

The Structure and Process of Television Program Content Regulation in the United States

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Television is a prime cultivator of common images and patterns of information among large and heterogeneous publics that have little else in common. These images and patterns form a major part of our symbolic environment. They help socialize members of society to the prevailing institutional and moral order.

Different societies organize their major symbol-making activities, and particularly their broadcasting systems, along different lines; each attempts to be functional to its own requirements. In the United States, three major commercial networks and their affiliates dominate broadcasting. Public television plays a minor complementary role: providing services that broadcasters consider worthwhile but not profitable.

The Preamble to the Television Code of the National Association of Broadcasters (the chief industry organization) reminds station owners of their sweeping responsibilities under the law. Not only is the television broadcaster as license holder legally responsible for the programming of his station, the Preamble warns, but he is "obligated to bring his positive responsibility . . . to bear upon all who have a hand in the production of programs, including networks, sponsors, producers of film and live programs, advertising agencies, and talent agencies."

Going even further, the Preamble specifies the broadcaster's "accountability" for fulfilling the special needs of children's, community, educational, and cultural programming and for the "acceptability," "decency and decorum," and "propriety" of their choices for "every moment of every program":

Television and all who participate in it are jointly accountable to the American public for respect for the special needs of children, for community responsibility, for the advancement of education and culture, for the acceptability of the program materials chosen, for decency and decorum in production, and for propriety in advertising. This responsibility cannot be discharged by any given group of programs, but can be discharged only through the highest standards of respect for the American home, applied to every moment of every program presented by television.

How does American television fulfill the solemn and exacting responsibilities it has proclaimed for itself? No one can possibly know or easily discover. There is no definitive study, no theory based on objective investigation, no systematic surveillance, and no mechanism of accounting for the substance of the services for which "television and all who participate in it are jointly accountable to the American people." Program content control and regulation are private affairs. They are protected by the First Amendment to the U.S. Constitution from government intervention and thus also from public scrutiny. Consequently, and rather shockingly, in probably no area of significant social policy are far-reaching decisions made with as little systematic, reliable, cumulative, and comparative information brought to bear on the decision-making (and on its public policy implications) as in the sphere of the common culture.

Such attempts as have been made to assemble the needed information have been stimulated mostly by Congressional, Presidential or other governmental inquiries into matters of special concern at a particular time. This study is no exception. But our purpose is merely to point the way toward a broader and more sustained comparative investigation. This report is an attempt to collect a few facts, observations, and suggestions based on public documents, published sources, and interviews with knowledgeable informants to provide the context in which recent research on televised sex and violence can be placed in a social and institutional perspective.¹

THE SCOPE OF AMERICAN TELEVISION

In the first quarter of 1971, 892 active channels telecast programs to over 60 million homes. A year earlier, there were 677 stations; sixteen years before, 411. All but about four percent of American homes have television and use it an average of over six hours a day. It has been calculated that the people of the United States already spend approximately half as many hours with radio and television as they spend in all kinds of paid work put together. The patronage—by which we mean guardianship and funding—that supports this service was divided between advertisers, who paid in 1971 about \$3.5 billion for sending messages over the air, and the public, who paid some \$3.8 billion in new sets alone for receiving them.

Table 1 shows that 78 percent of all active channels were private

Table 1: Active U.S. TV channels as of February 1, 1971

	VHF	UHF	TOTALS
Private (commercial)	511 86% 73%	185 62% 27%	695 78% 100%
Public (noncommercial)	85 14% 43%	111 38% 57%	196 22% 100%
TOTALS	595 100% 67%	296 100% 33%	892 100% 100%

commercial corporations; 22 percent were public corporations. Of all private stations, 73 percent were Very High Frequency serving large established markets, while only 43 percent of the public stations were VHF. Or, to look at it another way, of all VHF channels on the air (67 percent of all channels), 86 percent were commercial and 14 percent public, while of all Ultra High Frequency (UHF) channels (33 percent of all channels), 27 percent were commercial and 57 percent public.

The number of individual license holders reflects an FCC rule limiting the number of stations a single corporation may own. About 25 percent of all commercial stations are owned in groups of five or more. However, 82 percent of all commercial stations are owned by or affiliated with one of the three major networks. NBC owned and affiliated stations number 39 percent of the total, CBS stations 34 percent, and ABC stations 28 percent. This group of 572 network stations dominates commercial television programming in the U.S.

Public television stations, licensed as "noncommercial, educational" broadcasters, are interconnected by the Public Broadcasting Service; PBS distributes programs produced by a few major production centers, member stations, and foreign sources. All public channels are individu-

ally operated by local and state educational systems, colleges, universities, and community organizations. In addition to PBS, six regional networks provide interconnection or program exchanges for member stations. Twenty-one state networks also help stations exchange services and primarily instructional programs.

SOME POWER ROLES AND FUNCTIONS

No established theory of organization, decision-making, or policy formation accounts for the complex interplay of forces governing television programming and the shaping of program content. I shall follow and develop earlier suggestions (Gerbner, 1969) for a classification of power roles and functions affecting content. It is evident that in cultural production, as in any other mass production and distribution involving high stakes and broad impact, the analysis of control processes must focus upon the distribution and exercise of power.

The groups which have some stake in and influence, authority, or power over the choice and shaping of content include: the authorities who confer licenses and administer or enforce the laws; the patrons who invest, subsidize, or otherwise fund the operation in return for services rendered; other organizations, institutions, and loose aggregations of people (publics) that require attention, services, protection, or cultivation; the corporate management that regulates, supervises, and develops programs; the auxiliary industry groups and associations that provide services, raw materials, and protection; the creative talent, experts, and technicians who actually form the symbolic content and transmit the signals; and the colleagues and competitors whose solidarity or innovation help set standards and maintain vigilance.

These groups represent *roles* that can exist in any combination of persons and whose functions and powers vary widely. We shall not analyze or describe them here further except to suggest that a full study of these functions and powers should systematically observe all critical incidents that require the exercise of leverage and the application of sanctions. It is these acts, sporadic as they may be, that set the lines of power and authority for the routine control and regulation of program content.

We shall briefly note the role of authorities, patrons, organizations and publics in the control process, and then examine in greater detail the formal structure and informal dynamics of two decisive management functions: program regulation and program development.

Authorities

The Communications Act of 1934 established the Federal Communications Commission (FCC) and authorized it to grant exclusive licenses

to broadcast in assigned geographical areas and to renew them for three-year periods if that still served the "public interest, convenience, and necessity." These terms were never clearly spelled out, and the FCC and the courts have been reluctant to use their contested powers to set program standards. The "fairness doctrine," upheld by the Supreme Court, sought to safeguard some diversity in the presentation of public policy issues, but no such doctrine exists for general programming. Antitrust laws and other devices have sought to maintain some multiplicity of forums, but with little success. Network domination, multimedia ownership, advertising concentration, and the trend toward conglomerates all tended to erode such multiplicity. Also, as Barron (1969) has observed, "diversity of ideas, not multiplicity of forums, is the primary objective of the First Amendment."

The Supreme Court's landmark *Red Lion* decision has held that "freedom of press from governmental interference. . . does not sanction repression of the freedom by private interests." But public authority has not yet found a way of holding private power in check in matters of general program content, except by stimulating industry self-regulation.

