The battle over the FCC Blue Book: determining the role of broadcast media in a democratic society, 1945–8

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Abstract
During the 1940s a media reform movement of grassroots activists and a progressive Federal Communication Commission (FCC) emerged to challenge the commercial interests consolidating control of US media. A key initiative born out of this movement was the so-called Blue Book, a high-water mark for FCC progressive activism that mandated social responsibility obligations for broadcasters in return for their use of the public airwaves. Ultimately, red-baiting tactics defeated the policy initiatives outlined in the Blue Book and the media reform movement was largely contained. The following analysis draws from archival materials to illuminate the resulting arrangement for US broadcasters.

In March 1946, Federal Communications Commissioner (FCC) Clifford Durr received a three-page letter from William Tymous (1946), an African American veteran, who wrote to express his outrage about the racist radio programming that confronted him upon his return home:

> On the battlefields of France, on Okinawa, on Iwo Jima … we fought the devils of fascism, discrimination, hate, prejudice, and Jim Crow. We won that fight. We have come home to find that these same enemies are very much alive here.… It is too often the practice of vehicles of American propaganda such as the movie industry and the radio to depict the American Negro as a buffoon, lazy, shiftless, superstitious, ignorant, loose and servile.… This is not the democratic way of life for which so many of our fallen comrades paid so dearly with their lives. This is the Hitler pattern. This is American fascism.

Tymous (1946) enumerated the racist caricatures used in soap and laundry commercials, and in the radio programs themselves: 'Rochester in the *Jack Benny* program, Bill and Beulah in *Beulah*, the maid in *Crime Doctor*, the maid in *The Great Gildersleeve*, the maid in the *Judy Canova* program and the *Amos and Andy* troupe'. Besides being personally sickened by these sketches, he worried what effect they had 'nailing down in the minds of millions of listeners derogatory and false judgments of fellow-citizens … [who are so] conditioned by these anti-racial stereotypes that they placidly accept them and can see nothing wrong in such disguised fostering of race hatred' (1946). He also noted the economics behind the commercials and programs, taking to

task 'the sponsors, producers and executives of networks who permit such bigotry and anti-racial pieces on the air' (1946).

Commissioner Durr (1946) replied in a letter: 'I have given considerable thought to what you have said so forcefully in your letter of March 12, and I find myself in substantial agreement with your views.' He enclosed with his response a recently issued report that he thought presented 'a pretty fair idea of where the commission stands on the over-all responsibility of station licensees for programming'. Durr added, 'It may also give you some ideas what you, the listener, can do about the seamier aspects of broadcasting' (1946). The accompanying report came in a blue cover with black lettering that read *Public Service Responsibility of Broadcast Licensees* (FCC, 1946a).

The lost history of the Blue Book

The 'Blue Book', as it soon came to be known, arguably represents one of the most progressive initiatives by one of the most progressive Federal Communications Commissions (FCC) in US history. It took the unprecedented – and unrepeated – step of making the privilege of holding broadcast licenses contingent upon meeting substantive public interest requirements. It also set in place standards by which these relationships could be judged. Failure to adhere to the guidelines could result in the loss of the broadcast license, thus ending the station's operations – a regulatory action unthinkable today.

The Blue Book etched a high-water mark for FCC progressive activism. Had it been given fair consideration, much of the US media system might look very different today. But the moment the Blue Book was issued, right-wing reactionaries and broadcast industry leaders viciously attacked it. The Blue Book's authors were relentlessly red-baited for undermining what their opponents termed 'free radio'. The outcome of the Blue Book battle solidified a postwar settlement defined by nominal public interest obligations, self-regulation and other industry-friendly terms (Pickard, 2010b). Any inquiry into how the US media system was shaped into its present form should consider the Blue Book episode.

Since its rapid rise and fall in the mid 1940s, however, the Blue Book has been largely forgotten, receiving relatively little attention in scholarly literature or elsewhere. This gap is troubling, given its historical significance and contemporary relevance for current media policy debates. Most accounts of the Blue Book thus far have focused largely on colorful trade-press reactions (Berkman, 1985; Dell, 1999; Meyer, 1962b). While such analyses are revealing, there is more to learn about the Blue Book from an archival history based on primary source materials. To restore the Blue Book to its rightful significance in US broadcast history, the following study draws from archival collections connected to key actors in this defining confrontation. This project sheds light on normative debates, political strategies and historical context to address omissions in existing accounts, and to help inform contemporary reformers and policymakers in their efforts to establish socially responsible media.

The media democracy agenda, then and now

Many of the concerns articulated in the Blue Book – increased commercialism, undue influence from advertisers, overly sensationalistic fare, lack of minority representation, negative effects of

media concentration – resonate in recent policy proclamations and media reform gatherings connected to what current FCC Commissioner Michael Copps (2007) has called the 'Media Democracy Agenda'. In January 2007, at a media reform conference with 3500 attendees, Copps called for a 'New American Media Contract', that began: 'We, the American people, have given broadcasters free use of the nation's most valuable spectrum, and we expect something in return.' The proposed contract called for five rights: 'media that strengthens our democracy; local stations that are actually local; media that looks and sounds like America; news that isn't canned and radio playlists that aren't for sale; and programming that isn't so damned bad so damned often' (quoted in Karr, 2007). At a September 2007 FCC hearing in Chicago's South Side, former FCC Commissioner Jonathan Adelstein, who until he left the Commission in 2009 joined Copps to form a progressive minority, told an audience of 800 that, despite Chicago being one of the most diverse communities in America:

> Ownership of media outlets looks nothing like the people they are licensed to serve. It is outrageous that Chicago, with all its diversity, has the lowest proportion of minority radio ownership of the nation's 22 largest markets. Roughly two-thirds of the people in the city are black and Hispanic, and over half are women. But they collectively own just six percent of TV and radio stations in the Chicago market. (Adlestein, 2007: paras 1–2)

This kind of public outcry against media institutions has become commonplace. In 2003, nearly 3 million people wrote letters to the FCC contesting proposed plans for loosening ownership restrictions. In 2006, over a million people petitioned the FCC in favor of a then obscure policy called 'net neutrality' to maintain a non-discriminatory internet. With significant numbers among the US public attempting to renegotiate the social contract with media companies, a project aimed at uncovering the origins, and illuminating inherent contingencies and contradictions of this relationship is timely. By recovering a largely unexamined history of a similar era, this study strives to recuperate lost alternatives to begin forging a 'usable history' – one that may inspire efforts toward a more democratic media system.

