*, August 27, 1931, p. 102) characterized U.S. broadcast programming as "an almost unbroken series of propaganda harangues by quacks with something to sell, and of idiotic comments upon public events by persons devoid of both information and ideas."

In its *Third Annual Report*, the FRC acknowledged that the U.S. broadcasting system, although superior to any conceivable alternative, had some minor defects that could be improved upon. It suggested two possible mechanisms to rectify the situation, both of which were also promoted eagerly by the commercial broadcasters as the "American" way to improve the status quo. First, the FRC suggested that the competitive pressures of the marketplace would force broadcasters to comply with the demands of listeners or they would lose their audience and lose vital revenues. NBC president Aylesworth (1929b) wrote an article along these lines, which NBC reprinted, titled "The Listener Rules Broadcasting." "Private broadcasters," another NBC (1935, p. 5) pamphlet pronounced, "competing freely with one another, will give listeners that service the listeners themselves want." Second, the FRC suggested that networks establish advisory councils and engage in self-regulation to assure that they broadcast in a socially responsible manner. "Self-regulation," RCA president David Sarnoff commented, "is the democratic way in a democratic country" (*Education by Radio*, December 1938, pp. 37-38).

The intelligentsia and the opposition movement had little patience with either of these remedies. The notion that competition in the marketplace would determine winners who most closely responded to listeners' needs and losers who failed to do so was rejected categorically. "A license from the Federal Government does more than set the conditions under which broadcasting competition can take place," one reformer noted in 1934. "It actually determines the outcome of the competition" (Evans, 1934, p. 200). "The American system assumes there is free and fair competition in the business of broadcasting," observed another educator. "This is a false assumption because the number of channels is limited and when one concern secures a channel its competitors are unable to secure the same privilege" (Perry, 1933, p. 267). E. Pendleton Herring (1935, pp. 172-173) argued that

The populace is actually given little choice when confronted on one hand with the programs of the favored commercial stations and on the other hand with those of special interest stations handicapped by unpopular and inconvenient time schedules and low power.

Thus, what competition did transpire was between a strictly limited number of players operating on a principle of profit-maximization through the sale of advertising. For the bulk of the population there was little sense that there was any viable or fundamental alternative to the relatively narrow range of choices being offered to them in the early 1930s. "It may be true, as the broadcasters assert, that the people are satisfied with what they are getting," University of California president Robert G. Sproul observed in 1934,

but that does not prove they would not like something better. The public has been taught to want what it is getting. It has received 12 years of concentrated instruction from an expert corps of teachers (cited in Payne, 1936, p. 65).

Moreover, the listeners' "votes" in this marketplace were not cast directly but, rather, they were mediated through the perceived effectiveness of advertising messages. James Rorty (1934b, p. 10) approvingly cited Walter Hale Hamilton's maxim regarding the beauty of the marketplace as an engine of social control: "Business succeeds rather better than the state in imposing restraints upon individuals, because its imperatives are disguised as choices."

The opposition movement was appalled by the logic of this marketplace thesis which implied that self-interested capitalist broadcasters were "general public service" broadcasters, due to their following the commands of the marketplace, whereas non-profit broadcasters were axe-grinding "special interests" who could not hack it in open competition for public attention. As one broadcast reformer argued, non-profit broadcasters could only be considered "special interests" if

you want to say that those who are working for the public welfare are pursuing special interests and that the gentlemen who are working for their own pockets are not. Why not the other way, with all due respect to Judge Sykes [then chairman of the FRC] and others, why not say that those who are working for their own pocketbooks are the gentlemen who are working for the special interests (Hamey, 1934b, p. 161)?