Organizations and the public

The general public continues to view in ever-increasing numbers whatever is on the air. During prime time evening hours, over 64 percent of all American homes use television. An average home uses television six hours 18 minutes daily. In one day, television reaches almost 81 million adults—66 percent of all Americans 18 and older—and an uncounted number of children.

Every study shows that television is the most massive magnet of public attention in history. Berelson (1964) surveyed cultural content in various forms and found commercial television and fictional and dramatic material in the lead. Imaginative representations of life and the world in the form of plays, films, exhibition of talents and personalities, and documentary presentations form the basic appeal of television as a cultural medium.

For the services of this medium, viewers pay no fee or license. They have, however, invested many billions of dollars in receivers (43 percent of homes in color); in 1970 alone, \$3.8 billion was spent on new sets. In addition, viewers (and nonviewers paid an indirect television subsidy of about \$3.5 billion in 1970—that is, all consumers paid about \$3.5 billion more for the goods and services they purchased because of advertising costs to the companies they bought from.

The direct patronage of the viewing public in the form of payment for receiving sets does not confer upon the public the power to shape program content or to apply sanctions other than those of consumers. The indirect public subsidy paid through television advertising confers pow-

er over programming upon the advertising and broadcasting corporate managements. These managements' relations with the public are exactly what the terms suggest: public relations.

This means that there is active competition for public attention, favor, and program and product support without any allocation of power over programming to representatives of the public—in or out of the government. Nevertheless, during the past 20 years a number of civic and private organizations have brought pressure to bear on the shaping of program content. The National Association for Better Radio and Television has lobbied against violence and published program studies and critiques since the early 1950s. More recently, the National Citizens Committee for Broadcasting was formed to lobby on public policy issues, and Action for Children's Television (ACT) began to direct attention to programs and commercials aimed at children. The civil rights and consumer movements have generated both organizations and a growing sense militancy in urging scrutiny of television. The technological innovations of cable television offers the possibility of greater public access and selectivity in programming.

These and other pressures are reflected in the process of program regulation and development. But the main function of the public for the broadcasters is to serve as a commodity he can measure, package, and sell to the patrons who directly subsidize television broadcasting.

Competition among networks takes the form of management strategy for expanding the share of viewers or of markets of certain types for certain programs and products. For example, CBS recently produced for its advertisers a color wheel showing "Where the girls are." The wheel's perimeter lists 91 types of products. Inside, five little windows show product buying by demographic categories, indicating that women aged 25 to 64, for whom many CBS daytime programs are designed, buy more than do women in the 18 to 49 bracket, standard for other media statistics. NBC's management then pointed out that *its* daytime schedule attracts 2,960,000 women 25-64 (against 2,830,000 for CBS), winning a majority for eight out of its 12 daytime programs against their CBS competitors (*Variety*, February 24, 1971).

Patrons and client relations

Media patrons are those who directly invest in or subsidize media operations in exchange for economic, political, or cultural benefits. Clients are media that provide such benefits in exchange for discretionary patronage. Media patrons may be banks, advertisers, other corporate or civic organizations, religious or military bodies, or governments. The principal types of patrons and the major client relationships determine the role of media management in the power scheme of every society. Patron-client relationships also delineate the mass media's approach

to most issues and problems, and permeate the climate of communicator decision-making.

In U.S. television, the principal client relationship is between the large national advertisers and the networks. Television revenues come primarily from the sale of access to the airways to advertisers; television delivers to the advertisers the time and attention of the publics it has assembled through its programming. The rates for the delivery of public time and attention depend on the size (and often on the type) of the audiences delivered. The value of this service ultimately depends on how the purchases, good will, votes, and other economic, political, or cultural services obtained affect the patron's share of the market, his competitive position, and his future prospects.

U.S. advertisers paid, for all such services to all media, about \$20 billion in 1969. Television, second only to newspapers, received \$3.5 billion (18 percent of the total); magazines were a poor third with only eight percent, and radio fourth with 6.5 percent of the total.

National advertisers, footing nearly \$7 billion of the \$20 billion total media bill, provided 44 percent of all television revenues, compared with 21 percent of magazine, 16 percent of newspaper, and seven percent of radio income. Furthermore, the top 100 national advertisers provided 63 percent of all television income in exchange for the time and attention of TV's massive and heterogeneous audiences. The same group of national advertisers paid only 16 percent of magazine income and nine percent of newspaper income. Two-thirds of television advertising was accounted for by the manufacturers of food, toiletry, drug, soap, tobacco, and automotive products. The top 25 network advertisers accounted for 54 percent of all network television billings in 1969, with three giant soap companies alone claiming 14 percent of the total.

The advertiser's chief leverage is logistical. He can cut back or terminate his sponsorship, or shift to another time, program, station, network, or medium. The accumulated experience of such sanctions guides network executives in setting programming policy. Substantive demands of advertising patrons are codified by the network censor's office and sometimes by the sponsoring agencies themselves. Most of these comments and codes pertain to the commercial messages or to the protection of product or client interests in the programs. Some, however, are more sweeping. General Mills, one of the Big Ten network sponsors, ruled that "The moral code of the characters in our dramas will be more or less synonymous with the moral code of the bulk of the American middle class as it is commonly understood...." Other provisions in the 22-point General Mills code were: "Where it seems fitting, the characters should reflect acceptance of the world situation in their thoughts and actions, although in dealing with war, our writers should minimize the 'horror' aspects. . . . Men in uniform should not be cast as heavy villains or portrayed as engaging in any criminal activity." And: "There

will be no material on any of our programs which could in any way further the concept of business as cold, ruthless, and lacking all sentiment and spiritual motivation" (*Variety*, October 26, 1960).

The FCC inquiry which brought to public attention the existence of advertiser leverage over program content also heard testimony from an executive of Screen Gems, the largest supplier of television films who said that "advertisers' contracts with the nets give them control over taste and policy. . . . If discussions did not resolve differences, the advertisers would have the final say" (quoted in *Advertising Age*, October 17, 1960). Some advertising agency officials testify to close supervision of program material from inception to final airing, while others claim a hands-off policy. In general, broadcasting executives interviewed say they work harmoniously with agency personnel in the common quest for large and quiescent audiences in the mood to support the sponsors' interests, activities, and products.

The basic cost of producing a prime time half-hour averages about \$100,000. A major one-minute commercial may cost as much or more to produce and air. Most advertisers are content to leave the responsibility for program content to the networks and stations, retaining "only" the power of the purse.

Limited advertising budgets and the growing standardization of television program production has tied the medium increasingly into an assembly-line operation with its principal client relationships serving as the main transmission belt. After hearing the testimony of many of those whom the television industry holds obligated to bring positive responsibility to bear upon the production of programs and whom the industry holds "jointly accountable to the American public," the FCC's Office of Network Study (1965) concluded:

... the policies and practices of network managers. . . tended to substitute purely commercial considerations based on circulation and 'cost per thousand' for considerations of overall service to all advertisers and to the various publics, as the dominant motives in the plan and design of network schedules. In other words, network television became largely a 'slide rule' advertising medium principally motivated by a commercial concept. . . .

One-sided as that indictment may be, and qualified as it should be by obvious exceptions, there is little or no alternative to this system in the present structure of American television—except perhaps in the public sector, which, however, provides more of a complementary than an alternative service.