The 1940s struggle to define media's democratic role

In the mid 1940s, as now, US media in general and broadcasting in particular faced significant public criticism. Hundreds of listeners were writing to the FCC lamenting excessive commercialism and an absence of local accountability, in letters like the following:

> It is regrettable that a means of disseminating knowledge such as the radio should be utilized so exclusively for sheer advertising and propaganda purposes.… Let labor and capital both be heard equally. Only in this way can the uninformed public gain fair knowledge of the issues it must vote for and decide on. (Nations, 1946)

Listeners asked the FCC to investigate specific stations regarding alcohol advertisements, the loss of liberal commentators, and anti-labor newscasts. A rolling national debate embroiled Americans everywhere from the grassroots to rarefied intellectual circles. Many social movement groups began to see media, especially radio, as an essential battleground, and began mobilizing radio reform groups. Meanwhile, policy initiatives that arose in response to these media crises

reflected the progressive New Deal politics of the time, proposing radical measures to remake media institutions along more democratic lines. Commissioner Durr delivered lectures and magazine articles with titles like 'Freedom of Speech for Whom?' and 'How Free Is Radio?', noting that radio has 'moved from diversification to concentration'. Progressive elites like Durr advanced reformist media policies inside Washington DC, while activists within social movements strove to exploit these political opportunities.

These policy interventions, however, soon clashed with a resurgent business community emboldened by the dissolution of the New Deal consensus and a sudden rightward shift in US politics. Following President Roosevelt's death in the spring of 1945, President Truman distanced himself from many liberal policy positions to accommodate the ascendant right. The 1946 congressional elections witnessed a Republican landslide that bolstered an alliance of Southern conservative Democrats and Northeastern Republicans focused on expanding a national security state. Thus, many progressive policy proposals were defeated or co-opted by business-friendly arrangements that continue to define US media today, such as self-regulation of media industries, minimal state oversight and few enforceable public interest obligations.

1940s media histories

A typical historiography of the 1940s presents a timeline in which the liberal New Deal 1930s quickly give way to the conservative 1950s and Cold War repression. The 'postwar years' label is often limited to simply mean 'after the Second World War', and is rarely considered an era unto itself. Although the broader questions of historiography and periodization fall beyond the scope of this article, related questions regarding the trajectory of media policy development are central. Existing communications scholarship fails to address this period's media policies to any great extent, though several scholars have signaled its importance. Remarking upon a significant confluence of progressive media policy initiatives in the mid 1940s, such as the FCC Blue Book, the Fairness Doctrine, and the Hutchins Commission, Schiller noted they had 'yet to find their historian' (1996: 53). Similarly, Horwitz (1997) situates these years as the second of three key media reform periods occurring after questions of broadcasting ownership and control were decided in the 1930s, and before public broadcasting was established in the 1960s. Van Cuilenburg and McQuail (2003) identify 1945 as the starting point of a new policy paradigm emphasizing 'public service' media policy. Likewise, Sterling and Kittross (1978) depict 1945 as beginning the 'Era of Great Change'. These historians all suggest important shifts, but fail to explain sufficiently what was in question: namely, the services broadcasters owe in return for using the public airwaves.

Not all historians agree with this periodization. Baughman, for example, acknowledges technological change, but suggests that in the 1940s people were largely satisfied with radio and that 'critics of radio's commercial, oligopolistic foundations were few and far between' (1992: 20). Lazarsfeld ended his classic 1946 study on radio with the observation that people in general approved of the private and commercial nature of the radio industry. However, more recent analyses, based on proliferating evidence that numerous constituencies were far from complacent toward 1940s radio, dispute Baughman's and Lazarsfeld's characterizations (Fones-Wolf, 2006; Newman, 2004; Pickard, 2009; Socolow, 2002; Toro, 2000). According to this research, contestation toward commercial radio – not consensus – was the norm.

Some media historians have concluded that most fundamental questions of ownership and control of broadcast media were settled by the mid 1930s (McChesney, 1993; Smulyan, 1994). More recent research, however, suggests that the 1940s marked the beginning of a tumultuous period for broadcasting that witnessed unprecedented radio activism (Newman, 2004; Socolow, 2002). Toro (2000) and Socolow (2002) take on McChesney's (1993: 251) claim that movement towards serious radio reform had ended by the beginning of the Second World War, noting that media reform efforts with antecedents in the 1930s did not come to fruition until a more pronounced 1940s revolt against radio. McChesney (2007: 107–9) himself revisits earlier claims in more recent work, conceding that critical reform periods continued after the 1930s. Building on McChesney's characterization of the 1930s, other scholars have recently begun to sketch a broader social shift during the 1940s, characterized by media reform groups from below and progressive communication policy initiatives from above (Fones-Wolf, 2006; Pickard, 2009; Toro, 2000). Unlike policy struggles in the 1930s, these fights centered less on ownership and control – US media had gone almost completely commercial by the 1940s – than on the social contract between broadcasters and the public (Pickard, 2010b). This analysis treats the demise of the Blue Book as a cornerstone of the resulting social contract.