As for the notion that industry self-regulation could eliminate the abuses inherent to the system, the opposition movement barely paused long enough to even dignify this proposal, which it rejected on its face. "If the great broadcasting networks think their codes of ethics and their heroic refusals of obviously offensive programs are enough," one educator wrote, "they do not know their public" (*Broadcasting*, June 1, 1932, p. 7). NBC had established its Advisory Council in 1927 and although every shred of evidence indicates it played no meaningful role in guiding NBC in a more socially responsible manner, its activities were given enormous attention by the network. As one NBC internal memo put it, "a great deal of weight will be put to it in the public mind" (Patterson, 1933). Joy Elmer Morgan (1931b, p. 13) had no patience for such practices and the claims that these bodies would somehow represent the public interest.

The public has already learned as a result of its experience with the motion picture industry that groups financed by selfish interests represent selfish interests; that they merely constitute a smoke screen which seeks to protect the industry from the just and wholesome criticism of an enlightened public. The practice of employing at fabulous salaries public men of high reputation, who owe all they have to the good-will of the public, to stand between the evil practices of monopoly groups and a righteous public sentiment is a diabolical practice quite unworthy of the best citizenship of our country.

Not only did the opposition movement and the intelligentsia attack the marketplace and self-regulation as satisfactory regulators of commercial broadcasting, they also dismissed the notion that a more public-spirited and aggressive federal regulation of the network, commercial system could produce acceptable changes in the system. In the late 1930s, this would become the liberal plank of the dominant paradigm regarding broadcast regulation. In the early 1930s, however, the opposition movement regarded this notion as preposterous, particularly in view of the FRC's less-than-antagonistic relationship with the commercial broadcasters.

Beyond criticizing the workings of the FRC, the opposition movement and the intelligentsia generated a larger critique of the limitations of attempting to reform the status quo without rearranging the distribution of broadcast facilities. "That kind of arrangement," noted Joy Elmer Morgan (1931a, p. 122) in reference to the suggestion that a more aggressive regulatory body might solve the problems of U.S. broadcasting,

would result in perpetual warfare, and I do not believe perpetual warfare between our institutions and industries is desirable for either. They are inherently different in purpose, and when you try to drive the two together you are going to have conflict and difficulty. That has been proved over and over again.

Moreover, if "perpetual warfare" were to be the result of an aggressive regulatory regime, it was a war that the outsiders and public interest advocates would invariably lose. As a Naval officer, who was sympathetic to the notion of government-owned communications on national security grounds, informed President Franklin D. Roosevelt in 1933:

My experience in government affairs has convinced me that if the large companies in an industry wish to attain a common end they will eventually succeed unless the laws passed by Congress are such to provide adequate barriers. With clever executives and high-priced lawyers, the Government administrators have little chance in the long run to resist such pressure, due to the ever-changing personnel in the Government, regardless of the unquestioned faithfulness of the employees (Hooper, 1933).

Few among the opposition movement were even willing to concede that a regulatory body would necessarily be staffed by public servants of "unquestioned faithfulness." The NCER noted with disdain the significant percentage of FRC employees who, upon leaving the FRC, went on to lucrative careers in the commercial broadcasting industry, "thus placing

themselves in a situation where the information they gained as public servants may be used for private advantage contrary to the public interest." To the NCER, such developments were the logical outcome of a regulatory regime and could not be eradicated by merely substituting bureaucrats of higher moral timbre (*Education by Radio*, April 7, 1932, p. 56).

Finally, the spirit of the intelligentsia's and the opposition movement's criticism of the status quo was at all times practically minded. Its importance was not merely to shed light on an important institution but, rather, to assist those elements of society attempting to reconstruct U.S. broadcasting and fundamentally recast it. In this regard, three themes underlay the entirety of the opposition movement's critique of the status quo. First, it was axiomatic that the emerging status quo had not been "selected" by the citizenry in any rational or democratic dialogue. "It is not accurate to describe radio broadcasting in the United States as a system," Joy Elmer Morgan (1933a, p. 82) would write. "It is the exact opposite of a system. It is confusion and chaos. From the beginning it has been one mad scramble of powerful commercial interests to gain control of this new means of reaching the human mind." "When I hear people talk of the resulting broadcasting situation as the 'American system'," William Orton (1935, p. 82) informed a 1935 audience, "I cannot avoid lifting an academic eyebrow. It may be American, but it is not a system. It is," he concluded, an "extension of the reign of ballyhoo."