Public television was traditionally supported by state, municipal, and educational funds and by foundation grants. The Corporation for Public Broadcasting (CPB) was created by the Public Broadcasting Act of 1967 to serve as a national organization acquiring and distributing both Federal and private funds throughout the public broadcasting system. The

CPB supports the Public Broadcasting Service and provides program grants to several production centers.

In the first year of its operation, CPB received \$5 million in Federal funds; during 1970 it acquired \$15 million, and in 1971, \$23 million. Many CPB programming grants to production centers are coordinated with Ford Foundation program grants to the same centers and stations. Of the \$8.1 million PBS budget for 1971, \$1 million originated in a Ford grant to the CPB for network publicity.

In two decades, the Ford Foundation has spent over \$200 million on public broadcasting. In 1970, Ford distributed \$18 million, an amount roughly equal to that spent by CPB throughout the entire public broadcasting system for the same year. During 1971, as increased Federal funds were appropriated for CPB and as Ford began to withdraw from its leadership role, the Foundation will be surpassed for the first time and the Corporation will emerge as the major source of funds for public broadcasting.

Public patronage has been miniscule compared with private patronage. The client services performed by public television have been largely those that would not perform profitable consumer services for private corporate patrons. The mainstream of American television is commercial, and the main decisions affecting American culture are made by the corporate managements of the commercial networks.

PROGRAM REGULATION

Fears of government-enforced standards of programming, of stricter public regulation of commercial message content, and of destructive internecine industry warfare are the chief reasons for self-regulation in broadcasting. Standards imposed from outside would couple authority with power to apply sanctions that might interfere with the present conduct of client relationships from which broadcasters derive their income. A recent FCC suggestion for more active and publicly supervised enforcement of the industry's own Television Code was greeted with an outburst of defiant opposition from the industry that adopted the Code.

On the other hand, codes administered by industry-appointed censors and industry-financed boards are flexible instruments. They help protect the common interests of the industry and its chief patrons, to cultivate its publics, and to preserve its markets. The function of the trade associations, the networks, and the various self-censorship boards is to act as radar guiding the fleet, to help spot storm and trouble ahead, to chart the currents, and to calculate the paths of least turbulence for the most and biggest ships.

The storms that led to the adoption of the Hollywood Production Code in 1930 and to its more definite enforcement since 1934 were pre-

dominantly of a moral character. Just as, in the late nineteenth century, rapid mass printing led to the adoption of obscenity laws, so, in the 1930s, the movies (and, in the 1950s, television) became suspected of "vulgar" and other immoral influences. The rising storm of outside censorship and criticism over alleged "blue material," and threats of religious boycott and federal action convinced the major movie producers, banded together in a trade association, that it was time to act.

The Production Code drew upon a prior list of "Don'ts and Be Carefuls" which had attempted to codify the most damaging bans and deletions of government censors. The list was supplemented by reasoning and explanations which bore the imprint of collaboration between Martin Quigley, prominent trade publisher and Catholic layman, and the Reverend Daniel A. Lord, a trained moralist with an interest in the theater.

The resulting document—which, with minor changes, guided until recently the production and distribution of most movies in the United States—was moralistic in character. Forty percent of the lines of the code pertained to matters of sex. The rest dealt with crime, brutality, suicide, murder, drug addiction, religion, executions, liquor, surgery, childbirth, cruelty to animals, and respect for flags, institutions, and people of all nations and races.

Fear of censorship because of sexual allusions overshadowed most other sensibilities. The wording of the Code, in effect until 1956, contained the following proscription under the heading of "Profanity": "No approval. . . shall be given to the use of words and phrases in motion pictures including. . . Nuts (except when meaning crazy)."

The broadcasting codes, once modeled after the motion picture Production Code, have come to reflect the legal status and broad scope of radio and television in the life of the community—much different from the status of movies. Sex and conventional morality are not the codes' main preoccupations. They also contain sections on children's programs, "community responsibility," public issues, political affairs, and the "advancement of education and culture."

Network censorship began in the mid-1930s. The "broadcast standards" departments were originally commissioned to make common-sense decisions about the acceptability of verbal content ("continuity"). Departments of Continuity Acceptance, Editing, and finally Standards and Practices were established for each network and some larger stations to formally perform the functions of internal censorship.

The National Association of Broadcasters adopted industry-wide standards of practice for radio in 1937. The Television Code became effective in 1952. Both were composites of existing network codes. By 1971, the NAB Radio Code had been revised 16 times, the Television Code 15 times.

NAB and network standards

The specifications that follow the sweeping declarations of the NAB Television Code Preamble are broad provisions whose application depends on current interpretations of such terms as "valid," "significant," "challenging concepts," "undesirable meanings," "excessive or unfair exploitation," "decency," "good taste," "delicacy," and "impropriety." The definition and application of these terms in concrete and specific communication situations is the day-to-day task of the Code Authority. If a violation occurs and neither numerous nor important people object to it, the terms may be defined in such a way as to do away with the violation by bringing the practice within standards of acceptability. One expression of this operational elasticity is the Code's intricately worded statement on advertising:

In consideration of the customs and attitudes of the communities served, each television broadcaster should refuse his facilities to the advertisement of products and services, or the use of advertising scripts, which the station has good reason to believe would be objectionable to a substantial and responsible segment of the community. These standards should be applied with judgment and flexibility, taking into consideration the characteristics of the medium, its home and family audience, and the form and content of the particular presentation.

Guidelines of "acceptability" boil down to assumptions of nonobjectionability to "a substantial and responsible segment of the community." Within those limits, and subject to the qualifications of good faith and pure motives, the Code encourages the presentation of "adult themes":

It is in the interest of television as a vital medium to encourage and promote the broadcast of programs presenting genuine artistic or literary material, valid moral and social issues, significant controversial and challenging concepts and other subject matter involving adult themes. Accordingly, none of the provisions of this Code, including those relating to the responsibility toward children, should be construed to prevent or impede their broadcast. All such programs, however, should be broadcast with due regard to the composition of the audience. The highest degree of care should be exercised to preserve the integrity of such programs and to ensure that the selection of themes, their treatment and presentation are made in good faith upon the basis of true instructional and entertainment values, and not for the purposes of sensationalism, to shock or exploit the audience or to appeal to prurient interests or morbid curiosity.

NAB Code provisions on sex and violence

On material relating to sexual expression, the Code contains the following provisions:

Profanity, obscenity, smut and vulgarity are forbidden, even when likely to be understood only by part of the audience. From time to time, words which have been acceptable, acquire undesirable meanings, and telecasters should be alert to eliminate such words.

Illicit sex relations are not treated as commendable.

Sex crimes and abnormalities are generally unacceptable as program material. The use of locations closely associated with sexual life or with sexual sin must be governed by good taste and delicacy.

The costuming of all performers shall be within the bounds of propriety and shall avoid such exposure or such emphasis on anatomical detail as would embarrass or offend home viewers.

The movements of dancers, actors, or other performers shall be kept within the bounds of decency, and lewdness and impropriety shall not be suggested in the positions assumed by performers.

Camera angles shall avoid such views of performers as to emphasize anatomical details indecently.

A variety of Code provisions pertain to the presentation of murder, suicide, horror, cruelty, and morbid detail in news:

The presentation of murder or revenge as a motive for murder shall not be presented as justifiable.

Suicide as an acceptable solution for human problems is prohibited. . . .