Previous analyses of the Blue Book
Previous work on the Blue Book has largely fallen short in providing a holistic view or grasping the true import of its rise and fall. Although narrow in focus, Socolow's interpretation stands out because it goes beyond press accounts to discuss advertisers' influence on radio programming and the public's reaction. Most other research addressing the implications and effects of the Blue Book has focused on its hostile treatment in the trade press and its ensuing failure (Berkman, 1985; Dell, 1999; Meyer, 1962b). More generalist accounts characterize the Blue Book as an interesting anomaly (Barnouw, 1968; Baughman, 1985; Horwitz, 1989; Sterling and Kittross, 1978; Streeter, 1996). Streeter (1996: 147) notes the Blue Book's heresy of suggesting that unlimited profits for broadcasters might conflict with the public interest standard, while Barnouw (1968: 229) refers to the Blue Book as 'one of the most enlightening of FCC documents'.

Propelled by many of the rich areas of research described above, this study goes beyond existing treatments to offer an historical analysis of primary documents in order to shed light on what Blue Book authors and media reform activists were attempting to change in the US media system. It explores media reform efforts and the underlying democratic principles driving progressive policy initiatives of the 1940s. Given the looming issues facing US society today regarding radical deregulation and concentration of media industries, understanding how 1940s attempts to codify a socially responsible media system failed may help current reformers succeed.

Historical and theoretical framework
Like all social phenomena, media policy does not spring forth fully formed from Zeus's head, but rather emerges from multiple socio-political influences. Historical analyses allow us to see contemporary relationships, practices and institutions as historical constructs contingent upon a

variety of factors instead of the result of rational or natural processes. They help us to address the fundamental question: how did we arrive at this point? Historicizing current media debates allows us to consider alternative trajectories. Combining intellectual, social and political histories, my theoretical framework can best be described as a blend of historical materialism (Gramsci, 1971) and institutionalism (Skocpol, 1995). The former approach tends to emphasize historical patterns such as contingencies, contradictions, conjunctures and ruptures. Historical institutionalism assumes that these larger macro-level forces are mediated through interconnected institutions' discourses, habits and imperatives to impact micro-level processes. Accordingly, institutional regimes and relationships see long periods of relative stability and path dependency punctuated by brief critical junctures that jolt the system and open up new possibilities for reform. Allowing for some degree of happenstance, decisions made during such periods can have a profound impact on how a given system develops (Collier and Collier, 1991; Thelen, 1999). According to McChesney (2007), critical junctures typically emerge during times of technical, political and social change, creating unique opportunities for public engagement with the media policymaking process. Following these criteria, an analysis of postwar media policy suggests that the mid 1940s constitutes such a critical juncture, when both elites and grassroots activists considered a relatively wide range of policy options.

Indeed, the postwar moment witnessed varied manifestations of public discontent toward media institutions: media criticism was increasingly prevalent in news discourse; negative representations of broadcasters were becoming common in popular culture; average listeners' complaints sent to the FCC proliferated; and many social movement groups began to focus on media reform, particularly around the still-new medium of radio (Davies, 2006; Fones-Wolf, 2006; Pickard, 2008). In addition to the socio-political turmoil connected to the postwar transition, technological change was rampant with the advent of FM radio, continued expansion of AM radio, and television just beginning to emerge. Taken together, these disruptions gave rise to a fleeting opportunity for a fairly radical overhaul of an entrenched media system. Reforms that were unthinkable during less contentious times suddenly appeared viable. Our understanding of how these pivotal policy moments occur is incomplete, particularly around the watershed moment of the postwar 1940s. The remainder of this analysis focuses on addressing these erasures and omissions.

Research questions and methods

My research questions arise from issues connected to the 1940s media reform movement, progressive policy initiatives, confrontations with industry and the settlement that emerged from the Blue Book controversy. Specifically, the analysis focuses on five questions: What was the historical context and social impetus for the Blue Book? What were the underlying normative aims of the Blue Book? How was the Blue Book defeated? What was the nature of the settlement resulting from its demise? Finally, what lessons can be drawn for current media reformers and policymakers?

This study combines two layers of historical methodology. One layer consisted of synthesizing trade journal accounts, newspaper coverage and secondary literature to establish the historical context surrounding these reform initiatives. Building upon recurring themes and gaps among these sources, the second layer draws from specific archives holding Blue Book-related materials

such as letters to and between members of the FCC, policy memos, and retrospective oral histories and interviews. The majority of the papers I analysed are held in special collections: the Clifford Durr papers at the Alabama state archives in Montgomery; the James Lawrence Fly papers at Columbia University; the Dallas Smythe papers at Simon Fraser University; and the FCC papers at the National Archives at College Park, MD. For nearly all of these collections, I gained permission to use a digital camera, taking approximately 2000 photographs. I also received numerous photocopies through special orders and from colleagues, including internal memos of the National Association of Broadcasters (NAB). In an effort to further contextualize the Blue Book controversy, I interviewed two individuals who were deeply involved in 1940s radio reform and were close allies of Clifford Durr: the famous radio personality Norman Corwin and the inveterate media reformer Everett Parker.

Although space constraints prevent me from going into depth (as I do elsewhere, see Pickard, 2008), the following analysis emerged from close, iterative readings of trade press accounts and archival records. First I sketch the emergence of the 1940s media reform movement. Then I discuss contextual factors leading up to the production of the Blue Book, synopses of its proposals, reactions to its recommendations and its ongoing legacy. I conclude with implications for current media problems. Situating the Blue Book in this historical context, with particular emphasis placed on the underlying normative assumptions and the political wrangling over its enforcement, sheds light on larger connections and implications, both historic and contemporary, that otherwise might elude analysis.

