

'The New Enemies of Journalism' by Charles Kuralt

CHANNELS

O F C O M M U N I C A T I O N S

1982 APRIL/MAY

\$3.00

Subliminal Politics in the Evening News

by Walter Karp



**The War between
Cable and the Cities**

**Will Video Save
the Movie Houses?**

**One Man's
Direct-Broadcast Satellite**

**Living in a
Nielsen Republic**

**'Ed Asner',
Starring Lou Grant**

**Yes, the Commercials
Are Louder**



**A Recognized
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Pre-Lincoln's Birthday
KING OF THE KHYBER RIFLES
2 hrs. — 20th Century-Fox

March 26, 27 & 28
Pre-Easter
BRIGADOON
2 hrs. — MGM

April 23, 24 & 25
Spring Festival
JESSE JAMES
2 hrs. — 20th Century-Fox

April 30, May 1 & 2
Pre-Mother's Day
THE RETURN OF FRANK JAMES
2 hrs. — 20th Century-Fox

May 28, 29 & 30
Pre-Memorial Day
THE BLACK ROSE
2-1/2 hrs. — 20th Century-Fox

June 25, 26 & 27
Pre-July 4th
BHOWANI JUNCTION
2 hrs. — MGM

August 27, 28 & 29
Pre-Labor Day
GREEN MANSIONS
2 hrs. — MGM

October 15, 16 & 17
Pre-Halloween
KING SOLOMON'S MINES
2 hrs. — MGM

November 12, 13 & 14
Pre-Thanksgiving Day
FRIENDLY PERSUASION
3 hrs. — Lorimar

November 26, 27 & 28
Pre-Christmas Special
MOGAMBO
2-1/2 hrs. — MGM

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Notes on a Birthday

THIS IS A MILESTONE ISSUE of *Channels*; it marks our first anniversary. I don't want to make more of that modest fact than is warranted, but it does signify, at the very least, that we have won the acceptance mandating another volume. It also means that we have established our identity, which in a certain sense is what our first-year effort was about.

For *Channels* was born in a confusion of magazines. The television explosion of the eighties had unleashed a wave of new publications—some aimed at the trade, some at the consumer—and we found ourselves, unhappily, part of the tide. I say unhappily because the tide had already developed an undercurrent; some new magazines were going under even as newer ones were emerging. Doubts were rising in media circles about the print explosion that paradoxically was accompanying the television explosion. Indeed, the biggest, richest, and most vigorously promoted of the new magazines, Walter Annenberg's *Panorama*, ceased publication after eleven months, the very week *Channels* made its debut.

How could we presume to think our upstart not-for-profit magazine could fly? The answer, then as now, is that we were producing a magazine quite different from the others—one that speaks to people not as consumers but as members of the public. *Channels* was never envisioned as a television magazine in the conventional sense. Rather, it is a magazine about television in relation to the society, a magazine that covers television not as a field but as a force.

In his chapter for a book called *Television As a Social Force*, published in 1975, Kas Kalba wrote what could have been (had we found it earlier) our manifesto:

"There is a need for a new kind of television critic, one who will explore the broader impact of tomorrow's television. . . . The role of this critic . . . most importantly, will be to stimulate us into deciding what kind of electronic community we want to live in—before technology decides for us."

In introducing *Channels* a year ago, I

wrote in this space that it was a *magazine of serious thought about television, for people who read*. Television and people who read were always thought to be in separate orbits, for isn't viewing considered the antithesis of reading? It seemed to the skeptics that we had chosen a lonely road for ourselves.

I am elated to report, twelve months later, that the road has been far from lonely. People have been subscribing at a rate far exceeding our original projections; and the demographic profile, according to a readership study conducted by Scarborough Research last fall, confirms our trust in an audience of *readers*. The study finds that *Channels* is, in the parlance of demographers, decidedly "up-market," which means that the education and income levels of our subscribers are uncommonly high.

Moreover, in enlisting readers, *Channels* has accomplished something quite significant in a single year: It is reaching the three great forces in American telecommunications—industry, government, and the public—and in doing so connects them. The standard trade and consumer-interest magazines sometimes succeed in connecting two, falling one short of the quorum for any useful discussion of the issues.

Thus we begin our second year of publication uniquely positioned as a telecommunications review for an audience of practitioners, policymakers, and thought-leaders, as well as avid followers of media and public affairs, generally.

We have also had a change in management on the business side. George Dillehay has joined us as publisher. He is a man of lively intelligence and infectious energy, who is keenly attuned to the publishing business through previous associations with *The Village Voice*, *The New York Review of Books*, and *Sesame Street* and *Electric Company* magazines.

Now we have a year under our belt and are up to full strength. The signs for *Channels* are encouraging, but institutions aren't built in a single year. So on to the second.

L. B.

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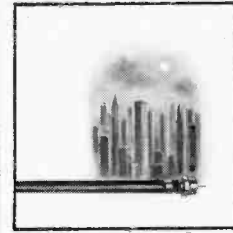


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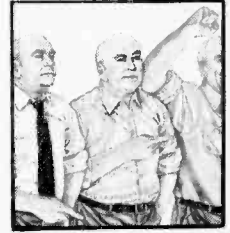


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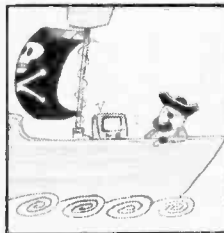


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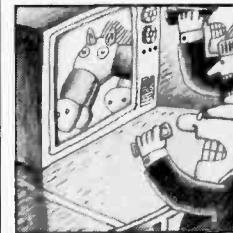


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Cartoons by Jack Ziegler



Not Guilty

To the Editor:

Re *The Public Eye*, "Guilty of Innocence," [February/March]: The range of programming on cable will broaden in the months and years to come and ultimately fulfill the basic mission of our industry. However, one classification of programming that you anticipate will not be offered by UA-Columbia. We do not believe that the so-called "adult movie" services are appropriate for cable distribution, for a range of reasons, including the violation of the spirit, if not the letter, of our franchises.

ROBERT M. ROSECRANS
President
UA-Columbia Cablevision Inc.
Westport, Connecticut

Fowler: The Right Man

To the Editor:

Your piece on chairman Mark Fowler and the FCC [*The Public Eye*, December/January] was, to paraphrase, the wrong article at the wrong time.

About one year ago the American people gave President Reagan the most sweeping mandate in the history of the democratic process to get the government off our backs, out of our lives, and into efficiency. This commission is acting vigorously on that mandate.

To deny that broadcasters needed their consciousness raised with regard to women, minorities, and programming would be wrong. But to point with pride to the jungles of paperwork, unproductive regulations, and ridiculous count-keeping of previous commissions is far worse.

In discussing spectrum space versus newspapers, you speak of "books, billboards, monographs, handbills, etc.," but make no mention of citizens' band, ham radio, teletext, cable's public-access channels, and the soon-to-emerge direct-broadcast satellites that will add thirty to forty more channels.

Why shoot down a program that has not yet begun to operate? I believe what the Fowler commission is doing is valid and

will result in better service, better programming, and the airing of disparate voices. Unless, of course, you think that the Prime Time Access Rule has really worked, that the Equal Time Rule has encouraged the airing of important views, or that the Fairness Doctrine has successfully legislated morality. Broadcast licensees, if left *alone*, will provide the public with more points of view on matters of public importance than the other media combined.

The time has come to take the broadcaster out of short pants and grant him the same First Amendment rights and immunities that newspaper writers and publishers have.

S. JAMES COPPERSMITH
WTOG-TV
St. Petersburg, Florida

Fowler: The Wrong Man

To the Editor:

Thank you for taking on Mark Fowler and the FCC [*The Public Eye*, December/January]. James Watt has an attitude similar to Fowler's, but the resources he has to give away, unlike the airwaves, are tangible and have the conservationists fighting in the state and federal courts.

The facts you spelled out are there to be used by all who want to take on another fight.

MORRIS NOVIK
British Virgin Islands

Who Owns the Air?

To the Editor:

I have been impressed by Les Brown's continuing commentary on the current frenzy for broadcast deregulation, especially his recent column, "Fear of Fowler" [*The Public Eye*, December/January], with which I heartily agree.

However, much of Brown's logic is built upon the supposedly traditional assumption that the broadcasters' obligation to serve in the public interest "comes from their use of the public airwaves—the air that belongs to all the people."

But now listen to Erwin Krasnow, senior vice president and general counsel of the National Association of Broadcasters, testifying on broadcasting deregulation proposals at preliminary hearings by the Subcommittee on Telecommunications, House Committee on Energy and Commerce: "It is 'a shibboleth of fiction' [to assert] that the public owns the airwaves. He said the Congressional Research Service was unable to find any support in law for it. And he said it is, in fact, 'a dangerous notion'" (as reported in *Broadcasting*, December 14, 1981).

One wonders to what extent Mark Fowler and his fellow commissioners share this viewpoint.

DR. HARRIS N. LIECHTI
Radio-TV-Film
The University of Wisconsin
Oshkosh, Wisconsin

The Reign of Spain

To the Editor:

In your last letters column, Bill Neff of Montana State University took me to task for "stargazing," as he put it, because my quote in Ann Crittenden's article suggested to Mr. Neff that I considered *The Fire Next Door*, Tom Spain's landmark documentary, "pure Moyers."

If Mr. Neff would reread the article "The Perplexing Mr. Moyers" [October/November], he would discover that we were discussing a particular scene in that film—an encounter with an elderly Irish woman—as a good example of the special quality that Bill Moyers brings to his work. The moment was indeed "pure Moyers." It also happened to be part of an hour that was undeniably "pure Spain."

Television production is a team enterprise, and producer/director/cameraman Tom Spain is one of those rare talents who qualifies as a one-man team. It was surely not my intention to deny him credit for *The Fire Next Door*, nor, I suspect, was it Mr. Neff's intention to suggest Bill Moyers should not be credited for his contribution.

MARTIN KOUGHAN
CBS News
New York City

Illustration by Barry Shapiro

March 9th marked the completion of Dan Rather's first year as anchorman and managing editor of The CBS Evening News.

In that time, Dan has become America's Number One newsman: More homes tuned to The CBS Evening

News in the past year than to any other nightly news program on network television. All in all—quite a year!



THE CBS EVENING NEWS WITH DAN RATHER

A World Of Difference

©CBS NEWS

Source: Audience estimates based on Nielsen Television Index, SIA Preliminary Average Minute Household Rating Estimates, March 9, 1981-February 26, 1982. Nightly network news defined as Monday-Friday telecasts (excludes all telecasts of one minute duration). Subject to qualifications available on request.

DID YOU MISS ANY OF THESE IMPORTANT STORIES?

HERE'S YOUR CHANCE TO CATCH A RERUN

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L E T T E R S

Taking Issues

To the Editor:

I found the piece by Charlie Dodge, "Should Corporate Advertisers Be Allowed to Sell Ideas?" [February/March], particularly thought provoking. Dodge does a creditable reporting job on one aspect of the dilemma facing communicators in a not-quite-so-free enterprise situation: How much freedom of expression is enough, and who shall do the expressing? Perhaps, in another issue, he can touch on the use of entertainment to sell ideas, as in *Quincy*, *Archie Bunker*, and a score of other popular television shows.

One thing about corporate idea pushing: It is up front. Even here in the backwoods, the natives are sophisticated enough to know that Mobil does not have a vested interest in the nationalization of the oil industry.

Personally, I hope to live to see the day when telecommunications are fettered only by the laws of libel and slander. Do you reckon it will ever come?

GLENN D. EBERHARDT
Editor
The Chesterfield Advertiser
Chesterfield, South Carolina

The Access Rule Really Works

To the Editor:

I write in response to your recent article, "The 7:30 Shuffle" [CrossCurrents, December/January]. Even though you are absolutely correct when you state that most station executives originally opposed the imposition of the Prime Time Access Rule, more than 90 percent of the station members of the National Association of Television Program Executives (NATPE) now support retaining or strengthening the rule. Since NATPE's voting members seldom have a financial interest in the stations they serve, it would be unfair to characterize their reaction as financially motivated.

It is true that few stations and independent producers were willing to invest heavily [in programming] during the early years of the Prime Time Access Rule's existence, due to the continued debate at the FCC. The debate ended with the third revision of the access rule, and now the rule is doing exactly what the FCC intended.

You state that "the market forces at 7:30 have yielded only two original hits, *The Muppet Show* and *PM Magazine*,

and scant few local programs anywhere in the country." Facts simply do not support this charge. What about *In Search Of*, *OMNI*, *People's Court*, *Entertainment Tonight*, *You Asked for It*, and dozens of other programs that have proven successful for one or more seasons?

Including local news, a total of 14,326 hours is produced locally on affiliated stations in the top fifty markets between 7 and 8 P.M. each year, based on local programs offered during the fall of 1981. Between 7:30 and 8 P.M., stations in the top fifty markets will present a combined total of 6,786 local hours each year, or more than 130 hours each week.

You complete your article by charging that "the 7:30 slot remains a free-market haven for the game show." In fact, during the current season, game shows represent only 19 percent of the access schedule, and 58 percent of the total game-show time periods are filled with *Family Feud*. It should be noted that NBC, a major critic of the Prime Time Access Rule, is televising *Family Feud* on all its owned and operated stations.

During the five-year period that immediately preceded the implementation of the rule, the networks televised such memorable products as *Batman*, *Green Hornet*, *Animal World*, *Gilligan's Island*, *Mr. Ed*, *The Monkees*, *Get Smart*, *Second 100 Years*, *The Dating Game*, *Let's Make a Deal*, and *Storefront Lawyers*.

It appears clear that the FCC's intent to stimulate local programming and first-run syndicated programming, and to reduce the major networks' dominance over prime time, have all been aided by the implementation of the Prime Time Access Rule.

C. STEPHEN CURRIE
President, NATPE International
Portland, Oregon

It's a Dog's Lifestyle

To the Editor:

Re "Man Bites Media" [February/March]: Not only was there actually a "Cathouse for Dogs" in New York City, but in recent years a number of other canine diversions have cropped up.

The most controversial of these, of course, is the midtown establishment for dogs that are into swinging. Surely you've heard of it — "Pluto's Retreat"!

ANDREW S. PORETZ
New York City



“IN THE NEWS” HAS KEPT A GENERATION OF CHILDREN IN THE KNOW.

For more than a decade, “In the News,” our Saturday morning series of news reports for young people, has been a prime factor in keeping children informed about what’s happening in the world.

A recent Gallup poll proves it.

The teenagers surveyed were only 3-8 years old when they first started watching “In the News.” Nearly 90% say they learned from it. More than half report that, along with school, family and friends, “In the News” was a major source of information on current events and global affairs.

Some people claim you can lead kids to television but you can’t make them think. Don’t you believe it. We’ve been doing it for years.

 **CBS NEWS**

OUR PAST IS CHANGING TELEVISION'S FUTURE

On May 7, Greater Cincinnati entered a new and exciting era—the era of interactive cable television.

Only one other city now enjoys a full-scale two-way system. Columbus, Ohio. It's been going strong there for three and a half years.

Both Ohio systems are called QUBE by their developer. That's us. Warner Amex Cable.

More are on the way. Soon subscribers in Houston, Pittsburgh, Dallas and St. Louis County will be able to enjoy the excitement of interactive TV.

Most companies competing for cable franchises in other cities now propose interactive services. But only Warner Amex actually operates a full-scale system, and has the experience.

8 YEARS OF INTERACTIVE CABLE EXPERIENCE AT WORK TODAY.

A lot of people thought interactive cable was just a fad. They were skeptical when we spent five years developing and testing the QUBE system before making it fully operational in Columbus three years ago.

People with vision willing to take a chance are often dismissed by more conventional thinkers. It was a big risk for us. But it was worth it.

HOW OUR EXPERIENCE WORKS FOR YOU.

Warner Amex has experience and know-how unmatched by any other cable company in the country. Our experience in Columbus enabled us to refine our technology and expand our horizons.

More and more people will soon be enjoying the QUBE experience, using television as a shopping center in their own homes, as a home security system, as a new way to retrieve information, to take college courses for credit, to express opinions on key issues of the day, and of course, to be entertained.

They'll be able to choose on an individual basis the widest variety of shows, sports and specials available. And it was all made possible by Warner Amex.

QUBE. Only Warner Amex has it.

Because of us, television will never be the same.



**Warner Amex
Cable Communications Inc.**
75 Rockefeller Plaza, New York, NY 10019



The revolutionary BT-1300, the new Warner Amex QUBE console. Just press the appropriate buttons to select any one of scores of channels. "Talk back" to your TV set. Express your opinion. Play games. Shop at home. And much more.

Q U O V I D E O

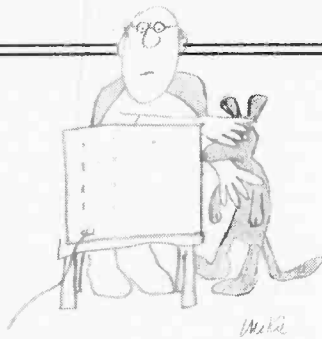
COMPILED BY BRAD JAFFE AND PETER ROLLINS
Illustrations by Roy McKie

Death Imitating Art

TELEVISION, which has been accused of many sins in its time, is now being blamed for the death of twenty-six viewers and the injury of two others. According to the National Coalition on Television Violence, repeated cable and independent television showings of the movie *The Deer Hunter*—specifically, its Russian roulette sequences—are responsible for the deaths.

Since the first of these deaths in 1978, the coalition has lobbied unsuccessfully to have cable and independent television programmers delete the controversial scenes. (Citing these scenes, the networks declined to bid on the film.)