The use of horror for its own sake will be eliminated; the use of visual or aural effects which would shock or alarm the viewer, and the detailed presentation of brutality or physical agony by sight or by sound are not permissible. . . .

Excessive or unfair exploitation of others or of their physical or mental afflictions shall not be presented as praiseworthy.

The presentation of cruelty, greed and selfishness as worthy motivations is to be avoided. . . .

Good taste should prevail in the selection and handling of news:

Morbid, sensational or alarming details not essential to the factual report, especially in connection with stories of crime or sex, should be avoided. News should be telecast in such a manner as to avoid panic and unnecessary alarm.

As a special "Responsibility Toward Children," broadcasters are told:

Such subjects as violence and sex shall be presented without undue emphasis and only as required by plot development or character delineation. Crime should not be presented as attractive or as a solution to human problems, and the inevitable retribution should be made clear. . . .

Exceptional care should be exercised with reference to kidnapping or threats of kidnapping of children in order to avoid terrorizing them. . . .

Material which is excessively violent or would create morbid suspense, or other undesirable reactions in children, should be avoided.

Particular restraint and care in crime or mystery episodes involving children or minors should be exercised.

Network codes

CBS uses the NAB Code without further amplification or modification. ABC reproduces the NAB Code (as well as pertinent statutes and government regulations) in its large loose-leaf handbook of Standards and Policies, and adds a 77-page section of its own provisions. Many of these duplicate or expand upon the NAB Code provisions. None refers to or gives additional detail about sex or violence in programming.

NBC publishes its own printed handbook of Broadcast Standards and Practices, supplementing the NAB Code. Struggling with the same creative and interpretive problems as did the framers of the NAB Code, the NBC censors developed similar language with respect to general guidelines, sex, and violence:

There are two general standards to be considered in judging programs for broadcast acceptability: (1) Is the subject matter acceptable? (2) Is the treatment consonant with good taste?

Recognizing the subjective nature of these two questions, the criterion used in reviewing programs is whether they would be regarded as acceptable in subject matter and treatment by a normal viewer under normal circumstances.

NBC believes that the proper application of these standards should not preclude the presentation of programs of genuine artistic or literary merit dealing with valid moral and social issues even though they may be challenging or controversial, or present realities which some people might wish did not exist. The test is whether such material is treated with dramatic integrity, rather than for purposes of sensationalism; and whether it seeks to develop genuine moral and artistic values, rather than to shock or exploit audiences or appeal to prurient interests or morbid curiosity. . . .

Aspects of Sex. All of these—such as costuming, adultery and divorce—should be treated with intelligent respect and due regard for normally acceptable standards of behavior.

Violence. Whether in terms of human conflict or cruelty to animals, violence should never be presented for its own sake, for shock effect or as an audience stimulant and should never be carried to excess. Depictions of violence can be justified as an expression of conflict only to the extent essential to the advancement of plot or the depiction of characterization.

ADMINISTRATION OF THE CODES

The NAB Code is the broadest of all television codes. But (except perhaps in its scrutiny of commercial claim substantiations) the NAB Code Authority is long on authority but short on power. It is dependent on voluntary subscriptions and cooperation. It cannot screen much material with its limited staff (smaller than that of any of the network cen-

sors). Although it has the ultimate right to suspend (not used in nearly ten years) it lacks the power to enforce compliance.

The network censors can review and screen all broadcast material repeatedly from conception to airtime. They can exert influence and apply sanctions either directly or, if necessary, through the network's corporate structure. What network censors lack in formal authority they make up in power.

How the NAB Code works

The National Association of Broadcasters' Television code is administered by a Television Code Review Board of nine members, appointed for two-year terms by the NAB President from among member station executives and subject to confirmation by the NAB general Television Board.

The Television Code Review Board is authorized and directed:

(1) To recommend to the Television Board of Directors amendments to the Television Code; (2) to consider, in its discretion, any appeal from any decision made by the Code Authority Director with respect to any matter which has arisen under the Code, and to suspend, reverse, or modify any such decision; (3) to prefer formal charges, looking toward the suspension or revocation of the authority to show the Code seal to the Television Board of Directors concerning violations and breaches of the Television Code by a subscriber; (4) to be available to the Code Authority Director for consultation on any and all matters affecting the Television Code.

The actual implementation of the NAB Code falls to the Television Code Authority Director and staff. The Code Authority Director is also appointed by the President of the NAB, subject to the approval of the Board of Directors. He is instructed:

(1) To maintain a continuing review of all programming and advertising material presented over television, especially that of subscribers to the Television Code of NAB; (2) to receive, screen and clear complaints concerning television programming; (3) to define and interpret words and phrases in the Television Code; (4) to develop and maintain appropriate liaison with governmental agencies and with responsible and accountable organizations and institutions; (5) to inform expeditiously and properly, a subscriber to the Television Code of complaints or commendations, as well as to advise all subscribers concerning the attitudes and desires program-wise of accountable organizations and institutions, and of the American public in general; (6) to review and monitor, if necessary, any certain series of programs, daily programming, or any other program presentations of a subscriber, as well as to request recorded material, or script and copy, with regard to any certain program presented by a subscriber; (7) to reach conclusions and make recommendations or prefer charges to the Television Code Review Board concerning violations and breaches of the Television Code by a subscriber; (8) to recommend to the Code Review Board amendments to the Television Code.

The NAB Code is also a membership organization. There are two kinds of membership, with two apparent degrees of adherence to the Code.

Anyone broadcasting or holding a station construction permit in the U.S. may become a regular subscriber to the Code by paying a fee and upon the approval of the NAB's Television Board of Directors. The Television Board grants "to each subscribing station authority to use the 'NAB Seal of Good Practice,' a copyrighted and registered seal to be provided in the form of a certificate, a slide and/or a film, signifying that the recipient thereof is a subscriber in good standing to the Television Code of the NAB." Such subscription remains in force as long as the fee is paid or until it is suspended by the Television Board of Directors upon charges preferred by the Code Review Board and after a lengthy and complicated quasijudicial procedure.

The other kind of membership is called "affiliate subscriber." Such membership needs to be approved only by the Code Review Board, which has the power to grant to each affiliate subscriber "authority to use a copyrighted and registered seal and declaration, in a manner approved by the Television Code Review Board, identifying the individual firm or corporation as an affiliate subscriber to the Television Code of the NAB. Such authority shall not constitute formal clearance or approval by the Television Code Review Board of specific film programs or other recorded material."

What, then, do the status of "affiliate subscriber" and its "seal and declaration" signify? The only hint the published rules and regulations give is that "the conditions and procedures applicable to subscribers shall not apply to affiliate subscribers." What appears to be a wide loophole permitting membership and seal without adherence to standards or clearance by the Code Review Board is explained by the Code Authority as applying only to film producers (mostly on the West Coast) whose completed products are subject either to network clearance or to subsequent review by the West Coast branch of the NAB Code Authority.

Another type of "second-class membership" under active NAB consideration would bring a number of nonsubscribing stations into the fold by permitting them more time to broadcast messages than is approved for the regular members. About 65 percent of commercial stations, including all network and large independent stations serving major markets, are regular subscribers to the Code. There are an additional 23-25 affiliate subscribers. It is the view of the Code Authority that most non-member stations do follow content standards but do not wish to or cannot afford to comply with commercial time limitations. Most of the non-subscribers are small independent UHF stations competing with large, network-affiliated VHF operations. Typically such stations have small audiences and weak signals. To remain solvent, they are forced to exceed Code commercial time standards, thereby failing to qualify for the Seal. The NAB director feels that it would be in the public interest, as well as that of the industry, to accord associate status to those stations

that meet Code standards in all respects other than that of the regular commercial time limitation.