The birth of a media reform movement

From within the 1940s social and political ferment, a popular uprising emerged against commercial radio. Though many fundamental questions of ownership and control had been settled in the 1930s, when a commercial, privatized system prevailed over the public alternative pushed by a spirited media reform coalition (McChesney, 1993), crucial questions involving social responsibility for mass media and their prescribed role in a democratic society remained unresolved (Pickard, 2010b). The 1940s saw this intellectual debate escalate into a firestorm of public protest (Newman, 2004: 171; Pickard, 2009; Socolow, 2002). *Fortune* (1947) described this agitation as 'The revolt against radio', and the *New York Times* reported: 'The year of 1946 found radio subjected to more obverse and insistent criticism than the industry had experienced in the whole of its previous twenty-five years, the main burden of the complaint against the ethereal art being excessive commercialism' (Gould, 1946: 9). One historian describes this period's consumer uprising against radio in more dramatic terms, asserting, 'this period witnessed the first significant and widespread public debate in American history focused on the nexus of advertising, broadcasting, and the public interest' (Socolow, 2002: 283). Another telling sign was the popularity of Frederick Wakeman's 1946 satirical novel *The Hucksters*, depicting greedy radio station owners and exposing the 'backstage' world of radio production. The bestselling book was made into a film of the same title starring Clark Gable.

Popular media representations dovetailed with a structural critique that advertisers had too much power in shaping news, and that increasingly concentrated private ownership of news outlets led to overly commercialized fare. A Hutchins Commission report recommended that the radio industry wrest control of its programming from advertisers (White, 1947). Similarly,

American Civil Liberties Union (ACLU) co-founder Morris Ernst (1946) decried the power of radio monopolies in his book *The First Freedom*. This growing media criticism helped foster the intellectual heft and moral imperative to spur a burgeoning grassroots movement – what Fones-Wolf (2006: 4) describes as a loose media reform coalition, consisting of 'public intellectuals, members of the FCC, and leftist elements of the cultural front'. Fones-Wolf notes: 'In the mid forties, these reformers fought unchecked commercialism, promoted public service, and sought to make radio more representative and democratic' (2006: 4). Similarly, African American groups were engaged in a 'politics of representation' that relied on community listening councils, petition and letter writing campaigns, and calls to radio stations, urging broadcasters and the FCC to remove damaging stereotypes from the public airwaves (Biondi, 2003; Savage, 1999).

A progressive turn at the FCC

Previous historians have observed that the New Deal arrived late and stayed longer at the FCC compared to other regulatory agencies (Barnouw, 1968; Brinkley, 1995). Otherwise, the FCC would have seemed an unlikely progressive ally. Though it had begun with a mandate to serve the always ambiguous 'public interest, convenience and necessity', as stated in the 1934 Communications Act (the FCC's founding charter and blueprint for all broadcast policy), the commission quickly proved to be 'captured' by industry, particularly with regards to broadcasting. Everett Parker (2008) recalls that, from its beginning, the FCC was characterized by its close ties to the industries it purportedly regulated, noting that in its formation 'four commissioners were vetted by AT&T and three by broadcasters'. When James Lawrence Fly became the FCC chair in 1939, however, things took a decidedly different turn. Fly developed a reputation as a fierce liberal warrior, prompting Republican presidential candidate Wendell Willkie to refer to Fly as 'the most dangerous man in America – to have on the other side'. With President Roosevelt's blessing, Fly enacted an aggressive agenda to take on chain broadcasters, resulting in the 1941 *Report on Chain Broadcasting*. This report drove the FCC's successful efforts toward forcing NBC to divest its Blue Network, which became ABC in 1945.

A cadre of liberal commissioners would form a progressive majority on the FCC around Chairman Fly. In 1941, an equally progressive Commissioner Clifford Durr joined Fly to challenge the dominance of the broadcasting chains, triumph over right-wing congressional opponents and begin to formulate progressive policy positions on a number of media issues. Popular awareness of media policy increased as Paul Porter, the FCC chairman who replaced Fly in 1944, encouraged the public to become more involved in the regulatory process, even holding hearings outside of Washington, DC. Though not as activist as Fly (Porter had been employed by CBS for a number of years prior to becoming FCC chair), the new chairman was part of the progressive bloc in the mid 1940s, which included Commissioners Walker, Wakefield, Denny and Durr. Durr became the leading progressive commissioner after Fly's departure. Another notable progressive, Dallas Smythe, joined in 1943 as the FCC's first chief economist (Lent, 1995).

Part of this progressive shift in FCC regulatory politics can be attributed to historical happenstance of individual appointments. But more significantly, it reflected growing public concerns toward media. Smythe (1991) later described the genesis of the Blue Book as 'the substantial public criticism of the vulgarity of radio commercials'. According to Smythe: 'Sustaining programs were vanishing from network feeds. And broadcast profits had soared

during wartime when newspapers were handicapped by shortage of newsprint' (1991). The commissioners tried to leverage their regulatory power over a recalcitrant broadcasting industry by shifting from stressing competition to regulating content.

Promise vs. performance

One of the major functions of the FCC is to lease licenses to scarce radio spectrum. These licenses periodically come up for renewal (in the 1940s, the cycle was every three years). From the FCC's inception, this process had been almost a mere formality. Shortly after he became a commissioner, though, Durr began looking into this process, particularly as prescribed in the 1934 Communications Act. There he found an explicit statement regarding the renewal process: 'All renewals shall be governed by the same considerations as original grants.' In other words, to be granted renewal for their monopoly privilege over scarce public spectrum, official policy dictated that broadcasters should be held to their original promises to the community such as providing public affairs programming. In practice, however, renewals had been granted to broadcast licensees solely on the criteria of technical issues, such as problems with interference. Although the Communications Act made clear that a broadcast license did not amount to a property right, applications for renewal were generally rubber-stamped for approval. Smythe (1991) noted: 'The FCC was routinely renewing broadcast licenses unless the licensees had been derelict about their engineering standards or had concealed the identity of one of their owners.'