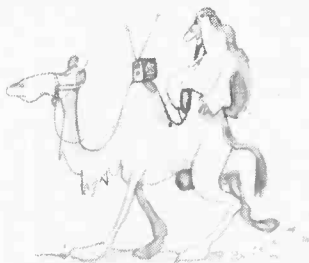
According to Dr. Thomas Radecki, president of the



NCTV and a psychiatrist, "for every one million to two million viewers, approximately one death is occurring" as a result of a viewer imitating what he or she has seen, not because of suicidal tendencies or depression.

"Not a single episode of Russian roulette torture is reported to have occurred in Vietnam," Radecki points out, "but now it's happened twenty-eight times in America."

Videotex for Tourists



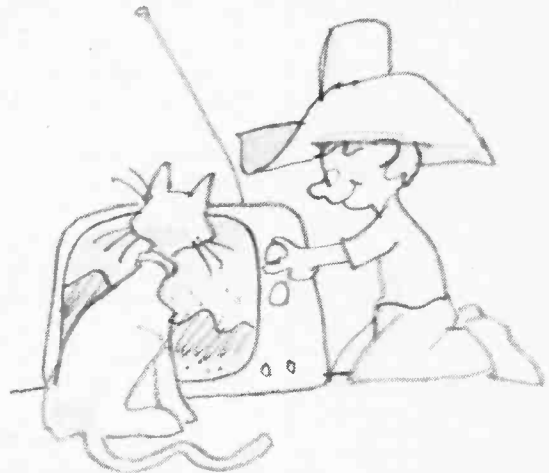
WITH the installation of 120 terminals in Paris hotels and public kiosks, the French communications ministry has launched Cititel, a new interactive videotex system that will provide a unique information service for tourists. The subjects range from the locations of museums and restaurants to the latest postal tariffs.

Citel offers two different systems, one interactive and the other providing a continuously recycling scroll of information for tourists. The interactive terminals promise to

be a boon to the concierges of Parisian hotels, allowing them to answer tourist inquiries by punching simple phrases into the terminal. A key-word combination such as "Rep/Ford," for example, brings up information on repair shops for Ford vehicles.

The terminals with the scrolls, installed in kiosks around Paris, contain 4,500 videotex "pages" of information. Cititel may be a big step towards improving France's reputation as a country notoriously rude to tourists: The machines are polite and patient.

Adolescents Get Answers



FIVE YEARS AGO, New York's Cablevision of Long Island developed a community service program guaranteed to make parents eager for their children to watch television. Called *Extra Help*, it was essentially a tutoring show to assist high school students with their assignments in math and science. Local teachers, working with a blackboard and telephone, went on cable to answer students' questions about homework.

Extra Help is still a going enterprise, three hours every

Monday through Thursday night, on the Cablevision systems in forty-one Long Island communities. On a typical evening, around fifty calls are answered.

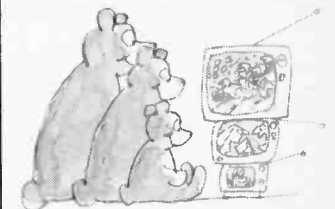
But the scope has now expanded beyond homework. On Bob Baker's health segment, for example, the questions are apt to be about venereal disease, family problems, and even suicide. "The kids do want to know about these things," Baker says, "and the call-in format gives them the anonymity to ask."

Public Cool to Contraceptive Ads

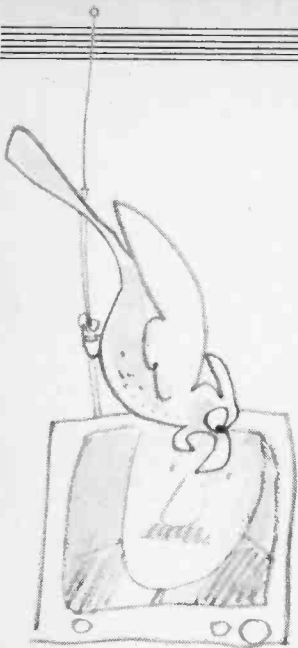
SHOULD contraceptives be advertised on television? According to a new NAB-sponsored poll, a slim majority of Americans doesn't think so. The finding will dismay advertisers and such groups as Planned Parenthood, which have been pressuring the association to drop the prohibition from its Broadcast Code.

Fifty-three percent of the sample group said they opposed the ads on principle. But opposition was even higher—67 percent—when people were asked whether they approved

of ads for specific products, such as condoms, jellies, and foams. Also, opponents of the ads reported that the issue "mattered a great deal to



them," while those who didn't object "were not as involved," according to an NAB official. In light of the poll, the NAB is not likely to relax its position any time soon.



A Noisy Peacock?

FOR YEARS, AM radio stations have tried to attract listeners by broadcasting a louder sound than their competitors. Now one New York City television station seems to be resorting to this old trick in an effort to improve its ratings. According to some engineers at CBS, the NBC-owned station on Channel 4 has stolen the thunder of AM stations to produce a louder sound. An informal check of sound levels on several television sets in the New York area—accomplished merely by turning the dial—finds that WNBC-TV does indeed come up louder than the others. But WNBC chief engineer Ed Knapp says, “It’s absolutely not the case.” He suggests we have our television sets checked.

Defaming Defamation

LATE-NIGHT radio call-in programs often give the impression that we are a nation of bigots. According to a study of call-in shows in Philadelphia, that’s because disparaging remarks about minorities outnumber complimentary ones by more than eight to one. On one station, the bigoted remarks and racial and religious slurs outnumbered favorable comments thirty-four to one.

Commissioned by the American Jewish Committee (AJC) in response to complaints about defamatory remarks, the study was conducted by Professor Dennis T. Lowry of Temple University. He and an assistant noted remarks about twelve target groups—whites,

blacks, Puerto Ricans, Mexican-Americans, Cubans, Haitians, Protestants, Catholics, Christians in general, Jews, other minorities, and welfare recipients.

They found some shows more offensive than others: Derogatory remarks occurred ten times an hour on one program; on another, fewer than one an hour. Whites were the prime targets on two shows, Protestants (mainly evangelicals and fundamentalists) on the other. Blacks comprised the second most slandered group on all three shows, while welfare recipients ranked high on two shows but weren’t mentioned on the third. The study also found that the shows’ hosts often baited callers to encourage bigoted comments.

The Kids Lose Out

AFTER twenty-seven years as a fixture in early-morning television, *Captain Kangaroo* is an endangered species. An Action for Children’s Television survey finds the program is no longer aired in more than half the top fifty television markets—not since CBS moved it to a 6:30 A.M. time period so that its news program, *Morning*, could span two hours.

Peggy Charren, president of ACT, points out that *Kangaroo* has for years been the only daily network program designed for children. She appealed to the FCC to take steps to insure adequate and diversified programming for young people.

Electrifying Trade Magazines

BUSINESSES may one day bypass mail delivery and receive their trade newsletters electronically, if a joint venture of Television Digest Inc. and Independent Publications proves successful. *Communications Daily* is now available on “Newsnet,” an electronic business-information network that can be delivered over telephone lines to virtually any communicating printer, word processor, or computer terminal.

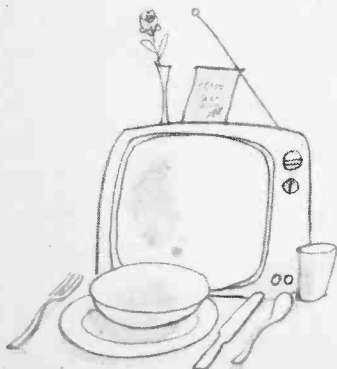


“Newsnet” offers businesses efficient information retrieval—instant access to an ever-increasing, fully cross-indexed store of communications news. In experimental use since the first of the year, “Newsnet” begins full com-

mercial operation this spring, when *Television Digest*, *Satellite Week*, *Public Broadcasting Report*, *Video Week*, and *Television Factbook* will be added to its information banks.

Initial response has been overwhelming: “More than to any other new service we’ve offered,” says Jonathan Miller, coordinating editor of the project. “Businesses now have these computer terminals and want to put them to good use. This is an excellent opportunity for trade publications.”

Ads à la Carte



THE FRONTIER of television advertising today is in the unlikely community of Peabody, Massachusetts, where local cable subscribers are volunteering in a ten-month experiment with new forms of cable advertising.

CABLESHOP, using four of the system’s fifty-two channels, allows viewers to see only the

ads they choose. If they’re thinking of buying a car, for instance, they select car manufacturers’ ads from the “menu” channel, request them by telephone, and watch them on one of the other three channels.

Instead of the usual wham-bang thirty-second spot, these more informational ads take between four and eight min-

utes to make their sales pitch.

The promoters, Adams-Russell and J. Walter Thompson, hope to see CABLESHOP become a community bulletin board attracting local advertisers as well as national ones. “We’re testing cable’s interactive potential for advertising,” says Tom Hall, Thompson’s creative director. “We hardly know where this thing is going to lead us.” ■



Defendant for a Day

TO JUDGE from the strange new life forms television has produced lately, Hollywood is borrowing from modern biology in its quest for fresh programming ideas. In ever more bizarre combinations, producers are splicing chromosomes from television's enduring genres to create new ones: The variety show is joined to the news to produce *Real People* or *PM Magazine*; standard sports coverage is mated to the talk show to yield those *Battles of the Network Stars*.

One of the most arresting mutations this sort of genetic engineering has yielded is a very successful syndicated program called *The People's Court*. On first inspection, the program looks like a breakthrough in *vérité* television: real defendants and plaintiffs with real disputes, which are settled by a real (although retired) judge, Joseph Wapner. Justice in *The People's Court*—which is hardly the socialist tribunal it sounds like—works basically as follows: The producers ap-

proach plaintiffs and defendants scheduled to appear in a California civil court and offer them a deal. If the litigants agree to drop their real suit and instead have it settled in television court by a somewhat real judge, both of them will receive a fee, and the producers will pay any damages.

Enough litigants jump at this offer to supply *The People's Court* with at least two cases every weekday. In "The Case of the Feuding Philatelists," a stamp dealer and a collector argue over the price of a packet of stamps. In another case, a parent wants a tuition refund from a private school that refused to make good on a promise in its catalogue. This is hardly the stuff of *Perry Mason*, or even *Divorce Court*. So what accounts for the great popularity of *The People's Court*?

Deft genetic engineering. Rather than rely strictly on realism, the producers have joined these tales of ordinary life to something a lot flashier. In fact, they have successfully exploited a little-known principle of genre splicing: The less alike two genres are, the more titillating will be their offspring. Thus the naughty little *frisson* that's produced when Barbara Walters brings the tools of the hard-bitten journalist to bear on the secret lives of celebrities.

And what two television genres does *The People's Court* join together? Why, the courtroom drama and the daytime game show, of course. Consider: The show always begins with a youthful, hot-combed master of ceremonies, who introduces the litigants to the accompaniment of theme music, giving each one's background and explaining how the game is

played. Then the contestants enter the docket, taking their places in front of two lecterns, one marked "Plaintiff," the other "Defendant." The obligatory studio audience is decorous by game-show standards; this is, after all, a courtroom.

As in a game show, the object of the contest—to determine, say, the price of a bag of groceries—is beside the point. What matters is the spectacle of two ordinary Americans taking part in a nationally televised competition, from which one will emerge victorious and both will emerge somewhat richer. So, undeterred by the banality of their dispute, the contestants strive earnestly to satisfy the judge's interrogatories. The climactic moment approaches as Judge Wapner retires to his chambers (or dressing room). After the commercial break, he returns to render his verdict. Finally, the MC congratulates the victor, consoles the loser, and sends them on their way. May we have our next litigants, please?

Ever since biologists started splicing genes, people have worried that bizarre new mutations of life might proliferate and eventually endanger us. Certainly *The People's Court* is a bizarre mutation of life. And already it is spawning others like it: Four "judicial entertainment" shows are in development. The producers of one, *Custody Court*, said in a recent ad: "Nothing can match the drama and emotion of parents battling one another for the love of a child." *Custody Court* is coming this fall.

MICHAEL POLLAN

Michael Pollan is senior editor of Channels.

THERE IS A STORY in *Brideshead Revisited* that ought to be told, because it suggests why programs like *Brideshead* so rarely emerge from the American television industry.

In the summer of 1979, producer Derek Granger found himself, along with other members of his union, dutifully picketing his company, Granada Television. Granger had completed three months of filming on *Brideshead* when a strike against Britain's entire commercial television network brought all production to a halt.

As the weeks wore on it became clear that *Brideshead*, a \$10 million project, could become one of the strike's most serious casualties. Each successive week

(Continued on page 55)

Revisiting *Brideshead*



Congratulations
CHANNELS OF COMMUNICATIONS
on an outstanding first year

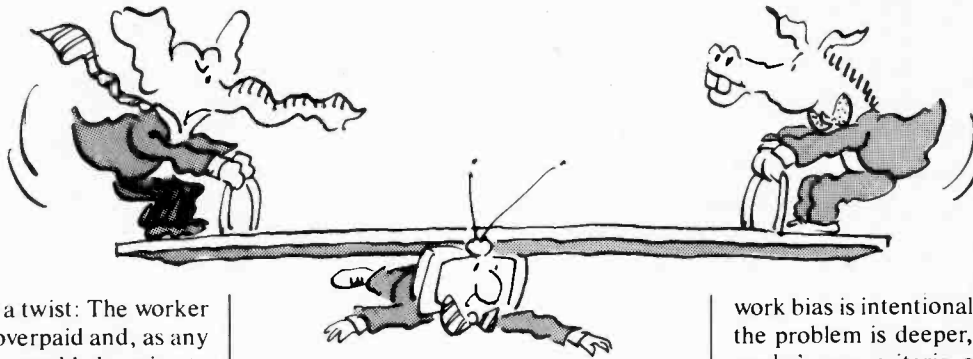
*As we at Home Box Office, Inc.
celebrate our tenth anniversary year,
we remember the challenge of shaping an idea into a reality.*

*We applaud your achievement
and thank you for your important and exciting contribution
to the understanding of the new technologies.*



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Republicans Buy Air-time, and Democrats Ask: IS THERE A FAIRNESS DOCTRINE IN THE HOUSE?



by Michael Schwarz

IT'S A PAYDAY with a twist: The worker thinks he's been overpaid and, as any honest American would, he tries to return the check. But an authoritative voice off-screen announces that the extra money is his, the result of President Reagan's tax cuts. Delighted, the worker declares, "You boys are doin' a fine job." The voice bids farewell: "Republicans. Leadership that Works. For a Change."

That's the plot of a thirty-second spot made by the Republican National Committee (RNC), one of three on the economy that have already aired on national television. (Another shows an animated monster—with the catchy name "Federal Tax Bite"—gobbling up big chunks of the good things in life until the Republicans come along and tame it.)

These spots have the Democratic National Committee (DNC) seeing red. Claiming that they constitute "a national broadcast campaign, during a non-election time, designed to drown out with its own loud voice the hushed tones of dissent," the Democrats have filed a Fairness Doctrine complaint against CBS and NBC. (ABC declined to run the spots; the network's policy is to air ads on controversial issues of public importance only during late-night, sixty-second slots, which the Republicans did not want.)

The Democrats want free time to respond: "The planned expenditure of funds for these commercials," argues their complaint, "far exceeds the funds available to any spokesperson for the opposition viewpoint. Such a result creates precisely the sort of monopoly over the marketplace of ideas that the Fairness Doctrine was designed to prevent."

The RNC spots—the first to air outside an active electoral campaign—have their origins in the Republicans' 1980 campaign blitz, which Congressman Guy Vander Jagt, chairman of the Republican Con-

gressional Committee, described as the "first major non-candidate political advertising in history." Surveys conducted after the election found that the campaign's theme—the need for a change—was the main reason people offered for voting Republican. Buoyed by this success, the RNC launched its current campaign with a budget of more than \$9 million. Its goal this time is to increase the Republican majority in the Senate and to elect a Republican House of Representatives in November. Announcing the new blitz, Vander Jagt said, "It has a depth of coverage that we know will bring the message of the Republicans in Congress to all Americans."

That's exactly what worries the Democrats. Their complaint argues that "by their frequency and timing [the Republican ads] have dominated with a single view the broadcast discussion of the impact, equity, and effectiveness of the Reagan Administration's economic program [and have] in effect overwhelmed other points of view and perspectives necessary for the American public to make a fully informed decision on this critical issue."

But more is at stake than ads: The Democrats also charge that network news is "heavily tilted towards the RNC views." They say this in response to the networks' contention that, even counting the ads (which didn't run many total minutes), their overall coverage is balanced, it fairly portrays the Democrats' position, and it affords "reasonable opportunity" (as the Fairness Doctrine stipulates) for the presentation of viewpoints opposed to the Republicans'. The Democrats' sweeping allegations require the Federal Communications Commission to judge not only the effect of the ads but the nature of network news coverage.

The Democrats don't claim that net-

work bias is intentional. They suggest that the problem is deeper, rooted in the networks' very criteria of newsworthiness: "[Their] practice of generally accepting that every Presidential event or statement is newsworthy leads inexorably to dominance of television coverage by an incumbent President."

Using abstracts of network news programs aired during the autumn of 1981 (roughly the same period the ads ran), the DNC analyzed the content of evening news reports on Reagan's economic program. In October, the time devoted to Republican views outweighed that accorded Democratic ones by four to one at NBC and two to one at CBS. Between mid-November and mid-December the imbalance was even worse at NBC, with ten minutes devoted to Republican views and just more than one minute to the Democrats'; by then, however, CBS was giving slightly more time to the Democrats' views than to the Republicans'. Overall, Republican views were favored by 2½:1 on NBC and 2:1 on CBS.