The director sees the Authority's chief task as urging and assisting members, affiliates, and other producers and advertisers to avoid violations of standards (most of which occur in the commercial area) and to ask for sanctions as a last resort. At any rate, there have been no suspensions in nearly ten years. In the last major charge preferred against members (in the matter of deodorants), the Board decided in favor of the subscribers' deviations and changed the interpretation of the Code.

The NAB Code Authority

The office of the NAB director is in New York. The Authority also maintains offices in Washington and in Hollywood. Besides the director and his staff assistant, the New York office consists of a manager, an assistant manager, five editors, and four secretaries. The Hollywood office has a manager, an assistant (both editors) and secretarial help. In Washington there are two managers—one for the radio code, the other for television, an assistant television manager, two or three television monitors, and three of four radio monitors. The work of the monitors is largely checking station observance of time standards.

While the Authority is responsible for reviewing programs and commercials on both radio and television, the majority of its work is with television, and the greatest portion of that work has to do with commercials. Because of the volume of broadcast material, the Code Authority can review or monitor only a small sample of programs and commercials, and mostly in a *post facto* fashion. The exceptions are in areas of unusual pressure or current sensitivity. For example, in 1971 all toy commercials were reviewed before they were broadcast. This procedure reflected pressures on the television industry by ACT and other groups protesting the use of children's programs for commercial purposes. In 1968, in the wake of the Martin Luther King and Robert Kennedy assassinations, the Television Code Review Board ordered the Code Authority to increase its scrutiny of the incidence and portrayal of violence in television programs. The authority had previously spent roughly 15-20 percent of its time on program matters; the percentage was increased to about 35 or 40 as a result of the Board's order. The increased attention to violence lasted for close to two years. Then, with the growth of interest in consumer rights and toy advertising, and given the same limited budget and staff, the Authority's involvement with commercials has returned to its former high level.

In areas other than its current "critical" concerns, the Code Authority lets the networks perform the active prior screening; it deals with problems brought to its attention after they are broadcast. Since the networks conduct day-to-day total clearance, the Authority prefers to

remain free to work on broader problems of Code interpretations and on the troublesome area of commercial regulation.

Since 1968, the Code Authority has been urged by Senator John O. Pastore and others to become more involved in active prebroadcast screening of programs. Both the Authority and CBS have resisted this suggestion, fearing that more power behind the Code Authority might hurt the long-run interests of the industry. ABC and NBC have not been as strongly opposed, and both have been submitting pilots of new series to the Authority for screening prior to the beginning of new seasons.

Most of the problems coming before the Authority, however, are still in the area of commercials. Private individuals and organized groups deliver a steady stream of complaints to the Authority. Advertisers often object to the claims of competitors. One network may complain about another, or seek the Authority's assistance with a problem it has been unable to resolve with an agency or a producer. Occasionally, too, a broadcast station group will call attention to network programs or commercials which it thinks questionable in light of the group's own standards.

The industry is always more beset with trouble pertaining to advertising than to programs. The clamor from advertisers and agencies to go beyond the limits of the acceptable, the legal, and the credible makes the review of commercials the Authority's chief task. While the validity of claims is studied with increasing care by the Authority, certain flexibility is developing with regard to the types of products which may be allowed. A few years ago feminine deodorant sprays, for instance, were banned. Today they are commonplace, and the Authority is considering proposals to advertise tampons and sanitary napkins. The director foresees the day when contraceptive commercials will be accepted.

The NAB finds it both necessary and convenient to be active in the commercial areas and to remain removed from program review. The Code Authority director, himself a former network censor, has often stressed the need to let broadcasters respond with great flexibility to the constantly changing tastes and tolerances of society.

CBS Program Practices

The Columbia Broadcasting System's Office of Program Practices is headed by a vice president who reports directly to the president of the network. The office is independent of any other department of the network, and relates to other departments through the top executive of the corporation.

The Office has a staff of about 40 in two divisions—one for commercials, the other for general programs. A staff of editors in each division is responsible for day-to-day script and film screening. Most of the commercial editors work in the New York office; the majority of the

program editors are based in Los Angeles, where most programs are made.

All commercials and programs (excluding news and most sports) are scrutinized by the editors before broadcast. In fact, the editors are involved at every step of the production process, beginning with early program discussion and ending with the finished film or tape.

The process follows a regular pattern which has been in effect at CBS for over a decade. An editor is assigned to work with a given program. In preliminary discussion with the producer and writers, the editor will make suggestions about potential problems. The first draft of the script is submitted to the editor, who completes a blue form listing suggested deletions or changes. Each version of the script is read and thus annotated by the editor.

When a script is returned to the producer with a pink form, it is cleared for filming. When a rough cut of the show is available, the editor screens it and submits yellow evaluation forms to the producer until an acceptable version is cleared for broadcast.

Once a program is completed, the editor sends a synopsis to all CBS affiliate stations. A particular program may be previewed for a local station. The local station owner as license holder has the ultimate responsibility under the law for what is broadcast.

While the vast majority of editor criticisms are followed by appropriate script and film changes, some 10-15 percent of the issues raised by the editors are settled by the division supervisor or by the chief of the Office of Program Practices.

CBS follows the NAB Code and has no formal written guidelines of its own. The Office claims that it interprets the NAB Code more severely than the Code demands and that, accordingly, CBS feels little pressure from the NAB. Indeed, the vice president heading the Office sits on the NAB Television Code Review Board. Memoranda from the NAB most often are concerned with commercials and are directed more to the advertising agency preparing the commercial than to the network.

While the major pressure on editors has been the growing concern about commercial claims for products, a perennial problem in program content is "the aggregate of violence." Sex and other issues appear from time to time, but violence persists as the single greatest problem for CBS Program Practices editors: "The writers avoid sex, but go the violent route because of greater social tolerance [for violence]." Editors feel that there is a pattern permitting more violence, which runs in four-year cycles. The Office maintains a monthly record of the number of acts of violence, the treatment of various professions and minority groups, the amount of liquor, drug and tobacco use, and other sensitive subjects in network programs.

ABC Policies

The American Broadcasting Company's Standards and Policies Handbook (March 1969 Revision) gives this description of the operation of that network's censors:

In exercising its responsibility, the Department of Broadcast Standards and Practices follows a detailed series of steps to assure conformity with the American Broadcasting Company's policies as well as standards set forth by the National Association of Broadcasters' Radio and Television Codes.

ABC maintains a staff of editors in New York and Los Angeles to read and screen all radio and television material for network broadcast except for News, News Documentary, and Sports Events which are under their own jurisdiction.

The Department of Broadcast Standards and Practices operates independently of the ABC Radio and Television Networks so that there is in effect a system of 'checks and balances' in determining the acceptability of program material.

Editors are trained and, when experienced and competent, are given the responsibility of applying the standards to each program broadcast. Theirs is the challenging work of reviewing and commenting on material which on the one hand will permit and encourage genuine, artistic and literary material which covers significant and controversial concepts involving adult themes while preserving the integrity of such programs and ensuring that the treatment and presentation are made in good faith on the basis of instructional and dramatic values.