When Durr looked into the composite program logs of broadcasters and checked them against original obligations, he found no relationship between promise and performance. This led him to conclude that the FCC was granting renewals to 'not the best applicant, but the biggest liar' (Tullos and Waid, 1975: 18). The evidence was so startling that all 22 stations up for renewal at that time were given only temporary licenses (Barnouw, 1968: 228). Arguing that the compiled data illustrated how the process shortchanged both the public and competing applicants, Durr convinced the new FCC chair Paul Porter, an ardent New Dealer, that an in-depth study was necessary to evaluate broadcaster performance. Porter agreed, and at the 12 March 1945 NAB meeting, he announced that a study was under way: 'We have under consideration at the present time, however, a procedure whereby promises will be compared with performance' (FCC, 1946a: 3). Specifically, the study was meant to evaluate broadcasters' pledges to the local community that 'time will be made available for civic, educational, agricultural and other public service programs' (1946a: 3). This project, he suggested, was 'designed to strengthen renewal procedures and give the Commission a more definite picture of the station's overall operation when licenses come up for renewal' (FCC, 1946a: 3). Though officially instituted nearly one year before its publication on 10 April 1945, the bulk of the study came together quickly. Durr described it years later:

> I was appointed to head up the study and given a little money to hire two or three people from the outside, including Charles Siepmann, who was quite knowledgeable about broadcasting. I put Dallas Smythe and Ed Brecher from our staff on it too with the result that instead of this study dragging on for a couple of years, in a month it was complete. (Tullos and Waid, 1975: 18)

Approved unanimously by the commission, the Blue Book relied heavily on Smythe's statistical data and Siepmann's policy vision. Siepmann was a British-born American citizen with early BBC experience. Though he avowed respect for the American system, Siepmann undoubtedly brought BBC-inspired notions to the Blue Book regarding radio's public service mission as serving local culture, education and community affairs. The broadcasters 'welcomed like manna from Heaven' Siepmann's BBC past (Barnouw, 1968: 232), and he became a convenient scapegoat for industry attacks even before the Blue Book was published. Despite such preemptive strikes, the FCC assembled the Blue Book for its release on 7 March 1946.

The Blue Book's requirements

The Blue Book was the first major report that established the FCC's regulatory authority over programming policy. Although a 1943 Supreme Court decision had affirmed that the FCC had authority to establish programming objectives (*National Broadcasting Co. v. United States*)**,** the commission had yet to put forth a protocol. Addressing concerns about localism and the role of advertising and commercialism in radio, the Blue Book was also the first major effort to clarify the commission's position on the public interest standard by setting programming guidelines for judging licensees' performance at renewal time. More an attempt at codifying a synopsis of FCC thinking than at implementing new rules for licensees, the guidelines rested on the assumption that the airwaves belonged to the public and therefore commercial entities using these resources were obligated to perform public services. Moreover, given that multiple applicants oftentimes competed for the same frequencies within a finite electromagnetic spectrum, practical imperatives prompted the FCC to define its selection process.

In this spirit, the 59-page Blue Book was divided into five parts. The first part of the report stressed the importance of local broadcasting, making the case that many stations had broken initial promises to their respective communities. The second part of the Blue Book started by boldly establishing the FCC's jurisdiction in evaluating broadcasters' public service performance:

> The contention has at times been made that Section 326 of the Communications Act, which prohibits censorship or interference with free speech by the Commission, precludes any concern on the part of the Commission with the program service of licensees. This contention overlooks the legislative history of the Radio Act of 1927 … [and] the re-enactment of identical provisions in the Communications Act of 1934 with full knowledge by the Congress that the language covered a Commission concern with program service, the relevant court decisions, and this Commission's concern with program service since 1934. (1946a: 9)

After sketching the legislative history with an emphasis on legal precedents, the section concluded: 'The foregoing discussion should make it clear not only that the Commission has the authority to concern itself with program service, but that it is under an affirmative duty, in its public interest determinations, to give full consideration to program service' (1946a: 12).

The third part of the Blue Book dealt with the FCC's consideration of local ownership and programming in cases where two or more applicants were vying for the same frequency, as well as with the kinds of programming that would pass muster vis-a-vis public service obligations. In particular, it defined 'sustaining programs' – as opposed to commercial, advertising-supported programs – as having 'five distinctive and outstanding functions', including a 'balanced interpretation of public needs'; programs that 'by their very nature may not be sponsored with

propriety'; 'programs for significant minority tastes and interests'; 'programs devoted to the needs and purposes of non-profit organizations'; and experimental programs 'secure from the restrictions … [characteristic of] programs in which the advertiser's interest in selling goods predominates' (1946a: 12).

The Blue Book referred to sustaining programs as the 'balance-wheel' that redresses 'the imbalance of a station's or network's program structure, which might otherwise result from commercial decisions concerning program structure' (1946a: 12). After explicating the functions of a well-balanced program schedule serving 'significant minority tastes and interests' that fall outside 'dominant needs and tastes', it presented graphs of stations' ratios of commercial to sustaining programming, showing the former far more represented, with larger stations devoting less time to sustaining programs. These graphs also illustrated that stations typically aired public affairs programs when few people were listening, reserving prime hours for advertising-supported programming. Part 3 also devoted a number of pages to detailing the public criticism of 'advertising excesses'.

The fourth part of the Blue Book presented a number of tables on economic statistics indicating that, although broadcast profits increased dramatically during the war years, programming improvements did not, thus undercutting industry claims that they could not afford public service programming. In Part 5, the Blue Book laid out four requirements for broadcast licensees: they must sustain experimental programs deemed unsponsorable; promote local live programs; devote programs to the discussion of local public issues; and eliminate 'excessive advertising' (1946a: 55). Failing to meet these criteria would subject broadcast licensees to public hearings and possible termination of their licenses.

Though clearly meant to encourage broadcasters to be more accountable to local communities, the Blue Book did not go into great detail about how these prescribed criteria would be defined or enforced. Yet despite the commission's later disavowals when it tried to mollify incensed broadcasters, there was a clear sense at the FCC that the Blue Book was an intervention against the status quo. When the finished draft was submitted to FCC Chairman Porter, he left a note for a FCC staffer, 'I know now how Truman felt when they told him he had an atom bomb' (Barnouw, 1968: 229). The report would indeed have the immediate, if not enduring, impact of a bombshell, though not as the FCC imagined.