Added to what they view as biased coverage, the airing of a multimillion dollar ad campaign, say the Democrats, has "completely distorted the already perilous balance of national broadcast debate on these issues." It is absurd, they continue, for the networks to claim that the ads' impact is balanced by their overall coverage. The networks must admit either that \$2.3 million spent on television advertising "has had no effect on the public," or that the Republican ad campaign only rectified a previous imbalance in their coverage.

The Democrats are likely to have a difficult time proving that CBS and NBC have violated the Fairness Doctrine. The FCC has traditionally been reluctant to overturn broadcaster judgments except in cases where the broadcasters have been clearly unreasonable. One study showed that of 49,801 Fairness Doctrine complaints received by the commission in one four-year period, only 244 were deemed

Michael Schwarz is associate editor of Channels.

Illustration by Wallop



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THE RADIO STATIONS OF THE NEW YORK TIMES (212) 556-1144

(Continued from previous page)
valid for the commission to pursue—and this was before the FCC formally urged Congress last September to repeal the Fairness Doctrine.

If the Democrats do persuade the commission of a violation, they still must demonstrate that they should receive free time rather than pay for it. The legal arguments have a serpentine complexity, but essentially they rest on precedents set by two rulings, known as *Cullman* and *Zapple*. In the former, the FCC ruled that when a broadcaster has sold time to one side but has not presented (and has no plans to present) the views of the other, it could be obliged to provide opponents with free time "to protect against the complete dominance in debate of those views which are well funded." The *Zapple* ruling, which applies during political campaigns, is an exception to *Cullman*. Under *Zapple*, when supporters of one candidate receive paid or free time from a station, the broadcaster must provide opponents' supporters with a "quasi-equal opportunity"—in other words, paid or free time. It is not necessary to balance paid announcements with free time because "it would be inappropriate to require licensees to in effect subsidize the campaign of an opposing candidate. . . ."

Whatever the result of the Democrats' efforts, their complaint raises questions not only about television but about the political process itself. What happens when one political party can out-spend others, buying up television time to spread its message? Are we prepared to allow market forces to determine the nature and extent of the political information most of us receive? In one way or another, all these questions bear upon the delicate balance between the public's First Amendment right to be informed of diverse viewpoints, and broadcasters' freedom to determine the nature of the "reasonable opportunities" they must provide under the terms of their licenses.

No answers to such tangled problems as the Democrats now raise can be easy or lasting. In February, in a case raising similar issues, the Supreme Court decided that limits on "independent expenditures" supporting or opposing political campaigns were unconstitutional infringements on free speech. The decision gave Democrats due cause for concern: During the 1980 campaign, "independent expenditures" by individuals and political committees put \$12 million behind Ronald Reagan, and only \$46,000 behind Jimmy Carter. In times such as these, the Democrats' complaint forces us to confront fundamental political questions—and reminds us why it was ever necessary to invent a Fairness Doctrine. ■

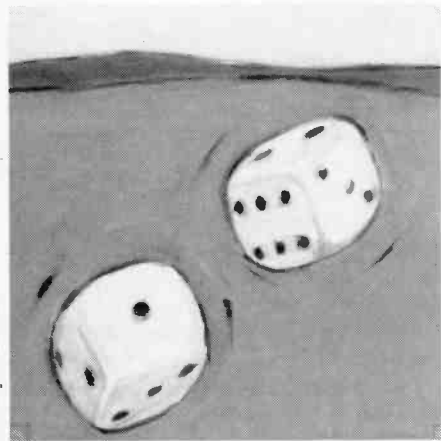
Gambling on Public TV

AS FEDERAL and state subsidies shrivel, public broadcasting is desperately casting about for schemes to keep itself alive. Remedies once considered too drastic or painful—like allowing commercials on public television—are already being administered experimentally.

Recently, a public broadcaster from North Dakota hit on a new scheme that is as painless as it is lucrative. Under a new state law permitting nonprofit organizations to raise money through games of chance, Prairie Public TV opened nine casinos across the state, from Bismarck to Fargo. Business at the blackjack tables has been brisk, even with a \$2 betting limit.

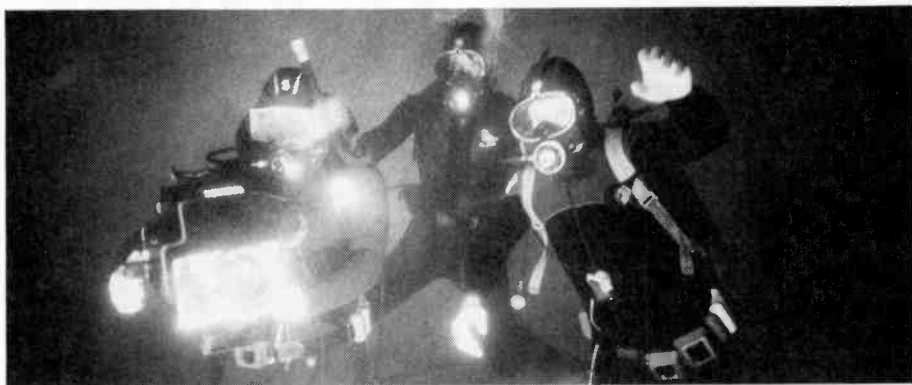
"If our projections are right, this is literally a lifesaver," says Dennis Falk, Prairie's president and general manager. Casino revenues are expected to reach \$310,000, almost enough to offset the \$400,000 in government cuts that the company suffered this year.

North Dakota's novel gaming statute—which is attracting the interest of neighboring states—allows Prairie and



Wendy Burden

similar outlets to rent space in bars and cocktail lounges, hire a staff, and set up games such as blackjack, bingo, and "pull tabs" (a kind of lottery). Slot machines and poker are prohibited. Approximately one-third of the take covers overhead, 5 percent goes to the state, and the rest flows into Prairie's coffers. Since the broadcaster dealt its first hand several months ago, its gaming operations have grown so swiftly that Prairie now employs twice as many croupiers and security people as broadcasting personnel.



Live: From the Depths

THE DOLPHINS in San Francisco's Steinhart Aquarium must have wondered why four humans carrying lights and cameras recently invaded their tank. If they'd had a television set, they would have learned that the humans were making news. Well, not exactly making it. They were manufacturing it.

There are apparently no depths to which some television stations won't sink in their attempts to attract audiences. To introduce a special series of programs shot underwater in Mexico's Baja California and the Sea of Cortez, KGO-TV, San Francisco's ABC-owned station, sent reporter Lee McEachern to the local dolphin tank. Along with his colleagues on the crew, McEachern donned scuba gear and joined the dolphins to make history.

This was history of a modern sort: "As curious dolphins swam by," announced the station's modest press release, "McEachern conducted what is believed to be the first underwater live remote broadcast, as viewers saw and heard him communicate with Jerry Jensen and Terry Lowry on the anchor desk back at the studio."

It's not hard to understand why the dolphins were curious. In addition to McEachern, they had to make room for a cameraman, a lighting man, and marine biologist Dr. John McClosker. The crew's minicam fit into a custom-designed camera housing. McEachern and McClosker spoke into microphones attached to their facemasks.

Why, the dolphins must have wondered, were these people going to so much trouble simply to communicate instan-

taneously with their anchor desk? Judith Rich, the station's manager of press information, answered that question: "Vaudeville! No, well, honestly, we have the capability technically, we are expanding our coverage ability, and it was a test run that worked. We believe we're the first to do it."

This "first" will presumably give KGO a competitive edge should something newsworthy occur underwater. But if the world proves less than cooperative, the KGO reporters will have to create more news with their new equipment. Else the technology might be wasted and history cheated.

Creeping Commercials

WHILE THE OTHER two networks are struggling to gain affiliate support for a one-hour nightly newscast, ABC is dickering with its member stations for something else—a larger serving of prime-time commercials, about fifteen more half-minute spots a week, which would bring the total to around 295. If ABC can pull it off, the other networks will surely follow, and that will mean forty-five more commercial pitches each week in the peak viewing hours.

Why does ABC want to do this? Because it is faced with the double jeopardy of rising program costs and slippage in its share of the audience due to competition from cable and independent stations. Why would the affiliates even consider ABC's proposal? Because, as part of the trade-off, the network would give the stations four more local advertising positions in the prime-time schedule. Local spots

during network shows catch large audiences and fetch high prices; seemingly, everyone gets richer in the deal.

You may wonder where this additional advertising time will come from. ABC says it will cut back on promotional spots for network shows, but it's obvious that the programs themselves will have to be shaved, maybe a few seconds each.

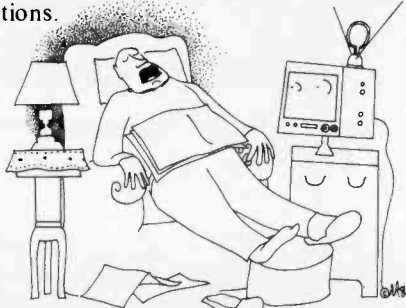
"The viewer won't notice it," the head of a leading group of broadcast affiliates remarked, "but we're still not sure it's a good business idea. The way we figure it, the networks, with their extra spots, will have close to \$200 million more a year in revenues. And that's money that gets skimmed out of our pot — the spot market. We may think we're gaining something with the extra local commercials, but we may actually be the losers. We have to do an analysis. It could be a lousy deal for us."

It may surprise some readers that the networks can't take any action they wish. They need affiliate approval for an expansion of their commercial time, because the networks are nothing if the affiliates refuse to carry their shows. In 1966, when ABC tried to ram through an extra commercial minute in *Batman*, it had an affiliate revolt on its hands. Lest it damage a hot show, the network backed off and quickly complied with the old rule of scheduling no more than six minutes of commercials an hour in prime time. This is not a Federal Communications Commission rule but an agreement of long standing between all networks and their affiliates. (An exception is made today in prime-time movies and sports events, which, because of their high costs, get a larger allotment of commercials.)

If the networks were to try adding an extra commercial in their programs without affiliate permission, local stations could either decline to carry the show or

cover up the unwanted advertisement with a public-service announcement.

There has been a long history of dispute between the networks and their affiliates, growing out of the fact that they compete for the same advertising dollar. The affiliates usually get the leftovers of advertising budgets earmarked for network television. When the networks, with their limited inventory of spots, have no more time to sell General Foods, General Motors, or General Tire, those advertisers put the rest of their budgets into local spots. Thus, when the networks add programs or commercial time, they deplete an important revenue source for local stations.



Andrea Albatone

ABC is playing with fire. To start with, the extra spots may yield less money than the network expects, due to the supply-and-demand vagaries of the television market. Prices for thirty-second network spots are high today because the spots are relatively scarce — demand for them far exceeds supply. Adding commercial slots in prime time would slacken that tight supply. The new network spots would not be worth as much as the typical prime-time spot is worth in the current market, and the additional ads would also cause rates for other commercial time to come down — including the rates for the new local prime-time spots the stations would be getting. More advertising minutes do not necessarily translate into greater revenues and profits.

Taking Your Time

TIME IS THE SPOILER. It is scarce in the modern world and growing scarcer just when technology and business are serving up a lavish, groaning board of electronic goods and services. How can we possibly consume these wonderful new things when they consume our time?

Marcella Rosen, a senior vice president of N. W. Ayer Inc., the advertising agency, is concerned about how the constraints of time will affect media habits, and has done some arithmetic. A week consists, of course, of 168 hours. The average adult spends around forty-five hours working and traveling to the job. Another fifty-six

hours are used up in sleeping. Eating takes up twenty hours, she says, and reading about ten. Twenty-seven more go to watching television, by her calculations. That leaves twenty hours a week for everything else, which she summarizes as "running, shopping, fighting, helping with homework, visiting family, visiting friends, doing laundry, going to a ball game or movie."

Something has to give. Video games, as we know, have already bitten into eating time for many people. We may also have to do with less sleep, less exercise, fewer friends, and twice-worn shirts to get the most of what life has to offer today.

But a more dangerous assumption is that the public won't notice and won't care. Pay television is succeeding not because it offers newer movies than the networks do, but because it has no commercials. FM radio became attractive in part because it carries less advertising than AM radio, which is now trying to catch up by cutting back. There is a good chance that by lengthening the commercial breaks, the networks may be shortening their lives.

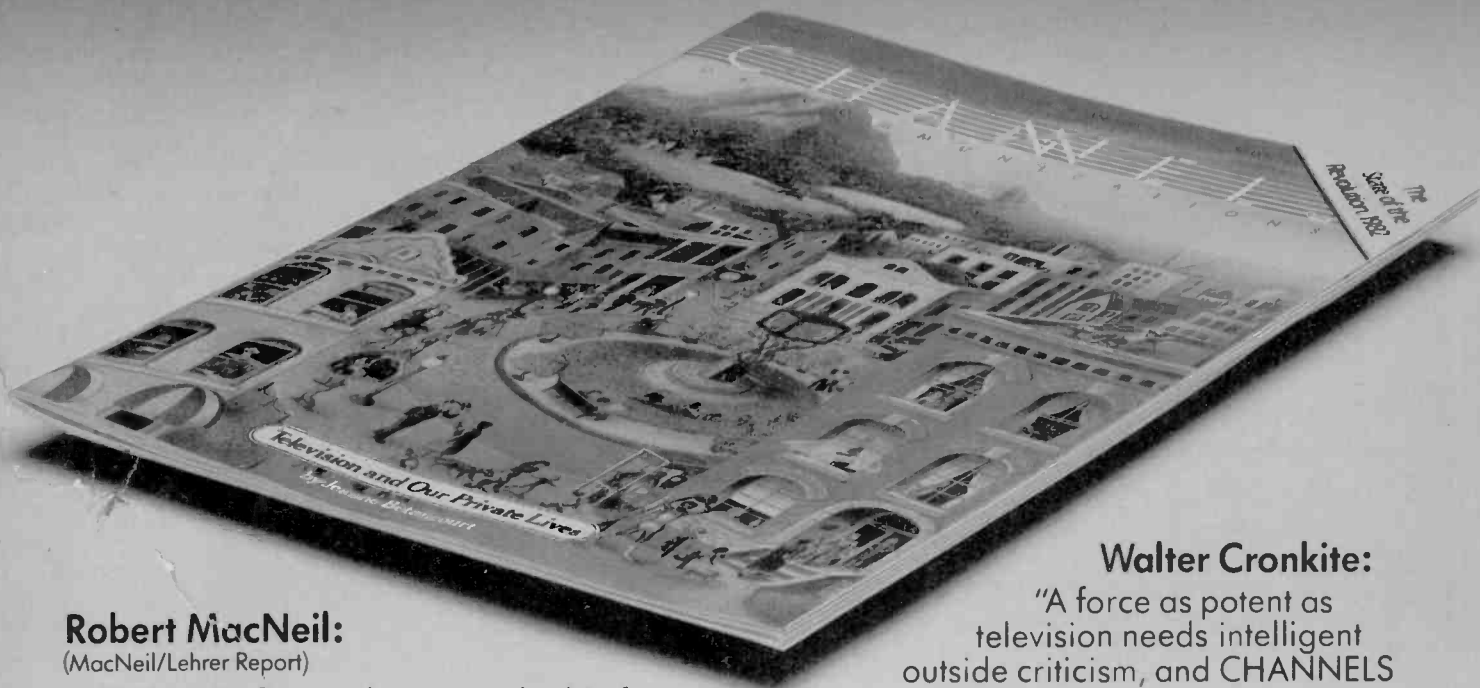
Uncommon Market

THE RCA video-disc player, which cost \$200 million to develop, made an inauspicious start last year, falling far short of its sales goal of 200,000 units. By some estimates, only one-third of that number were purchased at retail, and many of those at drastically marked-down prices, despite a \$20 million national advertising campaign. But it would be premature, on the basis of that record, to judge the video phonograph a flop. Some experts believe the market is there, but not here — that is, not in the United States.

The United States may be the richest market in the world, but it is also the most television-saturated. The RCA disc player was simply ill-timed for America. Seven or eight years ago it could have been a smash, coming before most Americans could look forward to many-channel cable installations and pay-television networks carrying movies and concerts uncut and without commercials — and before the advent of the video-cassette recorder, with its ability to tape off the air as well as play back prerecorded shows. In this kind of market — with direct-broadcast satellites yet on the horizon — the mechanical video-disc player, for all its ease of operation, has been superfluous.

Western Europe offers other opportunities, however. As William Donnelly of Young & Rubicam pointed out recently, there is more television in New York at 3 A.M. than in Frankfurt at 3 P.M., which is why there are proportionately twice the number of video recorders in Germany (and also in England) as in the United States. In the Netherlands, Venezuela, and the Middle East, the VCR penetration is nearly three times as great as it is here. Wherever only two or three channels of broadcast television are available, the RCA video-disc device — which is cheaper than the video-cassette recorder — should find a ready market. The RCA disc player may eventually make it in its native country, but it will probably have to take the long way around.

YOU CAN JUDGE A MAGAZINE BY THE COMPANY IT KEEPS



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(MacNeil/Lehrer Report)

"CHANNELS provides an invaluable forum for thoughtful writing about television, the medium that now dominates our culture."

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"Perhaps the greatest single self-serving failure of the mass media has been their blackout of news about changes in telecommunications, which will further alter the balance of power in our democracy. CHANNELS covers what they do not. It is indispensable."