...Programs of the public forum or question and answer type in the public information field and quiz and audience participation programs in the entertainment field for which continuity cannot be prepared before broadcast are subject to the same ABC policies and standards as are programs with written continuities, and the ABC Director or other designated representatives assigned to the program will be responsible for enforcing the policies on such programs. ABC reserves the right to cancel any program which does not comply with the accepted policies and procedures of the Company. All material used in pre-broadcast performances or "warm-ups" shall be in conformity with ABC policies and standards and the ABC Director or other designated representative will be responsible for enforcing such policies.

Although it is stated that Standards and Policies "operates independently of the ABC Radio and Television Networks," the office is, of course, an integral part of ABC's corporate structure, and acts through its executive hierarchy. Each of the office's three departments—Literary Rights, Script Routing, and Clearance—reports to the director, who is in turn responsible to the vice president of the Broadcast Division, who is the chief assistant to the executive vice president of ABC, Inc. The total editing staff numbers 41, with 27 based in New York and 14 in Los Angeles.

All commercials and non-news or sports programs are scrutinized by the Office of Standards and Practices. The process of program review at ABC is similar to that at CBS, with a series of colored forms guiding program development and acceptance.

Fundamental program policy is governed by the assumption that "People don't want relevance; they want to be entertained. They want to take off their shoes and relax." The Office tends to encourage entertainment themes unencumbered by overt political, racial or moral issues.

NBC Broadcast Standards

The National Broadcasting Company launched a Department of Continuity Acceptance in 1934. Its "standards of taste and propriety" were the first codified, and served as a model—along with the Motion Picture Code—for the NAB Radio Code. Now the Department of Broadcast Standards, it is described in the NBC booklet of *Radio and Television Broadcast Standards and Practices* as "still dedicated to the same goal: to maintain conduct befitting an invited guest in the home."

NBC's own account of that operation is contained in the introduction to its Standards and Practices codebook.

The direct responsibility of interpreting and applying these NBC Broadcast Standards and of proposing new or modified standards is assumed by the Department of Standards and Practices, which reports directly to management and is headed by a Vice President who supervises the Director of Broadcast Standards and the Director of Practices. The staff consists of editors and assistants in New York City and Burbank, California.

The broadcast Standards Department concerns itself with the actual content of all material—program and advertising—broadcast by NBC. (The only exception is programs produced by NBC News whose content is separately reviewed by the NBC News Division.)

Broadcast Standards enlists the expertise of other NBC departments as well as outside authorities for assistance in the application of specialized provisions of this Code of Broadcast Standards. A similar function for local originations of the NBC Owned Stations is performed by specially designated station personnel who maintain liaison with the Broadcast Standards Department and are guided by the same NBC policies.

The Practices Department is largely investigatory, concerning itself with background facts of reliability and fairness. For example, it is responsible for insuring that conditions under which contestants compete on game shows conform to the requirements set forth under Specific Rules And Practices. It assures that conformance by fact-finding prior to the actual program, monitoring during the broadcast, and spot checking after completion of the broadcast.

The Vice President in charge of the Department reports to the Executive Vice President who administers NBC's Corporate Information Division and who reports in turn to the President of NBC. As with the other networks, the Department of Broadcast Standards is independent of such major network offices as programming and sales.

The department is smaller than those of the other networks. It has a total staff of 28 editors, secretaries, and supervisors on both coasts.

While violence is considered a problem—"television glamorized violence," and "its consequences are not shown"—the major program concerns seem to be with language: "A single 'hell' or 'damn' gets hundreds of letters." The NBC editors operate under a philosophy that television must follow, not lead, that it cannot generally initiate greater cultural and moral flexibility in the society: "As cinema follows the novel, so must television follow film."

Movies: the Trojan horse

If that is true, a sharp escalation in television violence may be around the corner. "NEW TIDE OF FILM GORE RISES" was the front page banner headline in the trade paper *Variety* on June 2, 1971. "Graphic gratuitous violence seems to have replaced sex as the newest film industry ploy to lure patrons away from their television sets," noted the report on new movies and those in production.

What will the television industry do to lure them back? Censors believe that the competition will be reflected in changing standards. The standards of television will remain stricter than those of the more selectively viewed and harder to control films, but they must change in the same direction. Movie trends pave the way for the acceptability of the same type of material for television at a later time. At any one time, films are subjected to the stricter standards of television, but they also test and stretch those standards. An editorial entitled "Comment on the Times," in the February 22, 1971 issue of the trade magazine *Advertising Age* observed signs of change—if indeed it is a change.

A movie called *Madigan* appeared on NBC-TV the other night. It was a chase film in which no character seemed—you should excuse the expression—virtuous; a film in which the cast was given to murder, adultery, "unusual" sex habits, brutality, bribery, you name it—and most of it portrayed or explicitly suggested right there on the screen. Not the kind of thing, you'd imagine, for the living room. But opposite of what you suppose: NBC-TV got not a single complaint.

Just what the trend is and why are graphically described in the *Variety* report cited above. The story also reflects filmmakers' views on what happens when their product gets on television, and the long-term business prospects for violence as "an integral part of American entertainment."

Explicit sex and violence are two things still taboo on U.S. television, but the major films companies are attempting to avoid the more graphic shores of sex and thus stay clear of the Motion Picture Assn.'s X rating. Despite denials that tag, in the vast majority of cases, is given on the basis of sexual content. No film in memory has been given an X because of violence, although 'The Wild Bunch' was threatened with one and minor cuts were made. The majors are relatively safe with violence, however What happens when these films eventually turn up on television is another matter. When *The Dirty Dozen* was shown recently, so much of the brutality was cut that it was sometimes impossible to tell who was doing what to whom. And even *Ben-Hur* was trimmed of a few gory moments for its television debut.

Filmmakers usually excuse their overindulgence in gore by saying it shows the real effects of bullets, knives etc. and does not make brutality pretty. Admittedly the old style war films in which U.S. Marines died gallantly without shedding a drop of blood or even messing their hair painted a glossy indeed, but one has only to hear the audiences cheering and giggling at the spurting blood of late to wonder about all those good intentions. In a recent interview, director Sam Peckinpah said of the audience reaction to *Wild Bunch* violence, "I rubbed their noses in it. . . they loved it."

Psychologists, especially those dealing with children, find all this disturbing and ultimately symptomatic of a society weaned on a Puritan tradition of sexual repression. In many other countries, American films are censored more because of their violence than their sexual content. In this U.S. however violence is somehow more socially acceptable than overt sexual activity. Ask most middle American mothers whether they would prefer their sons to participate in a bar-room brawl or indulge in group (heterosexual) sex, and there's little doubt what the majority would answer. Violence as titillation thus seems an integral part of American entertainment now being capitalized upon by the major filmmakers and distributors. The MPAA in being lenient towards such films, merely reflects social attitudes.

PROGRAM DEVELOPMENT

The basic management power to select and develop programming rests with corporate executives in charge of network program departments and their subdivisions. The popular notion of television program directors on the search for ideas is deceptive. Program executives might just as well be called Vice Presidents in Charge of Suppression, not because they are against innovation (although many others claim that they are), but because they are inundated with ideas, most of which are not new or, if new, are too costly, impractical, or troublesome.