Backlash against the Blue Book

Initially, it may have seemed like the Blue Book's positive reviews outnumbered the negative. Based on letters in the Durr papers, the Blue Book was well received and considered empowering by many groups. Indeed, many of Durr's grassroots allies could barely contain their enthusiasm. Durr would recall later: 'The Blue Book circulated, and people in the local communities, whether it was the Girl Scouts or the Boy Scouts or the PTA, would go [to their local radio stations] armed with the Blue Book' (Toro, 2000: 23). Durr was in increasing demand to give talks, write articles, and participate in debates on Blue Book-related issues. Various public interest groups held special panels and forums to discuss Blue Book principles. Copies of it were distributed at a surprising pace due to a flurry of requests from nervous broadcasters, average listeners and members of social movement groups. On several occasions, FCC staff were forced to rush-order more copies to be printed. Various media outlets, including *Time* and *Variety*, gave the Blue Book moderate-

to-positive reviews. The Hutchins Commission report on radio declared the Blue Book 'the most significant milestone in the entire history of radio regulation' (White, 1947: 184).

These positive responses notwithstanding, as soon as the broadcast industry caught wind of the FCC's Blue Book study in 1945, it was clear that its counterattack would center on red-baiting. The magazine *Broadcasting*, the leading trade publication for the industry, wondered aloud whether the hiring of Siepmann signaled the FCC's agenda to 'BBC-ize American broadcasting' (Richards, 1945, quoted in Meyer, 1962a). Broadcasters, particularly the NAB, saw the FCC's moves as a serious threat; an immediate backlash followed the Blue Book's publication in March 1946.

NAB president Justin Miller spearheaded the smear campaign with vitriolic attacks on the FCC, claiming its agenda was to censor and control media content, thus bringing an end to 'free radio'. He warned against the 'strong government boys', who were to be found among the usual suspects: 'sophomoric professors, selfish special interests, religious fanatics, power-crazed bureaucrats, and irascible legislators'. These sinister conspirators had made common cause 'to emasculate the media of free communication'. While commercial media's 'enemies chortle with glee', Miller warned, the government's machinations toward radio 'can be done to the press, newspapers, magazines, books and all varied forms of printed publications' (all quotes from Stamm, 2006: 258–9). Elsewhere, he called for a 'program of militant resistance to further encroachments of Government … upon radio's freedom' (*Broadcasting*, 1946a: 17) and, according to an FCC release (1946b), he 'branded talk about "the people owning the air" as a "lot of hooey and nonsense"'. According to the FCC Chairman, Miller called the Blue Book authors 'stooges for Communists', 'obfuscators', 'professional appeasers' and 'astigmatic perverts' (Meyer, 1962b: 301).

Editorials printed in *Broadcasting* were especially harsh (Berkman, 1985; Dell, 1999). Beginning 11 days after its publication, and continuing on a weekly basis for 15 weeks until 17 June 1946, *Broadcasting* issued screeds against the Blue Book and its authors. Many of these editorials were later compiled by NBC president Niles Trammel in a red-covered booklet titled 'The Red Book Looks at the Blue Book'. Dubbing the FCC the 'Federal Censorship Commission', the first editorial in the booklet began by casting broadcasters as the defenders of constitutional freedoms against a tyranny similar to that of the 'Pied Pipers of destruction who led the German and Italian people down a dismal road by the sweet sound of their treacherous voices on a radio which they programmed'. It likened the Blue Book to 'Hermann's planes', because it 'calls for a wider public criticism of *commercial* broadcasting' (their emphasis). The editorial declared that the Blue Book attacked 'free radio' because 'its authors are disconcerted that there has been no organized revolution against the medium' (*Broadcasting*, 1946b: 58).

The broadcasters were creative in their red-baiting. Even before the Blue Book was published, Robert Richards observed in *Broadcasting* that Durr 'lists to portside in his social philosophies, [as he] believes there is too much commercialism in American radio' (Richards 1945, quoted in Meyer, 1962a). In another attack on Durr, *Broadcasting* characterized him as 'the FCC's knight errant', who is the 'be-tasseled champion of the Pennsylvania Avenue Cardinals' and 'enters the joust in righteous splendor, garbed in an academic grey suit and gripping tightly in one hand – the Blue Book', while carrying 'the banner he bears high – is it the white of purity, or is there a hint of pink?' (quoted in Meyer, 1962b: 303). Broadcasters referred to the Blue Book as 'The Pink Book' (Fly, 1967: 24), and, although no longer working for the FCC, Siepmann was a prime target,

especially after his book *Radio's Second Chance* (1946) came out. Published several months after the Blue Book, it called for an enforceable public interest-oriented broadcasting policy. This broadside provoked broadcasters to launch a campaign alleging that the foreign-born Siepmann was in league with communist infiltrators (Berkman, 1985).

In this fashion, the Blue Book was widely panned within much of the trade press as a communist-inspired tract. Moreover, broadcasters declared any challenge to their power as a challenge to democracy. Though absurd, these smears were devastating to the cause of progressive media policy, working in tandem with a gathering storm of reactionary politics across the nation. As the political climate worsened, black lists emerged to demobilize a generation of left-leaning activists, ranging from Hollywood entertainers to behind-the-scenes bureaucrats.