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"CHANNELS is well edited, well produced, well written, and for all those reasons, very well worth reading—by insiders, near insiders, and interested outsiders too."

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The Viewing Is Easy

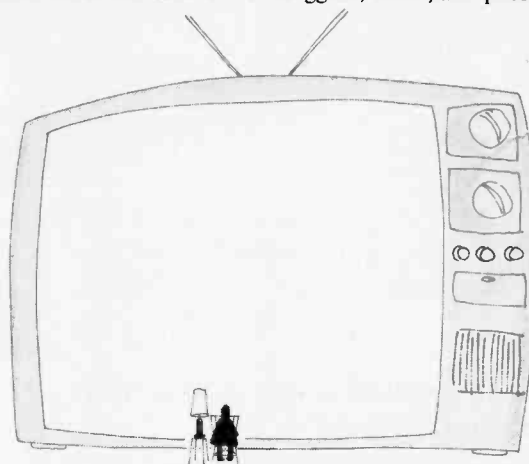
MOST PEOPLE WOULD AGREE that watching television is easy. Just *how* easy is the subject of a recent study conducted by two University of Chicago social scientists. They found that watching television is considered less challenging than any category of experience to which it was compared. It is considered easier even than "idling," a category that includes "waiting, sitting and not doing anything, or daydreaming."

The results of this study were recently published in *Public Opinion Quarterly* under the title "Television and the Rest of Life." The study's aim was to compare systematically the subjective experience of television watching with a range of other daily experiences, such as working, eating, socializing, reading, and idling. One hundred and four adult workers in

described as "orally pleasurable," by which we can assume they mean eating.

Participants considered television the most relaxing of all the activities mentioned. This finding, as the authors point out, tends to contradict the contention of some psychologists that watching television produces stress. One reason television was so relaxing is that participants generally felt that "there was nothing at stake while watching television" compared to while working or socializing. Participants also described television as the most freely chosen of activities: 90 percent of them said they watched because "they wanted to"; for only 15 percent was this true of work.

The study also sought to ascertain people's moods while watching television. Participants tended to report feeling sluggish, weak, and passive, regardless of

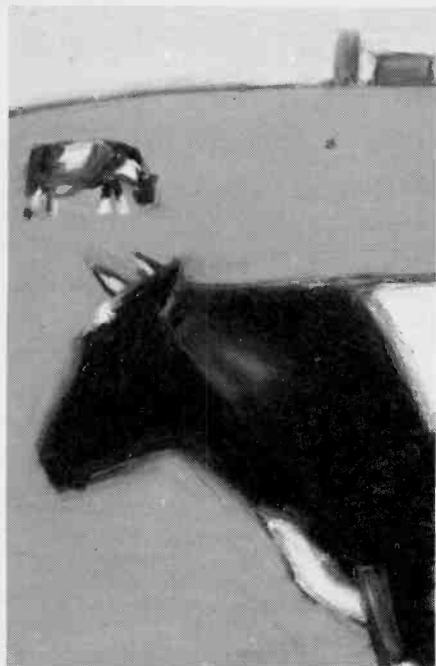


the Chicago area (not, as the authors acknowledge, a representative sample of the television audience) volunteered for the experiment. Each was equipped with a radio-controlled beeping device, which went off at random times during the waking hours over the course of a week. Whenever the beeper sounded — about 50 times during the week — participants filled out a form detailing what they were doing and how they felt about it.

Compared to most academic writing about television, with its capacious generalizations and frequent alarms, "Television and the Rest of Life" is remarkable for its lack of hysteria or startling conclusions. Much conventional wisdom about television watching is confirmed. For instance, the study gives some statistical weight to Michael Arlen's notion of television's "porousness" as a medium: More than two-thirds of the time, people are doing something else while watching. Those secondary activities were usually

what they were watching. "The typical viewing experience," the article concluded, "is characterized by low feelings of potency, moderate cheerfulness, and high relaxation." When people watched television with their families, however, the experience was significantly more "challenging, cheerful, and sociable."

Although the writers — Mihalyi Csikszentmihalyi and Robert Kubey — are reluctant to draw resounding conclusions from their research, they do suggest one important implication. "If television viewing is at present a passive enterprise, the future promises to allow the viewer greater opportunities to interact with and control the TV set and its content. Nonetheless, the results of this study suggest that television, in its present form, may frequently be chosen for the very reason that it is unchallenging, relaxing, and relatively uninvolved." Let impresarios of the new television technologies take note. ■



Wendy Burden

The Real McCoys

FARMERS AROUND OMAHA resent the way they are portrayed in television commercials, especially the ones selling farm chemicals. *Successful Farming* magazine drew 1,135 responses to a recent survey on the subject of television advertising, many of which contained comments such as these:

"The people advertising farm products must have never even met a farmer, let alone lived on a farm. The ads are stupid and embarrassing."

"They make farmers look like slow-witted, straw-chewing, full-time coffee drinkers."

Lyle Kreps, research director for *Successful Farming*, commented, "Farmers generally enjoy seeing their industry on television but haven't been happy with the presentation of their image. Farmers are a sensitive group."

Kreps attributes the prevailing depiction of the farmer as a "hayseed" to the fact that advertising agencies are often located in big cities and staffed with people who have no direct experience with farming. He suggests they have formed their impression of farmers from such television shows as *Green Acres* and *The Real McCoys*, and have thus perpetuated the stereotype.

Farmers actually prefer the kind of advertising that presents them as modern, business-minded people — for example, the recent IBM commercial that has a farmer going to town to discuss purchasing a computer. "They really like that one," says Kreps. "It's different."

IT'S AFTER MIDNIGHT. The late show is on, the volume low, when suddenly some half-crazed huckster is screaming at you from the screen about his stereo sale as if it were the apocalypse. You head for the kitchen, but another voice gives chase: "You remember these fabulous hits!" Whatever room you're in, you won't miss his chance-of-a-lifetime offer.

Few things about television are as maddening as these jolting commercial assaults, especially when they're many times louder than the programs they interrupt. Loudness is irritating, which makes it appeal to many advertisers. The louder the sell, they seem to believe, the more likely it is to command your attention, even if you've left the set during the commercial break.

The Federal Communications Commission has tried repeatedly to do something about loud commercials. But the commission's twenty-year record of inquiries, rulings, and field tests has produced nothing more than the determination that "objectionably loud commercials" are indeed a "substantial problem," that they "are contrary to the public interest"—and that they can neither be measured nor regulated.

Why should a problem as straightforward as clamorous commercials resist both technical and regulatory efforts for so long? Couldn't the FCC establish a maximum volume for broadcast sound? In fact, such a maximum exists—it's called peak audio voltage, or modulation—but it bears surprisingly little relation to how loud a commercial may sound. As Jack Gould, the former *New York Times* television critic, complained back in 1963, "all sorts of aural mayhem can be committed well within the authorized limits." And it is—about 35 percent of the time, according to the FCC's last reckoning, in 1978.

It is not the broadcaster who wreaks this aural mayhem, but the advertiser. By means of a technique called "volume compression," which evens out the variations in sound intensity in a given passage of speech or music, he can assure that nearly every syllable or note is broadcast at, or very near, maximum permissible levels. Compression increases the *average* volume, without changing the maximum—and the effect is a very loud commercial.

Besides compression, other phenomena—some physiological, some psychological—can influence our perception of loudness and are frequently manipulated by advertisers. The "density" of sound is one such factor: Sounds crammed together, as in rapid-fire speech or fast-paced music, will be perceived as louder

Do Not Adjust Your Sets:

The Commercials Are **LOUDER**



by Michael Pollan

than the same sounds spread further apart. Pitch, too, can influence loudness; since our ears are more sensitive to some frequencies than others, a siren, for example, will sound much louder than a subway noise of the same intensity.

These physiological factors make it hard enough to measure "objectionable loudness," but there are a number of "psycho-acoustic" ones as well. For instance, as Chris Payne, an engineer for the National Association of Broadcasters, explains, "If there are two commercials of equal volume, and one is for flowers, say, and the other for hemorrhoid cream, the second will sound louder. Often when people say a commercial's too loud, they may really be saying 'it annoys me.'"

Citing these complexities, the FCC has come to the conclusion that nothing much can be done. The commission's 1965 policy on loudness merely urged broadcasters to exercise more care in their control-room procedures, and to pre-screen commercials for objectionable loudness. "It was like telling people not to drive too fast without telling them the speed limit," admits William Hassinger, engineering assistant to the FCC's broadcast bureau chief. The commission tried again in 1979, but its inquiry ended inconclusively. "It's

like athlete's foot," explains Hassinger. "You never seem to get rid of it, but it's hardly a serious threat to health."

Not everyone is so blasé. While viewers' complaints continue unabated, CBS has been developing a practical loudness meter and automatic controller. Early in February, the network's technology center delivered prototypes to the NAB and the FCC, which will conduct field tests this spring. But already, engineers in the field are viewing the new CBS technology as a breakthrough.

Where previous meters and controllers have attended only to peak volume, the CBS technology takes into account the full array of physiological factors influencing our perception of loudness, including compression, density, pitch, and duration. The NAB's Chris Payne explains that "even if an advertising agency does everything it possibly can to jam a commercial down people's throats, this device will automatically sense what's happening and turn down the modulation of the transmitter, so that the commercial won't come through so loud. I don't care how they crunch the sound in the studio, it won't sound any louder on the air."

CBS's director of audio systems technology, Emil Torick, who is largely responsible for the new device, acknowledges that it won't spot every instance of objectionable loudness—the psychological factors influencing human perception will elude any machine. But it will match the perceptions of any average group of listeners. If the industry accepts the new meter and controller, Torick anticipates "that complaints will be substantially reduced."

IN THE ABSENCE OF pressure from the FCC, will the industry accept CBS's new invention? Torick admits that it was FCC concern that spurred CBS's commitment to loudness technology. Now that a breakthrough is near, the commission, in its new spirit of unregulation, seems to be backing off. "Our view right now is that it certainly is not one of the bigger problems facing this country or the commission," says one staffer. "In fact, we're not even sure it's a problem the federal government ought to get into."

Of course, broadcasters might be interested in the CBS device regardless of FCC policy. "Nobody may be nipping at us at the moment," Chris Payne says, "but broadcasters would dearly love to get rid of the complaints. They honestly don't want to irritate people."

Will market forces come to the defense of our eardrums? Stay tuned. ■

MICHAEL POLLAN

Michael Pollan is senior editor of Channels.

Living in a Nielsen Republic

'Government now likes to think of us not as citizens, but as consumers.'

by Les Brown

SOMETHING that happened at a screening I attended recently made me realize how American values have changed in a scant few years. A group of us attending a communications conference agreed to look at filmed highlights of a public-interest event held in Washington during the final year of the Carter Administration. Everyone dozed for the first few minutes—it was that kind of film—and then Ralph Nader appeared on the screen delivering a speech. Spontaneously, at the sight of him, the audience erupted in laughter. Minutes later Nicholas Johnson, the one-time gadfly of the broadcast industry, came on; again the room went up in howls. Nader and Johnson could have been Olsen & Johnson.

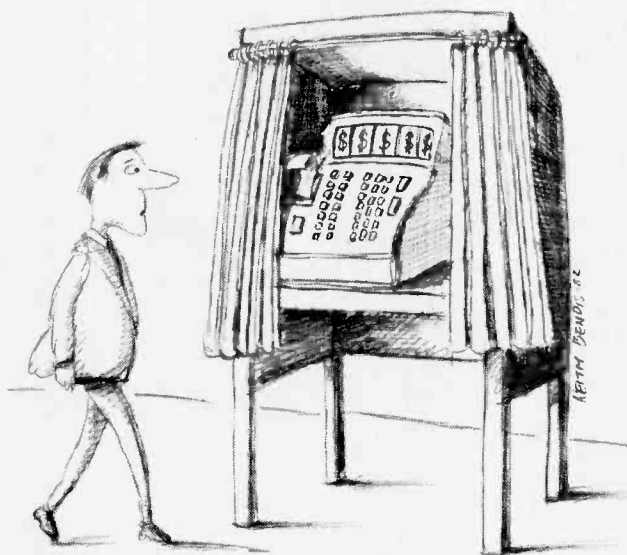
I was puzzled and dismayed. These were not fat cats and Tories who were so amused, but academics, technologists, writers, and lawyers—people who, I would guess, once admired Nader and Johnson as courageous social reformers, and probably even supported them. Nobody laughed at these leaders of the activist movements during the seventies, although many cursed them.

But the seventies were gone; so were the styles and rhetoric of the decade. And here on the screen were Nader and Johnson, just as before, fierce, determined, and calling for some kind of justice. What provoked the laughter, of course, was the anachronism: We had changed with the eighties, and they had not. It was like watching old home movies and seeing ourselves dressed in Nehru jackets and flared slacks. There was another comic element—futility. Nothing they were saying was going to matter, not in these times.

In the political atmosphere that brought in Reaganomics, "unregulation," and the shibboleth "no free lunch," the social idealists are absurd throwbacks to a time when our government and national conscience could be stirred by moral arguments.

The laughter in the screening room confirmed the public-interest movement's decline. But it was also a measure of our own loss of idealism, a negation of what we once were as a society.

We used to speak of ourselves as *citizens*, but the word is



scarcely used in the eighties. *Citizens* has attained a certain subversive ring. It conjures up people with causes, who interfere with business—people who make public nuisances of themselves, who organize in groups and march on Washington, or challenge the licenses of broadcasters. Citizens always seem to be demanding rights, which in the minds of Washington officials is the same as demanding a free lunch. The private citizen, almost by definition, must somehow be accommodated by government; that does not square with the new view in Washington that the good American funds for himself.

Government prefers to think of us today not as citizens but as *consumers*, the purchasers of products and services. The consumer has the dignity of acting in

his own behalf and paying his own way. His demands are not for rights but for conveniences, comforts, material things, and lower prices. What the government can do for him is to deregulate the airline industry, so flights to California can be cheaper. The consumer is the perfection of the citizen, because he doesn't interfere with business. Indeed, the consumer is what business is all about.

These—for pity's sake—are the values of television come to life, the fruits of thirty-five years of commercial bombardment. We have finally become those people in the commercials who live and die by floor waxes and freeze-dried coffee. Television was never really our window on the world, but neither was it our mirror, until now. We have come to see ourselves today as television has always seen us—not as a national community but as components of an economic system. Consumers.

The consumer's habitat is the marketplace, where all great domestic issues are to be resolved. For it is where the consumer asserts his supreme right—the right to buy—and, in doing so, takes part in the continuing referendum we now call "market forces." The marketplace demolishes the idea of government regulation in the public interest; instead it nourishes what some consider a purer form of democracy, one that would have people decide, through the choices they make, what is best for them and

Illustration by Keith Bendis

their countrymen. Which ultimately means, except to the naïve, that business decides.

This new model for American democracy — in which the public interest is defined as what the public is interested in, rather than what is just and healthy for the entire society — has an antecedent. It is, of all things, the television ratings system, the viewing referendum that allows broadcasters to boast of television as a cultural democracy.

Through all the years, broadcasters have maintained that people take an active part in television because they speak through the Nielsen ratings. According to this argument, it has always been the public, and not the broadcaster, who decides which programs survive and which get canceled. The broadcaster is ruled by public opinion, as expressed in the Nielsen popularity polls. Congressional committees and the Federal Communications Commission are comfortable with this reasoning. The viewer, exults FCC chairman Mark Fowler, "can vote with the dial." What could be more democratic?

Not everyone who speaks through the Niensens really has a voice; only those who matter to advertisers are heard.

The argument sounds right, but then sophistry always does. In the first place, the people who speak through the Nielsen ratings are not the public but the viewers. The public is all 220 million Americans; the viewers are merely an audience, sometimes immense in size, sometimes only large. But on any given night, more people are not watching prime-time television than are watching the biggest Nielsen hit. More people, for example, reject *Three's Company* than flock to it; yet the sense of the ratings is that the program reflects American mores and tastes. Under the ratings system, the people not watching television don't count; their vote is considered neutral, although implicitly it is negative. All that can truly be claimed for *Three's Company* is that it's a good business because it has struck a lush market. This has to do with consumers, not with citizens.

And not everyone who speaks through the Niensens really has a voice; only those who matter to advertisers are heard. No broadcaster is especially anxious to reach the elderly and the indigent because they have little discretionary income and aren't sought by advertisers. The best markets for broadcasters are people in the age range of eighteen to forty-nine, since they are the targets for most advertised products. Since buying power is what matters, nearly every program in prime time aims at the same segment, people in the young-adult category.

Despite their numbers in the society, old people, poor people, and young children (except on Saturday mornings), scarcely participate in this viewing referendum. They are equally disenfranchised in the radio marketplace. One of the large Northern talk stations that specializes in telephone call-ins deliberately screens out the callers with creaky voices, because it doesn't want advertisers to think it attracts elderly listeners. Meanwhile, there are some 8,000 commercial radio stations in the United States, and not one of them aims at children twelve and under. Very few devote even as much as an hour a week to this important part of the public. The democracy of market forces is no democracy to those who don't constitute a sufficient market. Yet the FCC is anxious to deregulate radio, satisfied that the public interest will be served by market forces.

Says Mark Fowler, "We have passed the point where reliance on the marketplace is merely a regulatory trend. It has become a social imperative, a commercial imperative, and a constitutional imperative."

And now that we accept ourselves as a nation of consumers, we are prepared to elevate Nielsen democracy to a larger, more consequential political stage. In trusting that consumers will make wiser decisions than the public officials we have elected by ballot, we are actually changing the nature of the vote.