The few that are chosen represent an investment, a gamble, a fragile commodity to be sold to top management, sponsors, and stations. The program executives' chief tasks are to select as few new programs as possible; oversee their development, cost, treatment, and ratings as closely as possible; use them as widely as possible to realize all potential earnings from the investment; and keep them as long as they continue to hold their own in the competition for patrons and publics.

Creative people with something to contribute to the endless hours of television programming over hundreds of channels can sell to only three major ultimate buyers: ABC, CBS, and NBC. The networks usually buy all program rights, including syndication to independent and foreign stations, and they own or control the bulk of U.S. and much of world television programming—from choice of themes, writers, and actors, through all script revisions, to the actual filming or taping of the show.

In the 1950s, a time now referred to as the "Golden Age of Television," FCC figures record that over half of network evening fare was devoted to independently produced programs. Writers, directors, and

stars of live and even filmed programs exercised influence virtually unknown today.

Today more than 93 percent of all prime time programming is reported to be under direct network control from conception to airtime. The economies of scale that result from assembly-line production, the apparent cost-effectiveness of ritualistic repetition of tried formulas, and the legal and political challenges facing broadcasters have forced the issue of supervision, power, and control of what goes on the air.²

Writers' complaints

Even though the networks originate little in the way of program ideas or themes and depend almost entirely on outside talent, the creators of programs typically have no legal or financial leverage or responsibility in the decision-making process. Subject to the currents and cross-currents of management, production company, and advertiser relationships, writers generally do as they are told. At premium are the handful of "professionals" who "know" without even being told, and who turn out reliable and trouble-free scripts on the assembly line. One network censor was reported to have said to Steven Roberts of *The New York Times* (July 27, 1969):

There's a tremendous amount of self-censorship, not only by network executives but by writers and producers as well. They don't want to commit money to a property that might get into trouble, so they don't even bother with something different.

A writer of half-hour shows stressed the element of time (both playing time and time for writing) as precluding adequate development:

Okay, so you have 23 minutes to establish your exposition, to delineate your characters, work to your climax with as much action as possible, and bring your tale to a thrilling and moral conclusion. Oh yes, you must provide suitable breaks for commercials, too. You use as many shortcuts as possible: you want to paint a 'bad' guy or someone outside the social norm quickly and simply. You fall back on a stereotype of some sort which presumably your audience will understand without full explanation. If shingles or hives connoted social aberration, I imagine they would be as common as escapees from prisons and asylums. The run-of-the-mill half-hour TV film is as stylized as the Japanese Noh Play.

Examples of positive prescription are rare because of the early involvement and totality of the supervisory process. The published hearings of the Dodd Committee on "Television and Juvenile Delinquency" (1965) record claims that sex and violence were injected into programs to boost lagging interest without boosting program cost or level of sophistication. But it is safe to say that seasoned writers rarely need such advice. In fact, a frequent complaint of the censors is, "Why can't those hacks write something different?"

NETWORK MANAGEMENT

Management practices related to program development and control are similar at the three networks. Nevertheless, shifts of emphasis and different ways of expressing similar policies become evident in the account each network gives of its own operation. These shifts and differences indicate the range of options and alternatives that the structure of American television provides for program development.

ABC: "keep producers in line"

Nearly all program ideas emanate from the program suppliers. More than one hundred ideas are discussed seriously with the network's Program Development office each year. Of these perhaps 50 are eventually presented in the form of written proposals or outlines. After further discussion with the suppliers, the network may settle on ten to 15 of these program ideas to be scripted and produced as potential series for the new season.

In this process of program selection the networks are moving away from the pilot film concept. The reasons are primarily economic. It costs the network \$500,000-800,000 to produce a one-hour pilot. If (as often happened), as many as 15 pilots were prepared and then only five to seven were used, the networks would have thrown away six to eight million dollars from which it got little if any return. Instead, the network plans to use in some way most of the program ideas approved for scripting. Few are developed as disposable pilots. Rather, a one-to-two-hour movie is developed around each program idea. This movie is then viewed by network officials during the spring before the new season. If it is found suitable for expansion into a series, the company that produced it is given a contract to provide a full portfolio of episodes related to the program concept. If not deemed suitable for series development, the program is then scheduled for a single screening as a movie of the week. This screening may be used as a further test for the program's potential as a series. In any case the program is sold and screened, and some return on the original Development Office investment is made.

The network used to be somewhat removed from the process of production after the series was approved. Involvement was limited to a simple determination of the program's ratings and the decision whether or not to continue the series. Now, however, the script of each episode is reviewed by the Nighttime Programming staff and discussed with the series producer. This procedure allows the networks to "keep producers in line" and to insure that the program concept bought in the spring continues to be developed in the fall.

The more creative producers and directors seek to develop new ideas and to enlarge on actor talents. Over a period of time they may wish to

mold a program in a direction different from that originally approved. A comedy, for instance, may become more serious or satirical; an action-adventure program may attempt to become more dramatically sophisticated. But, because "the way to succeed in television is to generate audience flow" (the maintenance of high audience ratings throughout an evening's schedule), the network programmers want individual episodes of particular programs to be generally the same week after week, so that the viewer will get what he expects. Too much variety within a series, it is felt, will lose viewers not only for the particular program, but for the entire evening.

The program executives at ABC feel little pressure from their Office of Broadcast Standards. "I can count on the fingers of one hand the number of times I received complaints from the Office last year . . . I can't say that it's one of my pressing problems." This seeming lack of pressure at the executive level is not meant to imply that the ABC Standards Office does not make its wishes known. But most of its efforts are handled at a lower level, between Standards Office editors and the production supervisors.

The few warnings that have come through to the higher staff level have had to do with excessive violence in the early prime time hours (when many children are assumed to be viewing), questions of taste, and sometimes questions of safe, exemplary behavior on the part of actors ("Are seat-belts fastened when characters get into automobiles?").

CBS: conscious of Practices code

Of the hundreds of program ideas considered each year, ten to 30 are developed as pilots. For the past two years, CBS, like ABC, has attempted to insure that its pilot films will be usable whether or not they lead to full series.

The CBS Department of Programs employs more than 30 people. Three or four senior executives consult and make the major decisions in all areas of the department's interest.

The CBS Programs Department appears to be keenly conscious of the network's Program Practices Division. Memoranda and verbal comments flow constantly among the top executives as well as at lower echelons. The comments of the Practices Office are generally noted and usually followed. They are typically questions of tone: "That scene is questionable as to the plot needs of the sex" or "Is that much violence necessary at that point?"

The process of individual program creation is similar to those of the other networks. Once a series is scheduled, a program staff member reviews each script and works with the producer to get what the network originally saw in the program. The position of the program staffer during reviews of an episode is often that of mediator between the Program

Practices editor and the contracting company producer. While conscious of the network's legal and public relations interests in observing sex, violence, and other Code provisions, the programmers are usually ex-producers themselves whose jobs depend on keeping ratings high and costs low.

Except for ratings and the Program Practices comments, the Programs Department has little contact with the outside: "Letters to networks are a myth." Seldom are organized groups heard from or considered. The programmer's job is simply to create the most attractive schedule he can. His chief considerations are the relative size of the audience compared with the relative cost of the program.

NBC: "the audience can have a love affair"

Like those of the other networks, the NBC Programs Department is split between the East and West Coasts. The work of the California office is largely devoted to the process of supervising the production of programs. The New York office carries the major administrative responsibilities, oversees program and schedule development, and coordinates the programming process with the sales department and the advertising agencies.