Second, the opposition movement emphatically asserted the right of the public, acting through its elected representatives, to establish whatever type of broadcasting system they deemed desirable, even if this might mean the elimination of the entire capitalist basis of American broadcasting. To the opposition movement, it was taken for granted that the airwaves were in the public domain, and not inherently subject to private exploitation on a first come, first serve basis. In this context the issue was quite clear, as Armstrong Perry (1932, p. 223) would note.

So the question really is, Do we want to submit to the regulation of radio by the people whom we elect to rule over us, or do we want to leave our radio channels in the hands of private concerns and private individuals who wish to use these public radio channels for their own profit?

In sum, given these presuppositions and the general critique outlined above, the entire logic of U.S. broadcasting struck the opposition movement and the intelligentsia as inane and contradictory. "The present American system of broadcasting," University of Wyoming president Crane (1935, pp. 118-119) stated,

is an almost incredible absurdity for a country that stakes its existence upon universal suffrage, upon the general intelligence of its citizens, upon the spread of reliable information, upon the attitudes and judgments of all the people, and then consigns a means of general communication exclusively to private interests, making public use for general welfare subordinate and incidental. The absurdity becomes more absurd when we deal with a limited resource belonging to all of us

and save none of this general resource for our own general use. The absurdity passes comprehension when we not only give up our public birthright but tax ourselves to support commissions, to protect private monopoly in the use and control of what belongs to the nation.

Crane concluded that, "The absurdity becomes tragic when the vital values of radio communication to a democracy are considered." Philosopher Norman Woeiful (1933, pp. 38-39) concurred, noting that "radio in America has been allowed to gravitate to almost exclusive control by big business interests," becoming in the process a profitable vein of the advertising industry.

The absurdities and banalities which such control and such a purpose have turned loose on millions of radio listeners almost beggar description. These are fundamental and obvious facts; only a blind optimist would deny, or dispute, or justify them. They call for swift and far-reaching reconstructive effort by the public.

Accordingly, the third assumption that underlay the criticism and activities of the opposition movement was that reform would necessarily have to address the contradiction between the private, for-profit control of broadcasting and the communication requirements of a democratic society. As William Orton (*Education by Radio*, December 20, 1934, p. 61) put it, "The profit-motive is fundamentally inconsistent with either technical or cultural excellence in broadcasting service." It is a "fact that the radio channels belong to the people," stated one educator, "and should not be placed in the hands of private capital" (Coltrane, 1936, p. 36). Given this logic, it is not surprising that the intelligentsia and the opposition movement had nothing but good things to say about the British Broadcasting Corporation (BBC), which had a non-profit and non-commercial monopoly over Britain's broadcasting services. "After some little study of both systems," Bruce Bliven (1934b, p. 342) wrote regarding the British and American approaches to broadcasting, "I believe that the British plan is about 1,000 percent superior to the American, and the best thing we could do would be to adopt it."

These sentiments notwithstanding, one of the striking features of the opposition movement's and the intelligentsia's reform activities is that there was never the slightest effort spent toward accomplishing the nationalization and decommercialization of all of U.S. broadcasting. All of the reform proposals called for a pluralistic system, with active commercial and non-commercial sectors. The NCER characterized Australia, which had such a system, as a "listeners' utopia" (*Education by Radio*, November 7, 1935, p. 55). As Bruce Bliven wrote, the establishment of a viable non-commercial government network to complement the commercial networks would finally provide people with real choices.

With the government system in operation, the people could choose. If they wanted to listen to advertising as the private broadcasters insist they do, they would certainly have the opportunity. If, on the other hand, there are people like myself, who find advertising so obnoxious that they wish the radio had never

been invented, they would be able to listen to the government broadcasts with complete peace of mind (*Education by Radio*, April 18, 1935).