Sparing government the delicate task, the marketplace is deciding for the rest of America which of the new communications technologies should survive, how fast they should grow, and what kinds of programs and services they should offer. This is not the marketplace of ordinary television viewers, but the marketplace of people who can afford to buy the gadgetry. Thus, the poor blacks of the South, who have only recently gained a vote at the polls, have in effect lost part of it already.

Says Mark Fowler: "I have great faith in the future of communications in this country, for I have great faith in . . . the ingenuity of markets to meet the people's needs at the right price."

At the moment, consumer democracy has found that sports, pornography, and made-for-television religion are good for America. Culture is not. Can't sell it.

So we burst into laughter at Ralph Nader and Nick Johnson, as a couple of nuts out of their time and still dead-serious, who tied business into knots in the seventies, who got carried away with themselves as folk heroes, and to whom people in government today have grown deaf. Too bad for us. Whatever their failings, Nader and Johnson don't deserve ridicule, unless we would mock a tradition reaching back through the entire history of our republic, a tradition of public advocates who believe in government for all the people.

Without them and their kind, there is no force to countervail the moneyed interests that put business ahead of social values and that, in the marketplace democracy, stand to win every time. I question that we are merely buyers of products and services; we

The public interest is not the plural of self-interest. Markets do not provide for morals, justice, or equality.

are not "economic man." The markets that command Mark Fowler's faith do not provide for such values as morals, justice, fairness, and equality. Public interest is not the plural of self-interest.

As a member of the public, as a consumer, citizen, and patriot, I reject the portrayal of our country as a mere marketplace. I reject the idea that I am voting for something when I buy a subway token or have my shoes repaired. Talk about marketplaces — is the junkie voting for something when he buys heroin? How seriously do we take *that* vote as an expression of the public interest? There's no denying the interest, or the market forces.

Says Mark Fowler, who has come into our lives through the political patronage system: "A reliance on market forces, not on dubious value judgments of insulated regulators, is the next right step." And: "From here onward, the public's interest must determine the public interest."

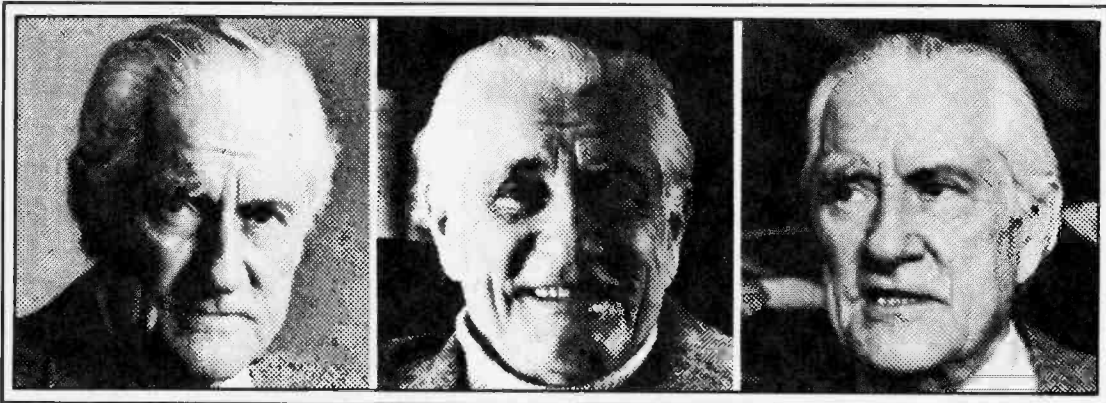
Pass the heroin. ■

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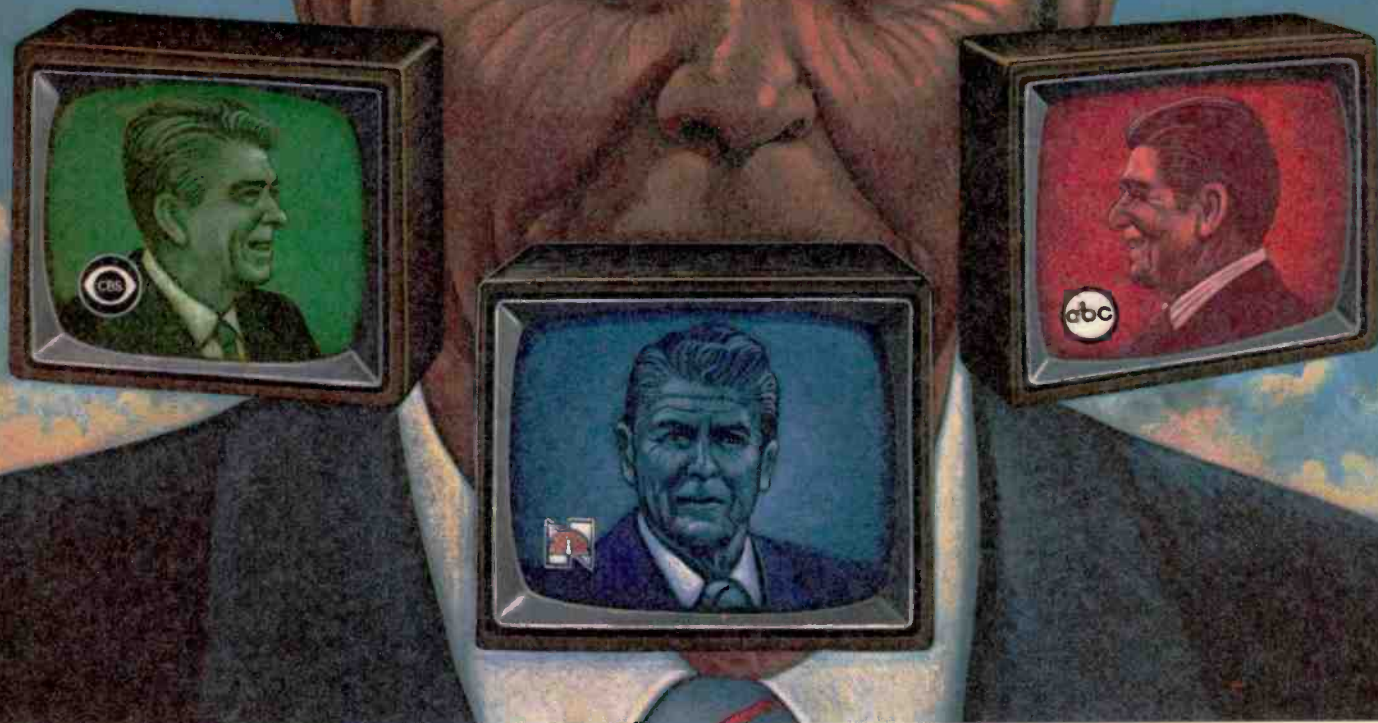


ERIC SEVAREID'S CHRONICLE

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Subliminal Politics in the Evening News



The Networks from Left to Right

by Walter Karp

AT THE WHITE HOUSE, Lyndon Johnson used to keep three television sets going at once so he could watch what all three network news programs were telling the voters about him. The late President, however, left no known record of his opinion of *NBC Nightly News*, *CBS Evening News*, and what ABC now calls *World News Tonight*. This is unfortunate because it might have provided an answer to a question that exceedingly few Americans are in a position to answer, although

some 33 million of us watch network news nightly. The question, quite simply, is this: Do the three network news shows differ politically from each other, and if so, in what ways? Or are all three, perhaps, just mass-media blurs?

It is not a question you can answer by rapidly twisting the dial back and forth. I tried that once; all you *will* get is a blur. Nor can you answer the question by watching a different network's news on different nights. The only way to discover differences is to see how each network treats the same day's world supply of noteworthy events. Even a video-cassette recorder alone will not do the trick. It only

gives you two network shows: the one you watch and the one you record. You also need access to a public-television station that broadcasts, as a service to the deaf, a late-night captioned rerun of the ABC news. Equipped with a recorder (rented), access to ABC reruns, and an invincible addiction to American politics, I sat myself down some days before the Polish crisis erupted to keep running tabs on what most people casually refer to as "the seven o'clock news."

As the three-headed man, figuratively speaking, the first thing I discovered was an intriguing bit of secret knowledge. On any given evening, the network news

Illustration by Teresa Fasolino

Walter Karp is a political writer whose latest book is *The Politics of War*, published by Harper & Row.

shows often differ quite sharply from one another, even about major matters. One evening a few weeks before Christmas, for example, CBS offered as its economic news in "this season of recession," a cheery report on price cutting in Chicago department stores. "A bonanza of bargains," chirped the CBS reporter. "The best Christmas present possible" for sufferers from inflation. That same night, NBC's economic news was "The Farm Squeeze," a grim account of hard times for America's small-farm owners, who were being ground down between low commodity prices and mountainous fuel bills. As for ABC, that same night it drew a dramatic contrast between President Reagan's political triumphs in the spring and economic conditions in the winter.

The very next night, however, CBS cast off its rose-colored glasses and came out with a dark, factual account of the deepening recession. "The figures are grim." Since the figures concerned America's falling industrial production—released that day—it was more than a little surprising to discover minutes later that NBC, the previous night's champion of the poor farmer, passed over the figures as if they were scarcely of consequence. ABC fell somewhere in between.

**...ABC and CBS
seemed
interventionist-
minded;
NBC did not...**

THEN THERE WAS the President's last press conference of 1981, which took place on December 17. ABC and CBS treated it briefly and uncritically. NBC took an altogether different tack. Toward the end of the program it offered a remarkably severe attack on the President's performance. According to NBC News, he had been evasive and dishonest. He had made a grossly false denial in claiming that he had never promised to balance the budget—NBC showed footage in which the promise was made. He had made an equally false accusation in blaming the press for exaggerating the menace of the evanescent "Libyan hit squad," when, as NBC noted, all the drumbeating had begun at the White House.

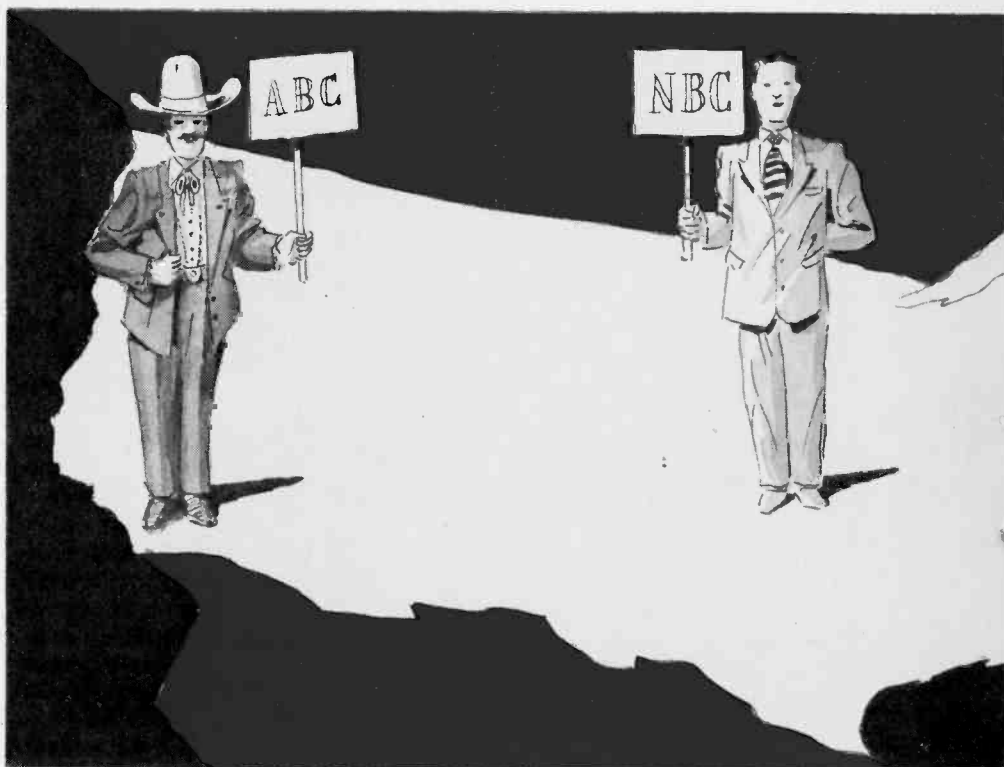
In their treatment of the President that evening, the contrast between NBC and its two rivals could not have been sharper—at least for that day. Was NBC anti-Reagan? If so, what was one to make of NBC News on the day when the stock market dropped 17.22 points and Detroit produced its most catastrophic sales figures in a generation? If there was ever a chance to slam Reaganomics, that evening provided it. CBS, which had swallowed

whole Reagan's Libyan menace story, plunged into the grim news with a vengeance. "The Agony of Detroit" was the title of its detailed account of America's worst economic disaster area. NBC thought otherwise. Its chief auto industry story was a feature about American cars being safer in a collision than Japanese models. Buy America, as they used to say in the age of Eisenhower.

All these nightly contrasts, I must admit, had me thoroughly baffled for a while. The differences did not seem to add up to any consistent political line. Moreover, each network seemed to differ from one evening to the next quite as much as it differed from its rivals. It took

seemed almost self-evident. First, the Polish crisis threatened no American interest. It was a crisis—and a grave one—for the Soviet Union, which regards a subjugated Communist Poland as the keystone of its security. This fact the Administration tacitly recognized when it later held the Soviets responsible, quite correctly, for the Polish crackdown.

The second fact followed from the first. Any serious American attempt to champion an independent Poland, whether in the name of Solidarity, liberty, or human rights, could have only one political end: to reduce the power and undermine the security of the Soviet Union. It would become yet another round in the imperi-



me some time to realize that the inconsistencies of a given network news program merely blurred—deliberately, I suspect—the edges of each network's quite distinctive political character. The blurs began to fade, however, as the network shows began coping with the stunning events in Poland and with the Administration's reaction to them.

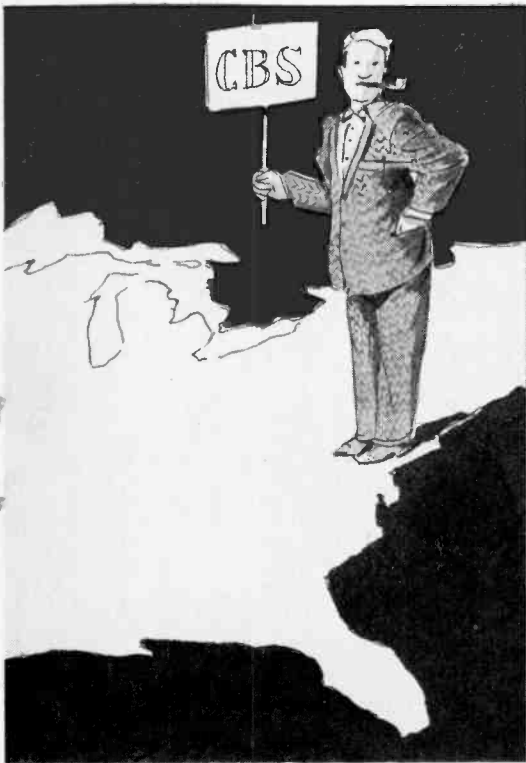
The swift imposition of martial law by the Polish army occurred on Saturday, December 12, which gave the network news programs (and myself) some time to consider what was at stake. Since the Reagan Administration, taken by surprise, was almost speechless for days, the massive influence of the White House did not fall at once on the media. They were quite free for a time to follow their own bent. What I intended to look for was the networks' handling of two facts that

ous struggle with Russia for global supremacy, in other words, the Cold War. The situation in Poland was a critical moment for the U.S.S.R., a Cold War opportunity for the U.S., and a profound tragedy for the Polish people.

Since almost anything to do with America's thirty-five-year-long rivalry with Russia almost invariably gets distorted in the American press, it was with considerable trepidation that I waited for the story of the Polish crackdown to unfold on the three networks.

CBS Evening News at once confirmed my worst fears. In an ominous tone worthy of a Soviet invasion of Western Europe, CBS described the menacing "Soviet-backed Polish army" and its harsh repressions; played up unsubstantiated rumors of bloodshed, brutality, and heavy resistance; virtually concealed

from its viewers the astonishing news that Solidarity had apparently collapsed in a trice. The next evening confirmed my sense of CBS's political object. It continued to report as fact any rumor that might arouse popular anger and raise up a cry for American action — "a wave of sit-down strikes" broken by tanks; troops rebelling against their martial-law masters; "Soviet officials working closely" with the Polish junta. In a fervent sermonette delivered a few days later, Bill Moyers (of whom more later) assailed the Reagan Administration for doing nothing to help Poland regain its liberties. Fresh from frothing over the Libyan menace, CBS seemed determined to further the cause of



American intervention in Polish affairs.

When the Administration eventually decided to champion liberty in Poland by imposing economic sanctions, CBS News began covering the Polish crisis as if it chiefly feared that its viewers would fail to support the President's initiative with sufficient fervor. It generally played down Allied criticism of the Reagan sanctions and the Polish Catholic Church's fear of their consequences. On the day a British reporter asked Secretary of State Alexander Haig the deadly question, namely why the United States was such a determined foe of military dictatorship in Poland when it aided and abetted military dictatorships elsewhere (from Chile to South Korea), CBS alone failed to feature Haig's fulminating incapacity to supply a convincing answer.

Illustration by Andrea Baruffi

...Made no bones about its conviction that Reaganomics have failed...