The process of program selection at NBC is no different from that of the other networks. Most new ideas originate with the production companies. About 18 months prior to a new season, several dozen written program treatments are considered. Shortly thereafter, 12 to 20 program outlines are approved for scripting. Like its competitors, NBC is no longer preparing many disposable pilot films. The network does not even solicit many more initial scripts than it is likely to approve for production; a script can now cost \$25,000. Program ideas going into production are generally made into television movies. Two-thirds of the new programs in the NBC 1971-72 schedule have come from the movie format, most of them having already been presented on NBC's World Premiere Movie program.

It is the view of the program staff that the movie format allows much greater control over subsequent series development. From the movie can be drawn a "bible" of characterizations, scene settings, plot conditions, and so on. These help the NBC program supervisors to oversee the work of the production company's producers, writers, directors and actors. With the original one- or two-hour movie and the related written program guide, the network finds it can elicit a greater consistency among the various episodes of the series. Consistency is closely allied with the condition that leads to the success of a program: "the ability of the producer, writer and actors to create a character or set of characters with whom the audience can have a love affair."

The NBC Programs Department maintains routine contact with the network's Office of Broadcast Standards. The vast majority of problems raised are settled without controversy. Program executives confirm that a special measure of scrutiny at NBC is reserved for language. In any case, few censorship problems rise above the level of the daily work of the individual program supervisors and editors.

At all three networks, the audience is blamed for the repetitiveness and banality of much network programming. But none of the program offices maintains much direct contact with the public or with any outside groups. Since most comments deal with issues of taste in programming or with the accuracy of commercials, they are steered to the Broadcast Standards offices. Few viewers offer comments on the substance of a program. In fact, the only time large responses are received is when a program of longstanding popularity is cancelled, or when the networks are embroiled in a political controversy. Vice President Agnew's 1969 remarks in Des Moines elicited 70,000-80,000 individual letters, calls or other responses to NBC alone (75 percent supporting Mr. Agnew). "Nobody writes to say what's good about Bonanza." The ratings assume the role of the only regular guide to audience response.

SUMMING UP

A television executive said "There are only two types of audience demand: the cry that 'You throw Herbie Glotz off the air' and the demand that 'You carry more programs like that last one.' That's all." Surveys confirm that the majority of even well-educated viewers have few general complaints or creative suggestions to offer. Television is a medium of mass appeal, although the responsibility for program development and control is concentrated in relatively few hands.

The Federal Communications Commission and the NAB Code Review Board have authority but little effective power. Power stems from the chief client relationships between major national advertisers and the managements of the three national networks.

That basic structure determines the process of program control and development and shapes symbolic content. In a fictional world governed by the economics of the assembly line and the "production values" of optimum appeal at least cost, symbolic action follows conventional rules of social morality. The requirements of wide acceptability and a suitable environment for the sponsor's message assure general adherence to consumer values and to common notions of justice and fair play. The issue is rarely in doubt; the action is typically a game of skill and power.

Sex and violence play critical and somewhat antithetical roles in such a game. Sex gives a promise of human relatedness, even if the relationship may be exploitive. Violence signifies a break in human relatedness

matic device available to indicate who is the better man in a clash of personalized forces.

With their emphasis on frequency and explicitness rather than on the substance of what violence demonstrates about life, the codes are public relations instruments whose applications protect and enhance the social and commercial functions of programming. The pressures toward standardizing and streamlining program production, with greater executive supervision over the creative process, also promote the ritualistic nature and institutional functionality of the representations. It is in that context that studies of the representations of sex and violence and their effects in cultivating norms of life can best be viewed.

FOOTNOTES

1. Facts and figures are from the *Broadcasting Yearbook*, the *Television Factbook*, the FCC annual Reports, and various corporate annual reports unless otherwise specified. Views cited come from interviews, correspondence, or other recorded personal comments, unless otherwise specified. The assistance of Willard Rowland (who bears no responsibility for this report) is gratefully acknowledged.
2. A dramatic illustration of why and how the issue of control was forced in one celebrated instance, and an account of how it was settled, came from the former CBS senior vice president for programming—the man responsible for signing, supporting, and then cancelling the Smothers Brothers comedy program:

"I put the Smothers Brothers on the air. Tommy Smothers pioneered social satire and was a terribly important influence in the broadcasting world. No program hurt me more personally and professionally than the cancellation of that program, and I was part of the cancellation.

"Tommy was out in the vanguard. His neck was out. He was anti-Vietnam before it was popular. He was anti-Nixon before it was correct. But all that was not so bad. He had one big problem. Tommy blew it because of one thing. One thing ruined it for me, for the network, and for himself, and practically destroyed his career.

"A week before we cancelled we were in Washington. Senator Pastore, who was Chairman of the Committee in charge of the Federal Communications Commission, wanted to establish a system whereby everything would be submitted ahead of time to the NAB code, before it was put on the air. CBS was the one network which said no. We will decide what goes on our air. Now, I had problems with most of Tommy's shows. Tommy would stick in things that he knew wouldn't get by. I once left in a whole sketch where a guy got the tablecloth caught in his zipper. He really thought it wouldn't get by; I

didn't think it was so bad, I got a million pieces of mail that thought it was disgusting. He said, "I thought you were going to take it out!" You know, it works both ways.

"The show was renewed on a Friday night at five of five when our option was up. But we told Senator Pastore that we would show the tapes to our stations ahead of time. It is the function of every local station to determine whether they want to carry the show. I called Tommy the following Wednesday morning and said, "Tommy, give me the tape because we have to show it to the stations." Wednesday afternoon I'm panicky. I said we have to show it. He said, "You tell the stations that if they don't want to carry it that's fine. But I don't want you guys to touch the tape."

"I'm not going to give up the right, the network will never give up the right to edit and be responsible for everything going out on our air. We have certain rules and regulations and we are going to live by them. Now at that point the lawyers are sitting by and that was one of the most depressing Thursday nights of my whole career. The President of the network said to me, "Where's the tape?" And I said, "I don't have it." And he said, "When are you going to get the tape?" And I said, "I don't know." And in that office at nine o'clock that night a wire went out and cancelled the Smothers Brothers.

"He crucified himself when he didn't have to. Certainly the conservative forces were fighting to keep the Smothers Brothers off the air. But we had renewed him on the Friday before so there was no question that we were looking for an excuse to dump him. But that was the one line if he stepped over he had to get hit. Because the stations will see those tapes ahead of time to decide for themselves, and we will not submit our tapes to the NAB in Washington. The affiliates shall have the final say in the decision-making process. And Tommy decided that he wasn't going to give us the tape. Now, since then Tommy has told me that he gave us the tape, that CBS saw it, he said a million things. And I tell you, as God is my judge, we never got the tape."

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Television Programs in Great Britain: Content and Control

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In reading this report it is essential to bear in mind the scale and limitations of the project. The main purpose of the report is *not* to provide a detailed, comprehensive description and analysis of television program control and program content in Great Britain. Our main hope is that the report should serve as one of four working papers which, when studied together, will hopefully enable their authors to select salient areas for incorporation into an agreed, cross-cultural research design along these lines.

The limitations inherent in such an approach and the short cuts that have been taken in carrying out the work will soon become apparent.