This was an alternative that the commercial broadcasters had no interest in providing to the American people. Indeed, in virtually every instance, the commercial broadcasters regarded all of the activities of the opposition movement as efforts to eliminate private, commercial broadcasting in its entirety. The reform proposals were regarded as inappropriate “legislative chiseling” of the FRC’s functions, which would lead invariably to the “complete disintegration” of broadcasting (*Broadcasters News Bulletin*, August 15, 1931).

Collapse of the Opposition Movement and Consolidation of the Status Quo

The opposition movement never constituted a life-threatening challenge to commercial broadcasting. The various elements of the opposition movement rarely coordinated their efforts and revealed a lack of political sophistication all the more telling in comparison to the commercial broadcasting lobby, which already was routinely regarded “as one of the most effective trade associations on the United States” (Mackey, 1956, p. 1). The extraordinary leverage the broadcasters held over politicians, discussed above, was recognized by commercial broadcasters, politicians, and the opposition movement. In addition, the commercial broadcasters spared no expense in the early 1930s in a public relations campaign to establish the status quo as the only innately “American” and truly “democratic” method for organizing broadcasting services. With their abundant resources, the commercial broadcasters were able to overwhelm the under-funded communications of the opposition movement, which angered the reformers to no end. And, critically, press coverage of the debate over broadcasting was minuscule and, when it did appear, as both sides readily acknowledged, it was heavily skewed toward presenting a pro-status quo position (McChesney, 1991a). In sum, the opposition movement, for a number of reasons, was unable to direct the dissatisfaction with commercial broadcasting into a viable movement for broadcast reform.

The battle for the control of the airwaves ended with the passage of the Communications Act of 1934, which essentially re-enacted the Radio Act of 1927 and created the Federal Communications Commission (FCC) to replace the FRC. The Communications Act, which was passed with scarcely a shred of Congressional or public examination of fundamental broadcast policy issues except for the brief debate over the Wagner-Hatfield amendment on May 15, was a smashing triumph for the commercial broadcasters. “When we read it,” Henry Bellows (1934, p. 618) informed the NAB convention in September 1934, “we found that

every point we had asked for was there.” It was, conversely, the end of any legitimate opportunity to debate the merits of the existing U.S. broadcasting system in public discourse. The die had been cast, then, not only for radio but for television and a host of other advanced technologies yet to be imagined, let alone created. Congress washed its hands of any consideration of fundamental broadcast policy questions for the balance of the century while the FCC refused to countenance any reform of the status quo unless so authorized by Congress. The system, which was economically consolidated by 1932 or 1933, became politically consolidated in 1934. It would become ideologically consolidated shortly thereafter.

The opposition movement quickly unraveled, largely to be forgotten by history. Only the ACLU remained in the fray in the latter half of the 1930s, obsessed with its concern with private censorship. By 1938, the ACLU disbanded its reform efforts, which had gotten nowhere, and formally restated its position on broadcasting. “Radio stations are private institutions,” an ACLU (1938) press release announced. “It is only when the federal licensing authority interferes that a clear issue of censorship arises.” The system had gone from being fundamentally flawed to being fundamentally sound. The ante for admission to any future discussion of broadcasting in the United States was the acceptance of the network, commercial basis of the industry as inviolate.

It was in the period following the passage of the Communications Act of 1934 and the collapse of the opposition movement that commercial broadcasters became enshrined in the dominant culture as, in the words of broadcast historian Philip Rosen (1980, p. 180), “the purveyors of the unqualified truth, a sort of holy Grail, if you will of good judgment and sound vision.” The commercial broadcasters actively cultivated the notion, which was largely unchallenged with the demise of the opposition movement, that the status quo was innately democratic and American and that even the consideration of alternatives was absurd, if not dangerous. “Our American system of broadcasting,” RCA president Sarnoff informed a nationwide audience over an NBC network in 1938,

is what it is because it operates in the American democracy. It is a free system because this is a free country. It is privately owned because private ownership is one of our national doctrines. It is privately supported, through commercial sponsorship of a portion of the program hours, and at no cost to the listener, because ours is a free economic system. No special laws had to be passed to bring these things about. They were already implicit in the American system, ready and waiting for broadcasting when it came (*Education by Radio*, June-July 1938, p. 21).