ON TUESDAY, December 14, when CBS News began whipping its viewers into a Cold War lather, I took it for granted that the network was merely reflecting the national revival of Cold War attitudes and assumptions. I expected the other two network shows to sound like CBS. To my genuine amazement, NBC that night (and thereafter) treated the Polish news with notable calm and detachment. That cosmopolitanism that treats every event in the modern world as if it were happening three blocks from the White House was utterly absent from the NBC view. Instead of reporting inflammatory rumors, it noted at once that solid information about Poland was lacking. It cited, as CBS did not, a White House spokesman who termed the Polish crackdown an "internal matter." Just what NBC's detachment signified I was unable to grasp at once. On the one hand, it was an unspoken assertion of the fact that Poland did not touch upon America's security and consequently was not something to get dangerously excited about. On the other hand, it could merely have reflected NBC's adherence to the Administration's initial view of the situation.

...Old-Fashioned Midwestern Republicanism: upright, decent, cautious...

ABBC News proved even more surprising. Like NBC, it was calm, detached, and skeptical of rumors. It surpassed NBC, however, in the sharpness of its analysis of the Polish situation. Unlike its two rivals, it seemed to be genuinely interested in Polish politics. It was the first to note, for example, that the Polish army was not a tool of the discredited Communist Party, but in fact had swept it aside in what was, for all practical purposes, a seizure of power, the first military takeover to occur in the Soviet Union's European empire.

As for America's role, ABC, on December 16, made a particularly penetrating observation. It pointed out that the Reagan Administration seemed to fear that the U.S.S.R. would crush Solidarity, the politically insurgent trade union, without having to intervene directly. The implication was obvious: The Reagan Administration would have liked to see the crackdown fail, and thereby compel

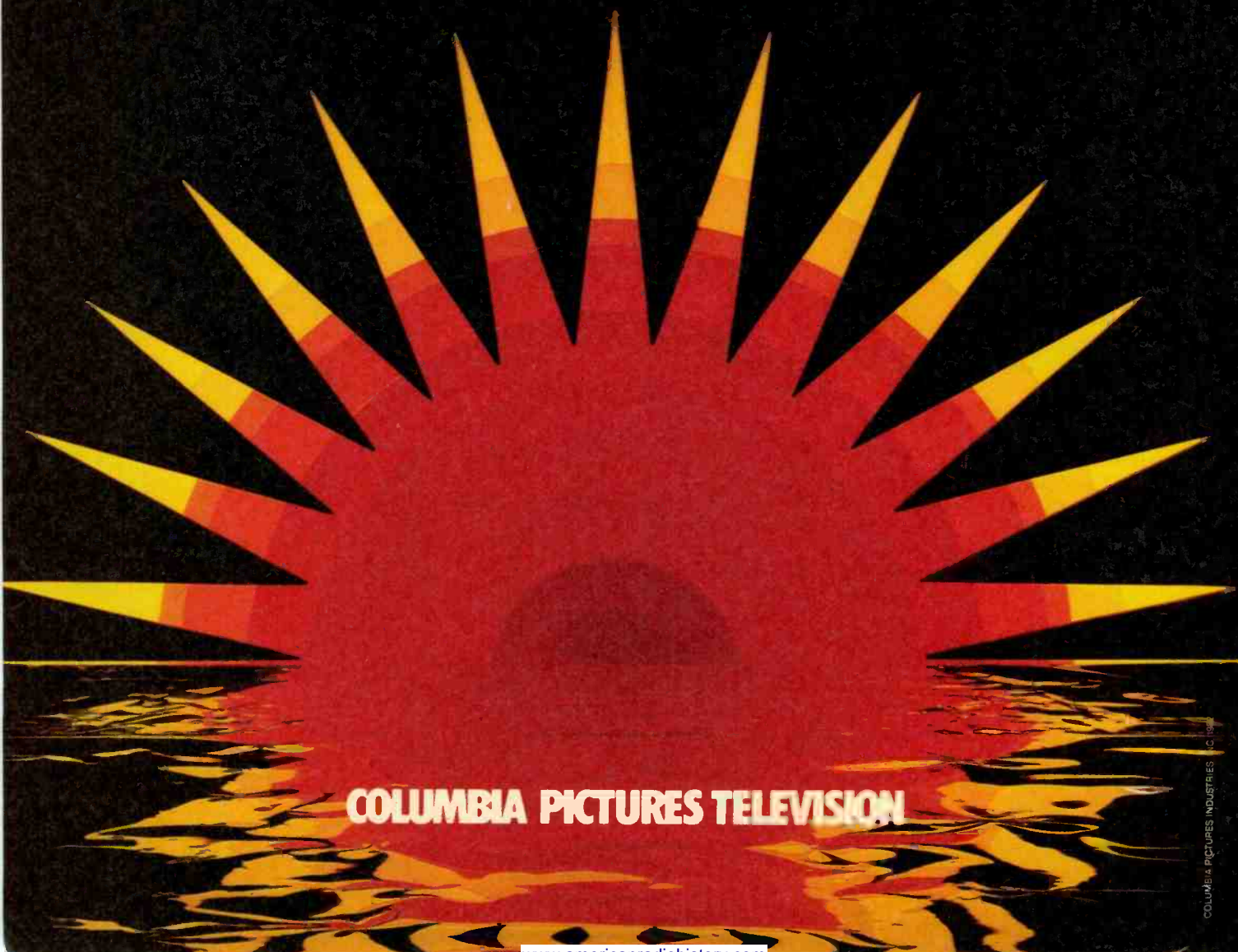
the Russians to engage in a costly and enormously damaging military invasion of Poland.

This, however, proved to be ABC's high point. At the President's December 17 press conference (the one that NBC lambasted), Reagan made it plain that the United States would soon commit itself to ending martial law in Poland through the use of economic weapons. America was about to become the official guardian of liberty in Poland after a thirty-five-year hiatus. Considering what it had reported on December 16, ABC might have noted just how questionable such a policy was. If the Soviet Union wanted Solidarity crushed, as the Administration itself insisted, then a U.S. commitment to protecting Solidarity might well make invasion the ultimate outcome. America was skirting perilously close to combatting Russia with Polish lives. No such comment, or anything resembling it, came from ABC. By the time the Administration had imposed sanctions on the Soviet Union — December 29 — ABC was treating the Polish situation as if it somehow menaced America, a topsy-turvy view strongly espoused by Secretary Haig. But while CBS seemed to regard its viewers as untrustworthy "doves," ABC News showed no such fears. Its reporting on other aspects of Poland continued to be sharp, fair, and analytical as it tried hard to follow, for example, the tortuous political moves of the Polish Catholic Church.

Poland supplied me with a political score card: ABC and CBS seemed interventionist-minded; NBC did not. Indeed it was NBC's devotion to the tacit proposition that the Polish situation did not call for any serious American response that supplied the key to its quite precise political character. Despite the steady hardening of the Administration line on Poland, NBC stuck to its last. On the day of the President's December 17 press conference, for example, it offered the results of a poll showing that 50 percent of the American people regarded the Polish crackdown as inevitable, meaning that half the country expected rebellious Soviet satellites to be squashed one way or the other. When the Administration imposed sanctions against Poland on December 23, NBC alone emphasized that our European allies were sharply skeptical of the policy. NBC, too, was the only network to give a high Polish official time to attempt to justify the martial-law regime. On the other hand, NBC's report on the Marxist regime in Nicaragua was so hostile it verged on the inflammatory.

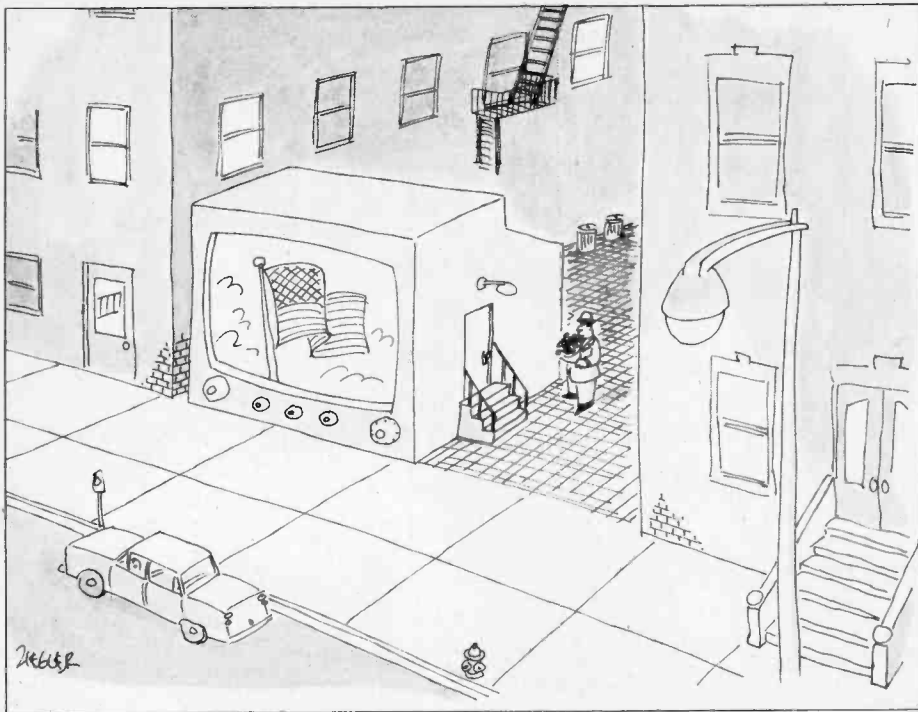
With that apparent contradiction, NBC's politics at last clicked into place. What its coverage of Poland reflected was

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not the attitude of post-Vietnam "doves," but something far stronger and more abiding in American politics. In its mild, upright way, NBC News still represented something of the old Midwestern "isolationism," with its aversion to overseas involvement combined with a high-handed attitude toward uppity Central American banana republics. The old isolationist sentiment, unrepresented now by either political party, cropped up in odd ways at NBC News. When winter storms buffeted America and Europe, for example, CBS duly reported the foul weather abroad. Not NBC. During the period I monitored the networks, it took for granted that snowdrifts in Britain held no interest whatever for its viewers.

Old-fashioned Midwestern Republicanism, upright, decent, and cautious: such was the political character of *NBC Nightly News*, which, aptly enough, is the most popular network news show in the Middle West. The network's conservative treatment of economic affairs confirmed this in a dozen ways. The deepening recession NBC duly reported, but true to its political character, it concentrated on the sufferings of small-farm owners, small-business men, and laid-off industrial workers rather than those of the poor, the old, and the black victims of hard times. Moreover, like most Republicans, NBC News seemed determined to give Reagan's economic program "a chance"; it made no effort to link the recession to Reagan's policies. In contrast, when the Administration settled its American Telephone & Telegraph antitrust suit out of court, NBC was far more critical of the terms than either ABC or CBS, reflect-

ing, I have no doubt, some surviving vestige of the Middle West's once formidable hostility toward giant trusts and monopolies. In a sense, *NBC Nightly News* was more traditionally Republican than present-day Republican party leaders, a fact that was to give its treatment of President Reagan a surprising and highly revealing turn.

T...Though inconsistent, its right-wing character eventually came through...

HERE WAS NO DOUBT where *CBS Evening News* stood on the recession and Reaganomics. By mid-January its coverage of hard times had grown powerful, persistent, and grimly eloquent. Shadows of the Great Depression haunted CBS News: frightened old people huddling at a hot meal center; poor children deprived of school lunches; unemployed young men crowding soup kitchens; victims of budget cuts; victims of hard times; victims of Reagan. Unlike NBC, CBS made no bones of its conviction that Reagan's economic policies were a failure, and a cruel failure at that. Alarmist abroad, compassionate at home, CBS revealed a political character as clear as NBC's. It represented, with considerable skill and *éclat*, the Cold War liberalism of the Democratic Party—the party of Harry Truman and Dean Acheson, of "The Great Society" and the Vietnam War, of Senator Daniel Patrick Moynihan and the leaders of the AFL-CIO—hawks with a heart. Since the liberal Cold Warriors are back in control

of the Democratic Party, CBS News is virtually a party organ, unlike NBC, which represents a political tradition far more than it represents a party organization.

To embody so thoroughly a somewhat discredited political party cannot be a happy situation for CBS News. This is where the much-esteemed Bill Moyers comes in. Since beginning his CBS commentaries last November, he has taken some of the Democratic Party onus off CBS News. Moyers delivers little sermons whose general theme is that one pol is as bad as another, one party as wretched as its rival, and that, taken all in all, American politics is too repellent to think about. When President Reagan began his campaign against leaks, he revealed once again the Administration's extraordinary appetite for governmental secrecy, so sharply at odds with his continual attacks on governmental bureaucracy, which secrecy quite obviously protects. Instead of investigating that apparent contradiction, Moyers told CBS viewers that Lyndon Johnson was even more fanatical about leaks than Reagan. They're all alike, those bums. When it was revealed that Justice William Rehnquist, a conservative, had been temporarily deranged by medication and his condition concealed, Moyers chimed in with the reminder that the ill health of Justice William Douglas, a liberal, had also been concealed. After describing Reagan's economic program as one that may well lead to "collapse," Moyers concluded that the Democrats had nothing better to offer. That the Democrats have virtually disappeared as a political opposition is the beginning of an important political story. To use it as a getaway line is mere cynical posturing. Moyers' skepticism continually ended where serious political thought should begin. Yet there is method in this muddiness. If CBS News represents a tarnished party, it seems Moyers' function to pander to the cynical disgust that the Democrats' collusion with Reagan has engendered in the party's rank and file.

G...Network news can be more courageous than the leading newspapers...

EVEN THREE NETWORKS and only two political parties, ABC, an upstart in the news field, has been forced to be something of a maverick, and an opportunist as well. Of the three networks, it is the least consistent from one day to the next. On the whole, however, it has cast its lot with Reagan and the Republican right, (Continued on page 56)

A NEW WORLD

How the Video Age is Transforming Book Selling, Movie Theaters, and Language

A continuing series by the editors of Channels

STREAMLINING THE LANGUAGE

We'll move back toward hieroglyphs.'

A TEAM OF JOURNALISTS and computer specialists known as the Time Video Group is plotting changes in the English language. They're subtle, of course, and not likely to be adopted overnight. But in May, Time Inc.'s experimental teletext project will be unveiled in San Diego and Orlando before hundreds of viewers, whose specially equipped television sets will give them access to as many as seventy thousand "pages" bursting with information from electronic "magazines" entitled *Home*, *Health*, *Investing/Spending*, *Food*, and *You*, among others.

The people at Time want the language of their new service to be streamlined, easy to digest, appealing to the most passive viewer—because they sense there aren't many readers out there anymore. According to the group's director of development, Sean McCarthy, "The average person spends only five hours a year on books . . . and young people tend not even to read newspapers, except for listings and scores." Somehow, the teletext service must inform viewers, where possible, without sentences. Any material written in "print-think" must be excised.

The language is the sticking point in similar projects being tested around the country by Knight-Ridder, Dow Jones, and other corporations. It seems they are all laboring to create the widest possible distance between their own "magazines" and the old, wordy, *cumber-some* printed volume. And as the ranks of computer-friendly (or book-hostile) youths grow with each purchase of an Atari or Pacman video game, Time's "less language" strategy seems more and more likely to pay off.

Yet in following the dictates of their users' tastes and convenience, the new-media companies will be leading our language into uncharted territories. Unquestionably, the pressures created in today's atmosphere of rapid technological growth will change our means of formal communication in ways that as yet we can only glimpse.

Foremost among these pressures is the sheer volume of information being unleashed by the media explosion. With the increasing sophistication of information-processing equipment, massive amounts of data in many areas of knowledge are accessible for the first time. Some experts contend that only by relying on indexing systems—and thus on a uniform set of key words—in any search for facts, can we hope to make a start in the processing and using of all this information.

"Students will have to use key words to select [from an index] what they want to learn," says Victor Walling, senior strategies analyst at SRI International, a California-based management consulting firm. "As there is now more information on any given topic than a teacher could learn or communicate, it will become more important to know how to use an index than to be a fluent reader. The key-word concept will permeate society."

Symbols, too, will play an important role in tomorrow's written language. "There will be a reconnection between symbolic meaning and apparent meaning in our language," says Walling. "We'll move back toward hieroglyphs—toward a reintegration of oral language, written language, and pictures."

Without realizing it, we have already become accustomed to the short, nonverbal symbols we will begin seeing with increasing frequency. Highway signs that used to warn motorists with "Slippery When Wet" or "Falling Rock" now say the same thing with simple



Oral language, written language, and pictures will be reintegrated.

Illustrations by Jo Teodorescu



drawings that foreign visitors—and even preschoolers—can understand. Airport bathrooms no longer carry signs translating “women” and “men” into five different languages, but rely on male and female stick-

TURNING MOVIE HOUSES INTO VIDEO HOUSES

‘Near-panic prevails among theater owners.’

IMAGINE HOW the owner of a movie theater felt when he heard Marvin Davis say that he wouldn’t take his family to stand in line at the local movie house. Marvin Davis is the new owner of Twentieth Century-Fox. To make matters worse, Alan Hirschfield, Fox’s chairman, has been talking excitedly about the home markets opening for films in pay television, pay-per-view cable, video cassettes, and video discs.

Richard Orear, president of the National As-

sociation of Theater Owners, recently told an audience, “There is no question that near-panic prevails. When you add poor box-office receipts to the psychological effect of the electronic revolution, you develop a lot of worried exhibitors and distributors, and maybe a few bankers, too.”