Durr and his handful of allies did not give up without a fight. Nowhere else is this resolve more clearly articulated than in a March 1947 strategy memo titled 'Notes for an Outline of a Progressive Radio Program'. Noting that 'at present, Blue Book policy remains on paper due to industry and political opposition', the memo called for a united front requiring 'attention from progressives at least proportionate to that which has stalled it' (FCC, 1947). As a remedy, the memo suggested introducing a resolution in Congress announcing the Blue Book as a national policy applied to every individual station's three-year license renewal. Going beyond even the rules outlined in the Blue Book, the memo stated, 'Effective democracy needs free or almost free access to the air for political candidates' (FCC, 1947). Other proposals included a 'network for labor and other progressive stations'; an 'anti-monopoly program' aimed at newspaper-owned radio stations; and a progressive facsimile service.

Late 1946 and 1947 saw several other attempts by Durr, Brecher and Siepmann to regain lost ground against the broadcasters with a series of articles and public speeches. Charles Denny, who became the FCC chair after President Truman appointed Paul Porter to chair the Office of Price Administration, delivered speeches that 'The Blue Book will not be bleached' (Tullos and Waid, 1975: 18), and wrote letters enthusiastically endorsing its precepts. Yet in the end, the Blue Book and its progressive promise – a national broadcast policy that brought media under a semblance of local control and unhooked radio programming from the sole criterion of profit imperatives – was doomed.

By 1948, the business-led counterattack had taken its toll. J. Edgar Hoover and other Cold War warriors badgered the FCC on a regular basis for presumed anti-American activities, and the radio industry exploited Cold War politics to discredit reformers by claiming that their real agenda was to destroy free radio. The FCC was sufficiently silenced by this red-baiting. Aside from Durr's persistent and solitary dissent, there was barely mention of further regulatory control of broadcast programming. Earlier plans to hold hearings on broadcasters failing Blue Book criteria were dropped. These hostile corporate assaults forced the inexperienced Denny to stall and then backtrack on the principles outlined in the Blue Book. In an early example of the 'revolving door' phenomenon, after serving only one year as FCC chair, Denny resigned from the Commission to become vice president and general counsel of NBC.

The industry attacks against the FCC coincided with an increasingly right-wing tilt in Washington DC politics. Congress and the FBI put the commission on notice that its actions were under close scrutiny. Virginia Durr, Clifford Durr's wife, observed an immediate sea change in Washington DC after President Truman signed the 1947 executive order institutionalizing the Loyalty Oath. Describing her husband's principled reaction against a system that allowed

anonymous tips to blacklist innocent people and ruin their careers, she declared: 'Cliff just said he refused to carry out such a law, that it was unconstitutional. It was against everything he believed in' (Durr, 1985: 217). Instead of forcing those who worked for him at the FCC to sign these oaths, Durr declined his reappointment in 1948, and effectively resigned from the FCC, thus greatly diminishing the possibility of significant systemic change in radio (Durr, 1985: 216–20). Dallas Smythe would leave around the same time, describing later how he 'was about the last New Dealer to leave Washington' who escaped the wrath of the 'new Un-American Inquisition' (Lent, 1995: 30). Other progressive commissioners occasionally would come and go, including Durr's replacement, the first female commissioner Frieda B. Hennock, but the critical mass necessary for advancing progressive reforms has remained elusive.

The scattering of progressives eventually yielded positive results. Clifford Durr became a key figure in the civil rights movement. He and his wife helped bail out Rosa Parks after her historic bus ride and represented her in court. Dallas Smythe and Charles Siepmann took refuge in the nascent academic field of communications. In 1946 Siepmann became the long-serving director of the new New York University communications in education department (Berkman, 1986), and in 1948 Smythe became one of the first faculty members at the Institute of Communications Research at the University of Illinois, Urbana-Champaign, where he taught the first course on the political economy of communications in the US (Smythe and Guback, 1994). Both scholars would teach for many years, leaving their mark on the new field of communications through their scholarship and mentoring a generation of critical scholars.

The Blue Book's legacy

The 1940s media reform movement was not entirely stillborn. The Blue Book clearly gave immediate heart to similar ventures like the Hutchins Commission, which interviewed FCC members and closely studied their research to draw up its own critical reports. While the Blue Book provided momentum to various grassroots movements around the country, it also passed muster in the courts. In *Bay State Beacon, Inc. v. FCC*, the Court of Appeals found that the Blue Book did not violate the Communications Act's prohibition against censorship (171 F. 2nd 826, D.C. Cir. 1948). Judicial opinion notwithstanding, the Blue Book had little impact on those it was most trying to influence: the broadcast industry. Anecdotally, broadcasters responded to the Blue Book by making more of an effort to comply with the public's and FCC's expectations (Horwitz, 1989; Sterling and Kittross, 1978). The research director for CBS conceded that the Blue Book was resented by the radio industry, but added: 'Any fair-minded person in the industry must also admit, however, that it had a very marked effect on broadcasting practices, and has stimulated certain reforms which are still in the process of maturing' (Wilson, 1948).

We can now say with confidence that these reforms never matured, but even if the Blue Book prompted broadcasters to become more socially responsible for only a brief time, and its long-term influence on US broadcast policy was negligible, it did have some ripple effects. One leading broadcast historian has suggested that the Blue Book had a significant impact on subsequent policy debates, though not in the US. According to Hilmes (forthcoming; see also *Time*, 1950), it played a significant role in the Beveridge report on broadcasting in Britain. Ehrlich (2008) has argued that the Blue Book helped usher in a golden era of radio documentary. Supporting this view are the words of one of the few surviving participants of the Blue Book debates, radio icon

Norman Corwin (2008), who to this day claims that he 'owes his career to the Blue Book' because it encouraged CBS 'to include more culture in its programming'. Corwin maintains that the 'Blue Book had an immense effect on broadcasting', but this has been increasingly 'lessened over the years by an impoverished FCC' that is anything but a 'model of liberalism'. Observing that many of the same problems of 1940s broadcasting persists today, he advocates for an even 'broader edition of the Blue Book'.