Moreover, the commercial broadcasters were able to link radio inextricably to the newspaper industry and a host of other cherished freedoms. As David Sarnoff (1937, p. 154) intoned,

a free radio and a free democracy are inseparable; that we cannot have a controlled radio and retain a democracy; that when a free radio goes, so also goes free speech, free press, freedom of worship, and freedom of education.

The logic of this was not always left unstated. "He who attacks the fundamentals of the American system" of broadcasting, CBS president William S. Paley (1937, p. 6) announced, "attacks democracy itself."

The campaign was completely successful. By the 1940s, not only was the private and commercial basis of U.S. broadcasting outside the parameters of legitimate debate, there was not even the notion that the public had the right to determine the type of broadcast system it deemed most appropriate, after political study, discussion and debate. The status quo had become internalized in toto by the dominant culture. The very existence of any formal opposition to the status quo in the late 1920s and early 1930s had been almost entirely removed from the history of the industry, to be replaced with a dominant "consensus" vision of an inherently democratic and popularly embraced capitalist system that was not so much selected as it was ordained. It should come as no surprise, then, that, in the middle 1940s Paul Lazarsfeld (1946, p. 89) concluded his classic study of broadcasting by observing that the American people seemed to approve of the private and commercial basis of the industry. "People have little information on the subject," he added, "they have obviously given it little thought."

Conclusion

This article has provided a cursory sketch of the vast and largely ignored literature which criticized commercial broadcasting in the early 1930s. Although conditions have changed in many respects over the past 60 years, much of this literature, particularly that which addresses the free speech limitations of an oligopolistic, commercial system, the degradation of culture mediated through advertising, and the limitations of regulation and self-regulation as means to force private broadcasters to act in the public interest, strikingly anticipates the best media criticism of recent times. A significant number of Americans, from a variety of backgrounds and intellectual traditions, had an opportunity to see the future of U.S. broadcasting and they reacted in the most negative manner imaginable. These critics, whatever their shortcomings, were driven above all else by a desire to have a broadcasting and media set-up that would best serve the cultural and political needs of a self-governing society. In this sense, they merit respect as well as recognition.

Moreover, the concerns of the intellectuals and the opposition movement in the 1930s were by no means resolved in any sort of democratic debate. On the contrary, they were swept under the rug and buried beneath the steamroller might of the burgeoning communications corporations. In the 1990s the mass media have become concentrated across media and along transnational lines in a manner that would have stunned even the most jaded critic of the 1930s. If anything, the concerns of the opposition movement are returning to the political agenda, albeit against tremendous political and ideological resistance. Specifically, many now argue that the

concentration and commercialization of mass communication is culpably implicated in, though by no means primarily responsible for, the deterioration of U.S. political culture mentioned at the outset of the article.

Whether one agrees or disagrees with this proposition or even with the proposition that U.S. political culture is considerably less participatory than it should be is almost immaterial; what seems clear is that a candid evaluation of U.S. democracy requires that the structural basis of mass media system be made fair game for analysis and debate and change. As long as the dominant communications corporations are able to present themselves as the natural "American" and "democratic" controllers of the media, their political position is unassailable. And Americans enter the public sphere with one hand tied behind their back.

*School of Journalism and Mass Communication
University of Wisconsin—Madison*

NOTES

1. This following is a brief and lightly referenced overview of the important developments in U.S. broadcasting during this period. For greater detail and references, see McChesney (1988b, 1990, 1991b, 1993).