Despite the prevailing gloomy forecasts, a few optimists still believe that neighborhood theaters have a future, even in the age of home entertainment. If movie theaters didn’t exist, they say, the pay-cable services would have to invent them. Some 80 percent of pay-cable subscribers buy the services for the movies they offer—especially the box-office hits. And nobody has come up with a better way to

figure drawings to convey the message. Conventional network television has also done its part to familiarize us with a sort of word-symbol: The game show *Concentration* had as its gimmick the rebus, a puzzle in which a drawing symbolizes a word or group of words. (An eye, for instance, might symbolize the pronoun “I.”)

Though written language will, as Walling puts it, “continue to be a mainstay,” the new media’s prose is likely to be marked by short, declarative sentences and monosyllabic words. Along with a media-induced expansion of English as a world language base, Walling predicts an international-scale standardization of indices—of the symbols and key words needed to find information.

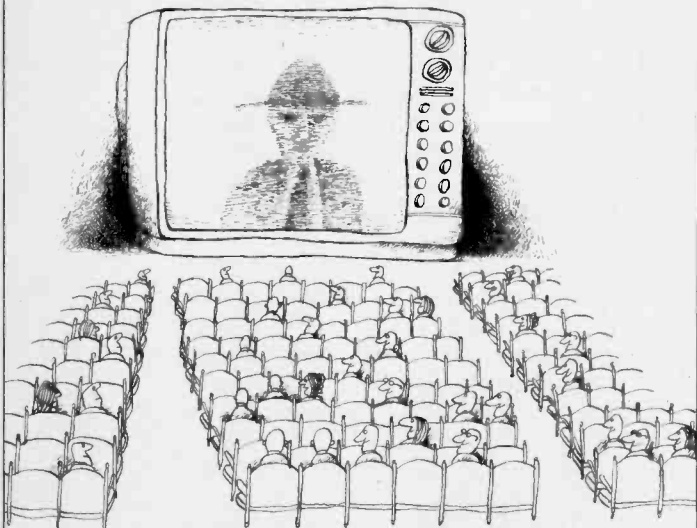
Bernell Wright, a senior associate at Link, a market research firm specializing in the new media, goes a step further than Walling. “Visually understandable languages are already being created to overcome written barriers,” he says, “and these changes are considered an opportunity by those who believe that language separates us.”

In and of itself, the fact that the media conglomerates are trying to streamline the written language and eliminate its idiosyncracies does not mean that millions of us, sheeplike, will follow their lead. But as the television set becomes an increasingly important element in everyday life, more and more of us will be exposed to the revamped language, fewer and fewer to the books and magazines and newspapers that have until now influenced usage so heavily. As the reading of printed matter becomes an uncommon pursuit, the mass of us may find ourselves emulating the new, electronic voice of authority.

SAVANNAH WARING WALKER

Large-screen video theaters could offer special live events not available at home.

A NEW WORLD



create those successes than by distributing movies to neighborhood theaters.

Many theater owners point out that there are more screens than ever before; if the studios restrain themselves from releasing their movies on cassettes, discs, or pay cable too quickly, people will continue to go out to the movies, turning films into hits the home audience will pay to watch.

Theater owners can learn to co-exist profitably with home viewing.

The owners could even take solace from John Dolgen, president of Columbia's payable and home-entertainment division: "I don't believe these technologies will mean the demise of our theatrical business. Watching movies at home on a nineteen-inch screen is a different viewing experience from seeing them in your neighborhood theater. It may be cheap and convenient, but it's not the same as getting out of the house, going with a group of friends, or taking a date. People just won't give that up so easily."

Whether they will or not is hard to predict, and probably depends as much upon the theater owners' resourcefulness as it does upon the studios' marketing strategies. Theater owners may boast about the number of screens in the country, but they're less likely to trumpet statistics on viewers (there are fewer now than in 1975) or on the number of actual theaters, which has been declining as more and more movie houses become multi-screen complexes. It seems apparent that as long as new technologies present studios with opportunities they can't afford to ignore, theater owners will have to learn to accommodate themselves to a profitable new coexistence with home viewing.

As Orear puts it, "Money talks. And when you have two million customers at \$4 or \$5 per pay view for a one-day showing, it doesn't take a genius to figure out how attractive the film rentals on this \$8 million to \$10 million gross

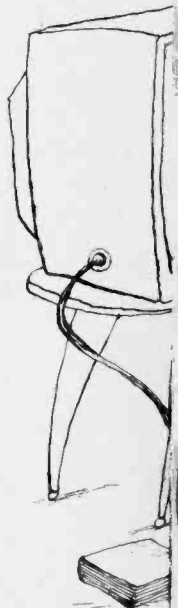
would be to some of the producers."

But just because technology has given a big push to home entertainment doesn't mean it can't also be a powerful ally of the neighborhood theater—perhaps even its salvation. Going out to the movies has always been more of a special event than turning on the television set. And if theater owners are sufficiently imaginative, it can be made even more special. Already, the theater's gargantuan screen and sophisticated sound system make it an ideal showcase for the kinds of extravaganzas that can't be duplicated at home. Successful neighborhood movie houses may cater to their young audiences by offering the sorts of big-budget productions that exploit such special effects as sensurround, odorama, and multi-channel sound. Other effects like these could be used by the theaters to carve out a new niche for themselves in the entertainment world.

The theaters don't have to rely on gimmickry alone. The development of high-resolution video cameras and projection systems has the potential to transform movie houses into video theaters. Currently, one of the most expensive aspects of the movie business is the actual distribution of individual prints to theaters around the world. The prints are expensive to make, heavy to ship, and have the further disadvantages of scratching easily, tearing, or otherwise deteriorating in quality. Soon, however, it will be possible for a movie distributor to use a single master video tape to beam a high-resolution picture up to a satellite, which would send the image back down to theaters around the world. Their video projection systems would make the picture look as good on the screen as film does now—even better, some say. If the new equipment fulfills its promise of cutting distribution costs, the movie business could become more profitable again for both studios and theaters.

Although these high-resolution video projection systems are also planned for home use, some time will pass before they are cheap enough for significant numbers of people to afford them. Theaters that install the systems could thus take advantage of their capital investments by offering people the chance to see special events unavailable at home. Instead of showing movies for a few weeks at a time, they might instead offer a different video event every night of the week: a Monday-night fight, Tuesday night at the opera, a rock concert Wednesday, a Broadway play Thursday, and a premier movie over the weekend. Just as television used to do.

MICHAEL SCHWARZ



A NEW WORLD

SELLING BOOKS BY TWO-WAY CABLE

'TV may turn out to be the book's best friend.'

BOOKS ARE NOT PURCHASED AS most other products are. Usually, they answer to impulse, in one of two ways. There is the kind of person who browses in bookstores for something to strike his or her fancy, and there is another kind of buyer who visits the bookstore to ask for a title that has just been promoted on a talk show or reviewed in the press. Book publishers anguish over the knowledge that a book without entree to the stores is doomed to failure: The browser obviously won't find it, and the customer who asks for it specifically will be discouraged and quickly lose interest. Not to catch the customer at the magic moment is, more often than not, to lose the sale forever.

There is no bookseller to compare with two-way cable.

Because there are only so many different titles a bookstore can reasonably carry, most of the 40,000 books published every year are destined to fall into the backwash, to be disposed of on remainder counters.

So it is one of the rich ironies of the new electronic age that the book's best friend may turn out to be its old worst enemy, television. For there is no bookseller to compare with

two-way cable systems, such as Warner Amex's QUBE, which can create the buying impulse and make the sale in the same instant. A QUBE subscriber watching an advertisement for a book, or an interview with an author, could be asked at a critical moment to purchase the work. The advice comes on the screen: For the hard-cover edition, \$12.95, press now, or insert credit card. Do you prefer the paperback? \$7.50. Press now. Presto, the transaction is made, and the book arrives by mail in a few days. This kind of bookselling is being done experimentally by local bookstores on the Columbus, Ohio QUBE system.

As two-way cable proliferates, more and more authors may be encouraged to make national book tours, knowing that they will actually be selling their books instead of merely plugging them. Who by now hasn't heard the sad tale of the new author (almost any new author) who did the talk-show blitz in twelve cities and couldn't find a store in any of them that stocked his book?

By the second half of the decade, when all the major cities and their suburbs have two-way cable, it is conceivable that many booksellers will lease channels on the local cable systems for a day-long presentation of books and book topics, perhaps in the form of a continuous talk show. Rather than maintain an inventory of books, the electronic bookseller may relay his orders to the publishing company or to a jobber serving as the fulfillment house. There is no stock to worry about, and the selling of books is in the art of marketing rather than the art of buying the right books wholesale.

Meanwhile, the author in the new age could eventually be spared the wear and tear of hopping planes and braving blizzards to meet the rigorous talk-show itinerary. The writer could have the option of doing the entire national tour electronically, in a single interview delivered to two-way cable systems everywhere by satellite.

Of course, selling by two-way television shares some of the imperfections of selling by mail-order catalogue. There will always be those who love the company of fresh-smelling books and the sociability of shopping in a store. For many of these people the impulse is not to buy but to have — to pick out a title and take it home, right then.

Still, a medium that can make a customer of a casual viewer, and take his order on the spot, holds lush opportunities for marketers of new books, toys, kitchen gadgets, magazine subscriptions, or any item that people tend to buy on impulse.

The medium can make a customer of the casual viewer, and take his order on the spot.



LES BROWN

SECTION DESIGNED BY BARBARA SANDERS

THEY PAID \$100 A TICKET ON BROADWAY. THE FIRST TWO HOURS OF "NICHOLAS

This once-in-a-lifetime theatrical event, all 8½ hours, can now be yours on 4 deluxe cassettes from CBS Video Library.

When "The Life and Adventures of Nicholas Nickleby" opened on Broadway for its now legendary 14-week run, the box office price for any seat in the house was \$100. At that price, playgoers were soon fighting for tickets. The "going price" from ticket brokers jumped to \$250, according to *The New York Times*, and there were reports toward the end of the run that tickets "had been sold for as much as \$1,500." Now CBS Video Library offers this event that made entertainment history in an elegant four-cassette presentation. Complete and unforgettable.

THEATER UNLIKE ANY YOU'VE EVER SEEN

The unprecedented original stage production of "Nickleby" would never have been possible without sizeable financial assistance from the Arts Council of Great Britain, special arrangements with American producers and Actors Equity, and years of unremitting labor by the famous Royal Shakespeare Company. Now this astonishing Broadway production has closed. But the performances that held New York and London audiences spellbound for 8½ hours are all here on videotape. 39 great actors playing more than 130 memorable characters, many doubling and even tripling roles. Captured for all time. To be savored again and again in the comfort of your own home.

CHARACTERS YOU'LL NEVER FORGET

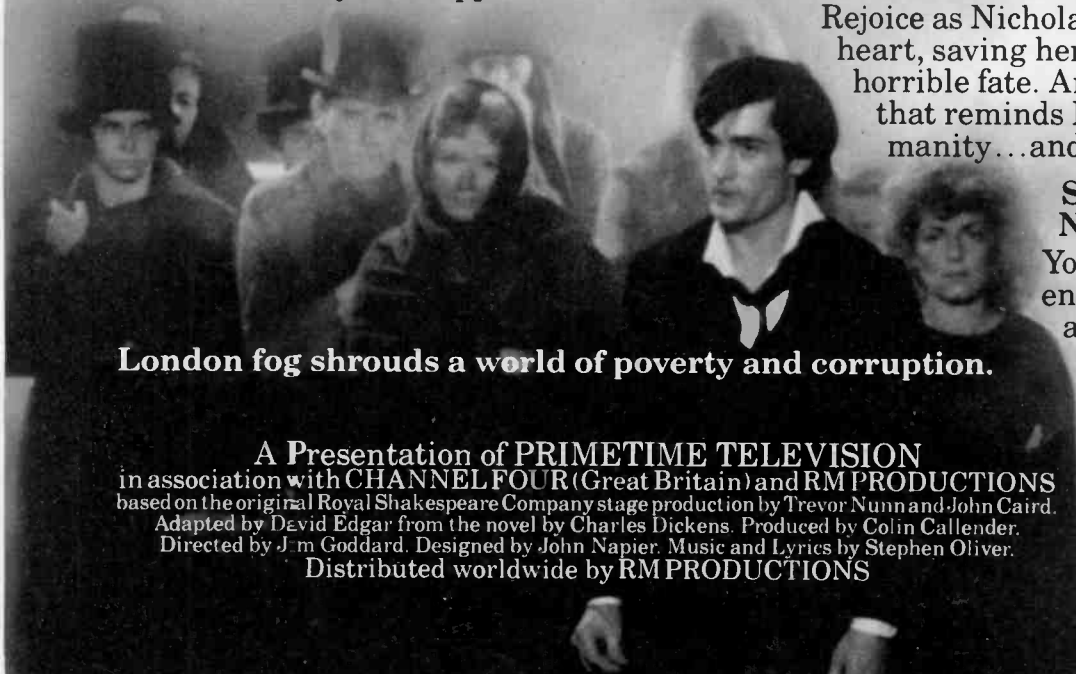
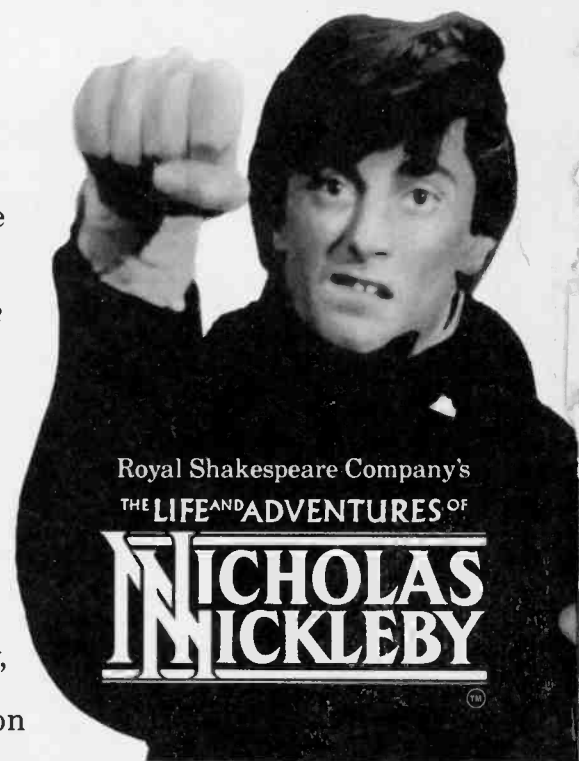
The teeming, corrupt London of Charles Dickens comes to life before your eyes, as Nicholas faces the most colorful collection of villains and victims ever assembled: beginning with his cold-blooded Uncle Ralph, who knows how to amass fortunes but has forgotten how to love; Ralph's accomplices, the sadistic schoolmaster Squeers and his diabolical wife; London's deadly duelist, Sir Mulberry Hawk, destroyer of men and seducer of women; and the Honorable Sir Matthew Pupker, a politician for sale whenever the price is right.

You'll laugh at the Crummles, the world's worst acting troupe, as they make a farce of "Romeo and Juliet." Pity the cripple Smike as he runs for his life from the devils of Dotheboys Hall.

Rejoice as Nicholas wins the woman of his heart, saving her, at the last minute, from a horrible fate. And learn the startling secret that reminds Ralph Nickleby of his humanity...and crushes him forever.

SCENES YOU'LL NEVER FORGET

You'll want to experience "Nickleby" over and over again as it spins you through the entire range of human emotions. Nicholas' famous battle with the bully Squeers. The attempted seduction of



London fog shrouds a world of poverty and corruption.

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in association with CHANNEL FOUR (Great Britain) and RM PRODUCTIONS based on the original Royal Shakespeare Company stage production by Trevor Nunn and John Caird. Adapted by David Edgar from the novel by Charles Dickens. Produced by Colin Callender. Directed by J. M. Goddard. Designed by John Napier. Music and Lyrics by Stephen Oliver. Distributed worldwide by RM PRODUCTIONS

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Kate Nickleby in an opera box. A duel at dawn in which Lord Verisopht is both loser and winner. Sir Mulberry Hawk's terrifying revenge on Nicholas. All leading to a moving and dramatic climax that left audience after audience breathless and shaken.