Ultimately, both its immediate and long-term impact was minor, largely because the Blue Book never reached the level of enforceable policy. And, unlike contemporaneous policy initiatives like the Hutchins Commission and the Fairness Doctrine, the Blue Book did not ignite an enduring conversation that continues to ripple through contemporary policy discourse. Although license renewal forms were recalibrated to make them compatible with the Blue Book, the FCC neither adopted its prescriptions nor repudiated them. Not a single station was ever closed for violating the Blue Book. And although attempts at content regulation were implemented in future codes like the 1949 Fairness Doctrine, the 1960 Programming Policy Statement and the 1971 Primer on Ascertainment of Community Problems, these later efforts lacked the structural reform proposed in the Blue Book. In short, the ethic of industry self-regulation prevailed over governmental intervention.

Implications for media reform

There are two major lessons from the Blue Book episode that are applicable to today's media reform movement. One concerns praxis, the other critique. First, solidarity among grassroots activists and policy elites during the Blue Book debates was lacking, leaving reformers ill prepared to withstand right-wing repression. Even though the Blue Book advocated for public participation, and was arguably written with the best of intentions, it was composed behind closed doors and unleashed with little warning, thus failing to give potential grassroots allies enough time to marshal support for its measures. As a result, Blue Book proponents were quickly outgunned by the industry-dominated news discourse. Perhaps this slowness to respond also contributed to lagging popular support once the debate took off within policy circles. Siepmann (1946) noted that public interest groups such as the education community were absent during much of the Blue Book debates. On the other hand, part of the secrecy and lack of coordination preceding the Blue Book may have been necessary to reduce the risk of leaks. Smythe (1991) recalled that an 'invisible task force was formed, headed by Durr'. Smythe was not 'privy to this triumvirate's [Durr, Siepmann, and Brecher] work, which was conducted almost secretly', but he noted that 'we all tacitly accepted the need to protect the integrity of the project from industry informers inside the FCC' (Smythe, 1991).

A second difficulty that many media reform campaigns and policy initiatives grappled with was devising an adequate and just means of oversight and enforcement. In the end, many media reform efforts were aimed to simply shame commercial broadcasters into being more socially responsible. Part of this weakness can be attributed to the political landscape at the time. Indeed, the reactionary bent in the postwar conservative resurgence – characterized by irrational and malicious red-baiting – had a devastating effect on the course of the debate. Not unlike today, any attempt at media regulation was treated by opponents as an infringement on basic freedoms and an attempt to censor conservatives. But the reformers' defeat also stems in part from their

failure to maintain a structural critique of the commercial media system, one recognizing that, short of public ownership of media, the only safeguard against irresponsible broadcasting is a combination of strict government regulation on the federal level, and local control and oversight on the community level. Given today's broadcast license renewal process (required every eight years in the form of a 'postcard' that is essentially rubber-stamped for renewal) – and the resulting lack of public interest protections – the history of the Blue Book seems all the more poignant.

Conclusions

Based on letters, policy memos and other archival materials, the historical analysis above recovers a largely forgotten yet important moment in US broadcast history, inviting a reappraisal of existing accounts of 1940s media policy and reform. In broader terms, this analysis invites a more critical appraisal of the current US media system. In general, media scholars often take the current media system for granted and study its effects without investigating or interrogating broader systemic attributes. Normative debates are left for philosophers and media ethicists to sort out. Moreover, much existing scholarship fails to recognize the politics of policy and the peculiarity of what could be called the 'American Policy Paradigm'. Observing how the US is unique in treating policy and politics as separate discursive fields, Streeter (1996: 125) notes how this distinction does not exist in other languages, such as German or French, which use a single word (*politik* and *politique*, respectively). This strategic decoupling of the process (politics) and the outcome (policy) is symptomatic of a broader depoliticization of policy discourse in the US that ignores power inequities, both in terms of policy effects and with regard to the political interests lobbying for specific policies. This uniquely American paradigm emphasizes the technical attributes and efficiencies of the media system, while often ignoring political and historical considerations. Above all, this technocratic focus fails to bring to the fore pressing normative and political economic questions. How can a media system best be organized to serve democratic society and governance? Who benefits from the current system and who does not? How did Americans inherit the current media system and can we imagine – and endeavor to move towards – a better one? The Blue Book episode casts these often overlooked questions in stark relief.

Thus far, scholars have largely neglected the Blue Book and other 1940s media reform efforts, especially their more radical provisions, their connections to a larger national debate about media's social responsibility and their relationship to a vibrant, if inchoate, media reform movement. Then as now, a vibrant media democracy movement battled a seemingly impenetrable commercial media system. Though ultimately failing, the Blue Book episode teaches us that alternatives were possible then and remain so today. It is also worth pointing out how this postwar resolution in broadcast policy mirrors outcomes in similar forums, such as the Hutchins Commission (Pickard, 2010a). These outcomes reflect compromises made by liberals who felt that half-measures calling for industry self-regulation might somehow encourage social responsibility. In some respects, the Blue Book was different because it carved out a meaningful role for state oversight and intervention. More than just challenging the power of advertisers and the effect of commercialism, and more than just signifying a popular revolt against the medium, the Blue Book and the social forces buoying it struck at the most fundamental assumptions about

the social responsibility of US media. It did nothing less than stage a full frontal attack on what has since come to be seen as inevitable, natural and benign: a largely self-regulated commercial media system (Pickard, 2010b).

The Blue Book authors believed these initiatives at their heart were about promoting egalitarianism. Implicitly, this episode suggests that the actualization of classical liberal democratic ideals requires radical structural measures. Although it clashes with today's neoliberal market fundamentalism, the necessity of aggressive state intervention on behalf of liberal ideals was understood then and, though deferred for decades, may be called for again. Given the ongoing failures of journalism, the decline of local broadcast media, and crises across other media sectors (including the internet), perhaps the time has come for a system-wide correction – a new social contract that rescues a democratic media system from endemic market failures. History shows that democratizing shifts occur when government, pushed by social movements, enters the fray on the public's behalf.

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