REFERENCES

- Alexander, G. (1934). "Supplemental Statement," in Tyler, T. (ed.), *Radio as a Cultural Agency in a Democracy*, Washington, D.C.: National Committee on Education by Radio, pp. 115-124.
- American Civil Liberties Union. (1938). "Statement on Relation of Reverend Charles Coughlin to Radio Censorship," December 21, 1938, in American Civil Liberties Union Manuscripts, 1938, Volume 2011, Princeton University, Princeton, New Jersey.
- Aylesworth, M. (1929a). "Radio's Accomplishment," *Century*, vol. 118, June, pp. 214-221.
- Aylesworth, M. (1929b). "The Listener Rules Broadcasting," *Nation's Business*, September, pp. 23, 122-128.
- Aylesworth, M. (1934). Letter to David Sarnoff, April 11, 1934, in National Broadcasting Company Manuscripts, Box 32, Folder 7, Wisconsin State Historical Society, Madison, WI.
- Barnouw, E. (1966). *A Tower in Babel*, New York: Oxford University Press.
- Bellows, H. (1934). "Report of the Legislative Committee," *NAB Reports*, November 15, pp. 617-622.
- Bennett, W. (1988). *News, The Politics of Illusion*, second edition, New York: Longman, 1988.
- Bliven, B. (1934a). "For Better Broadcasting," *The New Republic*, October 3, p. 201.
- Bliven, B. (1934b). "An English Miscellany," *The New Republic*, August 8, p. 342.
- Codel, M. (1929). "Who Pays For Your Radio Program?" *Nation's Business*, vol. 17, August, pp. 39 ff.

- Coltrane, E. (1933). "A System of Radio Broadcasting Suited to American Purposes," in Rankin, E. (ed.), *Radio Control and Operation*, Chapel Hill: University of North Carolina Extension Bulletin, pp. 31-36.
- Crane, A. (1931). "Report of the Committee on Radio Broadcasting," in Upham, A. (ed.), *Transactions and Proceedings of the National Association of State Universities in the United States of America, 1931, Volume 29*, pp. 144-161.
- Crane, A. (1935). "Safeguarding Educational Radio," in Tyson, L. et al. (eds.), *Education on the Air . . . and Radio and Education, 1935*, Chicago: University of Chicago Press, 1935, pp. 117-125.
- DeForest, L. (1932). "An Appeal to Canada," *Education by Radio*, vol. 2, June 23, p. 73.
- Dunlap, O. (1932). "Broadcasters Warned Listeners Want a New Deal — Drastic Action is Expected," *New York Times*, November 20, Section 8, p. 6.
- Entman, R. (1989). *Democracy Without Citizens*, New York: Oxford University Press.
- Ernst, M. (1926). "Radio Censorship and the 'Listening Millions'," *The Nation*, vol. 122, April 28, pp. 473-475.
- Evans, S. (1934). "Testimony before Federal Communications Commission," in Smith et al. (reps.), *Official Report of Proceedings Before the Federal Communications Commission . . . Hearings in Re Before the Broadcast Division of the Federal Communications Commission on Section 307(c) of the Communications Act of 1934, Volume One*, Washington, D.C.: Federal Communications Commission, pp. 197-206.
- Federal Radio Commission. (1929). *Third Annual Report of the Federal Radio Commission to the Congress of the United States*, Washington, D.C.: United States Government Printing Office, 1929.
- Frost, S. (1937). *Education's Own Stations*, Chicago: University of Chicago Press.
- Harney, J. (1934a). *In the Matter of Section 307(c) of the Federal Communications Act of 1934; Brief on Behalf of radio Station Submitted by the Very Rev. John B. Harney, C. S. P.*, New York: Paulist Fathers, 1934.
- Harney, J. (1934b). "Testimony of Rev. John B. Harney," in U.S. House of Representatives, 73rd Cong., 2nd Sess., *Hearings Before the Committee on Interstate and Foreign Commerce on H.R. 8301, 1934*, Washington, D.C.: United States Government Printing Office.
- Herring, E. (1935). "Politics and Radio Regulation," *Harvard Business Review*, vol. 13, pp. 167-178.
- Hettinger, H. (1933). "A Defense of the American Plan for Radio," in Aly, B. et al. (eds.), *A Debate Handbook on Radio Control and Operation*, Columbia, MO: Staples Publishing Company, pp. 56-80.
- Hettinger, H. (1935). "Some Fundamental Aspects of Radio Broadcasting," *Harvard Business Review*, vol. 13, pp. 14-28.
- Ingram, L. (1935). "Review of 'Radio: The Fifth Estate'," *Survey Graphic*, vol. 24, May, pp. 251.
- Kaltenborn, H. (1931). "The Future of Radio," *Education by Radio*, vol. 1, May 14, p. 53.
- Kassner, M. and Zacharoff, L. (1936). *Radio is Censored!*, New York: American Civil Liberties Union.
- Lazarsfeld, P. (1946). *The People Look at Radio*, Chapel Hill: University of North Carolina Press.
- Mackey, D. (1956). "The National Association of Broadcasters — Its First Twenty Years," Ph.D. dissertation, Northwestern University.
- McChesney, R. (1987). "Crusade Against Mammon: Father Harney, WLWL and the Debate Over Radio in the 1930s," *Journalism History*, vol. 14, Winter, pp. 118-130.

- McChesney, R. (1988a). "Constant Retreat: The American Civil Liberties Union and the Debate Over the Meaning of Free Speech for Radio Broadcasting in the 1930s," in Smoth, S. (ed.), *Free Speech Yearbook, Volume 26, 1987*, Carbondale: Southern Illinois University Press, pp. 40-59.
- McChesney, R. (1988b). "President Roosevelt, His Administration, and the Communications Act of 1934," *American Journalism*, vol. 5, pp. 204-230.
- McChesney, R. (1990). "The Battle for the U.S. Airwaves, 1928-1935," *Journal of Communication*, vol. 40, no. 4, pp. 29-57.
- McChesney, R. (1991a). "Press-Radio Relations and the Emergence of Network, Commercial Broadcasting in the United States, 1930- 1935," *Historical Journal of Film, Radio and Television*, vol. 11, no. 1, pp. 41-57.
- McChesney, R. (1991b). "Free Speech and Democracy! Louis G. Caldwell, the American Bar Association and the Debate Over the Free Speech Implications of Broadcast Regulation, 1928-1938," *The American Journal of Legal History*, in press.
- McChesney, R. (1993). *The Battle for the Control of U.S. Broadcasting, 1930-1935*, New York: Oxford University Press, forthcoming.
- Morgan, A. (1934). "Radio as a Cultural Agency in Sparsely Settled Regions and Remote Areas," in Tyler, T. (ed.), *Radio as a Cultural Agency in a Democracy*, Washington, D.C.: National Committee on Education by Radio, pp. 77-83.
- Morgan, J. (1931a). "Education's Right's on the Air," in Tyson, L. (ed.), *Radio and Education: Proceedings of the First Assembly of the National Advisory Council on Radio in Education, 1931*, Chicago: University of Chicago Press, pp. 120-136, 144-147.
- Morgan, J. (1931b). "The National Committee on Education by Radio," in MacLachy, J. (ed.), *Education on the Air: Second Yearbook of the Institute for Education by Radio*, Columbus: Ohio State University, pp. 3-14.
- Morgan, J. (1932). "The Radio in Education," *Proceedings of the Seventeenth Annual Convention of the National University Extension Association*, vol. 15, pp. 74-87.
- Morgan, J. (1933a). "The New American Plan for Radio," in Aly, B. et al. (eds.), *A Debate Handbook on Radio Control and Operation*, Columbia, MO: Staples Publishing Company, pp. 81-111.
- Morgan, J. (1933b). "Should the U.S. Adopt the British System of Radio Control?" *Congressional Digest*, August-September, pp. 202-206.
- Morgan, J. (1934). "A National Culture — A By-Product or Objective of National Planning," in Tyler, T. (ed.), *Radio as a Cultural Agency in a Democracy*, Washington, D.C.: National Committee on Education by Radio, pp. 23-32.
- National Broadcasting Company. (1935). *Broadcasting, Volume One*, New York: National Broadcasting Company.
- Nockels, E. (1930). "The Voice of Labor," *American Federationist*, vol. 37, April, pp. 414-419.
- Nockels, E. (1936). *Public Interest, Convenience, and Necessity, and the Last of the Public Domain*, Washington, D.C.
- Orton, W. (1935). "Education by Radio," in Tyson, L. et al. (eds.), *Education on the Air ... and Radio and Education, 1935*, Chicago: University of Chicago Press, pp. 63-70.
- Paley, W. (1937). "The Viewpoint of the Radio Industry," in Marsh, C. (ed.), *Educational Broadcasting 1937*, Chicago: University of Chicago Press, pp. 5-13.
- Patterson, R. (1933). "Memorandum to Mr. Aylsworth," in R. M. Hutchins Papers Addenda, Volume 99, University of Chicago, Chicago, IL.

- Payne, G. (1936). *The Fourth Estate and Radio and Other Addresses*, Boston: The Microphone Press.
- Perry, A. (1931). "The College Station and the Federal Radio Commission," in MacLachy, J. (ed.), *Education on the Air: Second Yearbook of the Institute for Education by Radio*, Columbus: Ohio State University, pp. 33-46.
- Perry, A. (1932). "Comments following talk by C. M. Jansky, Jr.," in Tyson, L. (ed.), *Radio and Education: Proceedings of the Second Annual Assembly of National Advisory on Radio in Education, Inc., 1932*, Chicago: University of Chicago Press, p. 223.
- Perry, A. (1933). "Merits and Demerits of American & British Systems," in Hall, T. (ed.), *Current Conflicting Views on American vs. British Broadcasting*, Chicago: National Research Bureau, pp. 262-269.
- Perry, A. (1935). "Weak Spots in the American System of Broadcasting," in Hettinger, H. (ed.), *Radio — The Fifth Estate*, Philadelphia: Annals of the American Academy of Political and Social Science, pp. 22-28.
- Read, C. (1935). "Letter to Miss Kirchwey," September 11, 1935, in American Civil Liberties Union Manuscripts, Box 770, Princeton University, Princeton, New Jersey.
- Rorty, J. (1931). "The Impending Radio War," *Harper's Monthly*, vol. 163, pp. 714-726.
- Rorty, J. (1934a). "Order on the Air," *The Nation*, May 9, 1934, pp. 529-532.
- Rorty, J. (1934b). *Order on the Air!*, New York: John Day Company.
- Rosen, P. (1980). *The Modern Stentors: Radio Broadcasters and the Federal Government, 1920-1934*, Westport, CT: Greenwood Press.
- Russell, F. (1935). "Letter to R. C. Patterson," January 31, 1935, in National Broadcasting Company Manuscripts, Box 36c, Folder 38, Wisconsin State Historical Society, Madison, WI.
- Sarnoff, D. (1936). "Broadcasting in the American Democracy," in Marsh, C. (ed.), *Educational Broadcasting 1936*, Chicago: University of Chicago Press, pp. 146-155.
- Webster, B. (1931). "Our Stake in the Ether," *American Bar Association Journal*, vol. 17, January, pp. 364-373.
- Webster, B. (1934). "Notes on the Policy of the Administration with Reference to the Control of Communications," *Air Law Review*, vol. 5, April, pp. 107-131.
- Woeful, N. (1933). *Molders of the American Mind*, New York: Columbia University Press.
- Volkening, H. (1930). "Abuses of Radio Broadcasting," *Current History*, vol. 33, December, pp. 396-400.