WHAT THE CRITICS SAID

"...8½ solid hours of magic... the theatrical bargain of the decade... sell the Atari, skip a mortgage payment, pawn the children. Money cannot often buy the experience that *Nickleby* provides." TIME MAGAZINE (cover story)

"...utterly absorbing... enormous fun... theater of a kind you are unlikely to encounter more than once in a lifetime" NEW YORK DAILY NEWS

"One of the great theatrical experiences of our time" CLIVE BARNES

"*Nicholas Nickleby* is unlike anything you have ever seen..." REX REED

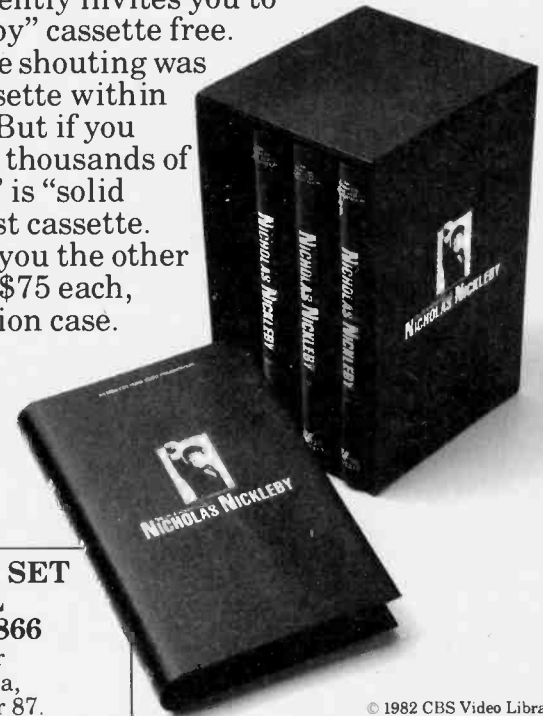
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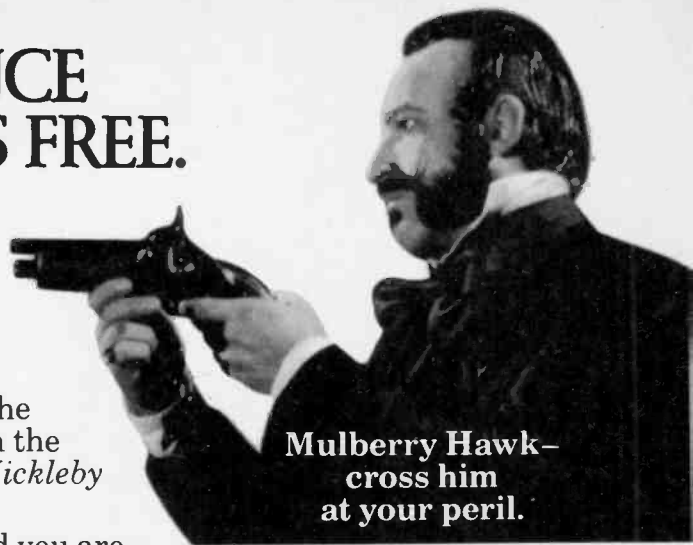
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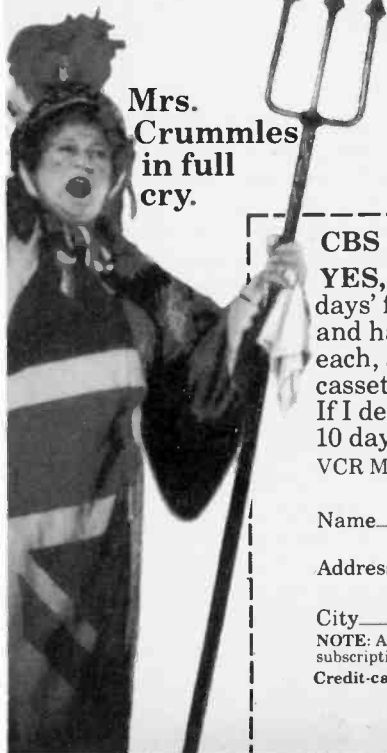
Credit-card holders who prefer to order their preview cassette by phone, call number above.



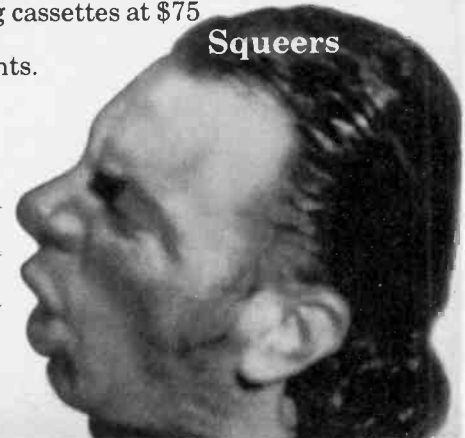
Mulberry Hawk—cross him at your peril.



Nicholas loses his heart and gains a fortune.



Mrs. Crumbles in full cry.



Squeers

THE WAR BETWEEN CABLE AND THE CITIES



THE PEOPLE of New Orleans are waiting for the state-of-the-art cable system their city government bargained for last year. To be built by Cox Cable, the New Orleans system is one of the most sophisticated ever put on paper. Cox promises a completely interactive 108-channel home subscriber network and 400-megahertz institutional network, six local studios, one mobile production facility, five mobile vans, thirty portable cameras, eighteen public-access channels, and even a satellite "uplink" for local station WYES.

But those promises don't guarantee that the people of New Orleans will ever get their system. Marc Chimes, interim

David Stoller writes frequently on communications issues.

It's a clash between accountability and First Amendment rights.

by David Stoller

director of telecommunications, and other city officials negotiated an impressive list of penalties to keep Cox Cable to its promises and insure that New Orleans would get its cable system on time: For construction delays alone, penalties included reductions in the franchise term, \$10,000-a-day fines, and even termination of the contract. But many months and

many unkept promises later, reality has set in, and New Orleans has learned that a piece of paper is no guarantee that a cable company will honor its pledges—especially at a time when the cable industry is vociferously arguing that cities have no right to hold them to the promises they so eagerly make at franchise time.

"After the contract was signed, we went through a period of about a month when Cox would not answer our phone calls or our correspondence," recalls Chimes. "When I finally saw the local cable chairman at a cocktail party and asked him what was happening, he arranged a lunch for the new general manager, the Cox staff, and the city council's administration—at which Cox said they had nothing to say, but would get back to us when they did. At the same time, the media had

Illustrations by Michael Tedesco

reported that two parts of the city, Carrollton and Algiers, would have cable in six months. Cox received calls asking when construction would begin, but six months later not one foot of cable had been laid. All Cox did was hire a public-relations firm and put an ad in the newspaper, without any phone number, saying, "It takes a while to build the greatest cable system in the world."

In the last week of December, the city council called Cox in to answer charges of several contract violations, including construction delays and the cable company's failure to communicate adequately with the city. Maybe it was the climate of an election season, or Cox's smooth rhetoric, or just the way local government works, but the city council, armed as it was with facts and figures in its favor, nevertheless failed at the meeting to levy any fines or impose any of the contract's stiff penalties against Cox.

Cox Cable 1; New Orleans 0

"It was ridiculous," Marc Chimes says. "The whole point of these questions was simple—are you going to abide by what you said? It proved our regulatory structure was a paper tiger."

The New Orleans experience is not unique; the city is only one battleground in the larger, rapidly escalating war being waged between cable companies and the cities, a war that will shape the development of cable television as well as national telecommunications policy. While cable companies are eagerly giving with one hand—making extravagant promises for hundred-channel systems, exotic two-way services, and expensive public-access facilities—they are busily taking with the other, as they argue in courts, Congress, and state legislatures that cities have no constitutional right to insist that their promises be kept. The federal government and many state governments are ready to bow out of the regulatory picture, but cities are refusing to relinquish their right of control. They see themselves as the last rampart against unscrupulous cable operators.

Lately, cable companies have won a series of victories in the courts and in some statehouses, while cities only narrowly avoided a crushing setback in the Senate last fall. Some cities, like New Orleans, appear daunted by the awesome problem of extracting performance from promises, but as a group the cities are fighting back, gaining strength and insight from past mistakes and losses. The war is far from over.

The escalating spiral of cable companies' promises and cities' expectations is leading to what Howard Gan, a consultant for cities with the Cable Television

Information Center (CTIC), calls "a high-tech version of the emperor's new clothes." Explains Gan, "Cities are in a buyer's market. If ten or twenty cable companies rush into your office, you start to feel lightheaded and try to see how much you can get."

The problem, according to Gan and others, is that no one can say whose crystal ball is right. One operator may project \$108 million in gross revenues, and in exchange promise a city several access studios and other facilities, while a second operator, projecting only \$75 million in revenues, promises a less glittery package of extras. If the city, in its lightheadedness, selects the first operator, and his projections are wrong, the first services cut will be the access facilities, since these produce no revenues. The city then finds itself in the uncomfortable position of seeing either services eliminated or rates raised. The only answer, says Gan, is for cities to cut back on their expectations.

That seems unlikely. Most city officials want to get as much as they can in any franchise award, whether it's for cable services or taxi services, according to Mack Mailes, the assistant city manager for community development in Sacramento. "Some cable operators find it shocking that we approach this as a business," he says, "but there's no God-given right to wire anything, to rip up our streets and alleys."

Mack Mailes's indignation stems from the deeply held belief among city officials that their control over cable television follows from their right to safeguard and exercise authority over their streets, as well as from the conviction that only municipal authority can adequately protect citizens from an unregulated monopoly.

These beliefs are under attack. The Federal Communications Commission is fast becoming a regulatory recluse under chairman Mark Fowler's stewardship: Though the commission has allowed cable companies to merge freely with giant media conglomerates, it has yet to relax limits on the franchise fees cities can levy—even though cities maintain that those limits prevent them from adequately regulating these monolithic media monsters. In Congress last fall, the cities may have snatched a complete victory from cable operators when provisions that would have deregulated cable rates were eliminated from Senate bill S 898, but they suffered a more significant defeat with the passage of other provisions in S 898 prohibiting the FCC from regulating cable service as a common carrier. And in the courts, cable companies, depicting themselves as "electronic publishers," are alleging antitrust and First Amendment violations in suits against cities that try either

to enforce the terms of existing franchise contracts or to add more services at re-franchising time.

Cable operators stand a good chance of having their self-styled identity as electronic publishers confirmed by law and deed, first with the passage of the S 898 common-carrier provisions, which would give cable operators full control over all channels, and most recently by the January Supreme Court decision in the antitrust suit between Boulder, Colorado and a cable company called Community Communications.

In 1964, Boulder authorized a franchise; it was taken over in the early seventies by Community Communications, a subsidiary of Tele-Communications Inc., the country's second largest cable operator. For sixteen years, only a small area of the town was cabled, due in part to technical difficulties experienced by the operator. In 1980, Boulder placed a three-month moratorium on any further building by Community Communications, to study new proposals that had been made for the areas of town still uncabled. Community Communications sued Boulder, claiming the moratorium violated antitrust laws. In a five-to-three decision, the Supreme Court decided in the company's favor, ruling that the city was subject to antitrust laws and might be enjoined from imposing a moratorium on Community Communications. Though the full impact of the decision remains to be seen, many observers believe it will damage municipal authority over cable franchises.

Cities Stand Between Cable Companies and Big Money

BOULDER AND S 898 dramatize just how deep the divisions have grown between cable companies and the cities. Cities maintain, in the words of Marc Chimes, that municipal control "is the only thing standing between the cable company and millions of dollars," that only the city can uphold the cultural and political integrity of its community, and that only the city can insure the cable company answers its phone. But cable companies maintain that cities have already gone too far. According to attorney Harold Farrow, who argued for Community Communications in the Boulder case, a city's rights are limited to protecting the safety of its citizens—to making sure, for instance, that the cable company's trucks stop at stop lights or that its wires don't electrocute citizens. "What right does a city have to control the functioning of a First Amendment medium?" Farrow demands.

The cable industry's attack on rate regulation, scuttled in last year's S 898 but expected to be revived again this year, hits

THE WAR BETWEEN CABLE AND THE CITIES

the cities in a most vulnerable area. Rate regulation is one of the primary instruments city officials use to extract promises from reluctant operators. As Frank Greif, Seattle's telecommunications officer, explains. "At rate-increase time a city can demand the access channels, the upgrading, or the two-way service an operator had promised, in exchange for granting the operator an increase."

Cable operators, however, claim rates should be subject only to the marketplace, not to the whims of the political process. "We're not a utility at this point, we're not an essential service; we're competing for that leisure dollar, and common sense dictates that we don't want to price ourselves out of the market," says Richard Aurelio, Warner Amex Cable senior vice president.

percent of gross revenues.


Rita Stall, Cincinnati's cable officer, argues that "a ceiling on fees will prevent a city from getting enough money to regulate a cable operation effectively. Company budgets are much larger, and they can hire more lawyers and experts."

Theoretically, at least, cable companies operate in a competitive marketplace. So if a city can't get the service it wants from an incumbent operator, it should be able to go elsewhere at re-franchising time.

The reality is quite different. Where cities have tried to spur competition during re-franchising by inviting competitive bidding, they have been unable to inspire even a nibble of interest from any com-

happy situation: Reject the incumbent's bid, or accept it, even though Brock says it does not fully meet the city's needs.

Dubuque emerged from the re-franchising process in much better shape than Bellingham, because it took its time and did things right. The city set a timetable for its re-franchising negotiations with incumbent Teleprompter, putting the local operator on notice that if negotiations did not progress seriously, the city would seek new bids. The company was sufficiently aware of Dubuque's seriousness that when, in the midst of protracted negotiations, the city finally did send out requests for new bids, both sides were able to reconcile their differences and negotiate a handsome new franchise. Even though no new bidders came forward, Dubuque's tough yet reasonable



Some cities see municipal ownership as the only way to guarantee a fully accountable cable system.

Through the National Cable Television Association (NCTA), operators have lobbied vigorously in Congress and state legislatures for rate deregulation. They have temporarily lost the national battle. But in California, for example, legislation has eliminated rate regulation for operators who agree to donate fifty cents a subscriber per year for community programming and to allocate two channels out of twenty to public access.

Like the attack on rate regulation, the cable industry's push for a permanent franchise-fee ceiling — 5 percent of a franchise's gross revenues — threatens effective cable oversight, according to city authorities. The franchise fee, if used to finance and maintain an active regulatory agency, can be one of the best tools at a city's disposal. To some city officials, the move to put a legal limit on fees seems inconsistent with the cable industry's stated objective of total deregulation. If the marketplace decides rates, as cable companies would like, why shouldn't it also dictate local fees?

Cable operators claim that cities are "extorting" excessive franchise fees in order to shrink their budget deficits. Operators say they can't make a reasonable rate of return on their investment if a city is "milking" them for more than 5

panies other than the incumbent operator. City officials contend that operators are reluctant to enter an already franchised area for fear the same will happen to them on what they consider their turf. Operators accuse cities of using competitive bidding only as a ploy to get better service from an incumbent.

BUT RE-FRANCHISING is not necessarily a meaningless process. Consider the cases of Bellingham, Washington and Dubuque, Iowa. Each community took a different approach to re-franchising last year; where one failed in extracting what it wanted from an incumbent operator, the other succeeded.

Nationwide Cable, the local operator in Bellingham, was doing a fairly good job, but when it came time to renegotiate the franchise, the city sent out a request for new proposals before sitting down with the company. "We didn't want to negotiate in a vacuum; we wanted to test the competitive marketplace," explains Bellingham city attorney Pat Brock.

None of the fifty companies to which Bellingham sent its proposed ordinance — with the exception of Nationwide Cable — responded with a proposal. Now, concedes Brock, the city faces an un-

negotiation stance resulted in an immediate upgrading of the system: The number of channels was increased from twelve to thirty-five, five new community-access channels were added, and promises were made for an additional increase to seventy channels by the eleventh year. And as a trade-off for extending the franchise term to twenty years, Teleprompter agreed to lower its rates.

In view of the cable industry's recent victories, as well as the general climate of deregulation, many cities worry that whatever leverage they possess could be stripped away. Traditional methods of insuring compliance and accountability — re-franchising, rate regulation, penalty clauses and exacting of franchise fees — may prove inadequate, so some cities are experimenting with new approaches, some of them controversial.

In Sacramento, the mayor and other officials have proposed a plan called channel banking; which calls for 20 percent of the proposed system's channels to be held in escrow by a cable-television commission, and released back in stages to the operator during the franchise term as various benchmarks are met. It would work this way: Once the franchise is awarded, the operator would have fifty-one months to construct the system. If the system were

THE WAR BETWEEN CABLE AND THE CITIES

completed on time, 50 percent of the banked channels would be given back. After one year of successful operation, the remaining 50 percent would be returned. Failure to comply with either the construction or service requirements in the franchise agreement would result in a

a \$1 rate increase was granted. But after four years, with the franchise about to expire, Warner Amex had done no work on the system.

'What right does a city have to control the functioning of a First Amendment medium?'

slower return of the banked channels until all contracted work was completed.

When Sacramento's plan was announced, potential cable bidders and the city's own consultant, Howard Gan of CTIC, said it was unworkable and possibly illegal. The banking concept, argued Gan, is vulnerable to the same constitutional arguments operators use for pushing deregulation—that property is being taken without due compensation. Besides, as Gan points out, "In the 100-channel systems proposed in Sacramento, an operator can live very well with eighty channels."

While channel banking is a creative enforcement concept, it does not go far enough to suit some cities, which see municipal ownership as the only way to guarantee a fully accountable cable system.

In St. Paul, which has yet to be wired, the city council decided last May, after an eighteen-month bidding process, to reject all seven private bids, and proposed to build a municipally owned and financed system.

"The more public participation you have, the more accountability there will be," says Linda Camp, St. Paul's cable communications officer. "The city council felt it might not get the assurances it needed for access channels and institutional loops in private bids, but if we implement the public system, it will be clear it's local, and that the people are responsible."

Valparaiso, Florida was motivated to build its own system, not by the idealism evinced in St. Paul, but by frustration with private operators.

When Warner Amex purchased the Valparaiso system from Cypress Cable in 1973, it promised to continue an upgrading Cypress had begun when

Valparaiso wanted the company to take some positive action; failing that, the city wanted to replace it with a company that would. So Valparaiso sent out requests for new bids. With ninety days to go on the franchise, no new bids had been filed, and Warner Amex, which had sued the city when the requests for new bids went out, now threatened to leave town altogether. To prevent the cable company from packing up and leaving the city with no service, Valparaiso filed an injunction against the pullout and, in the ninety days left in the contract, built an entirely new, municipally funded plant. Every home in Valparaiso now has two-way cable, security services, and thirty-six channels.

"Warner Amex misjudged the community; they forced the city," says Tom Miller, chief engineer for the municipally operated system. "These towns aren't dumb. The city wanted service for the rate increase. Now they live next door to

the manager; they don't have to go to New York for a decision."

THE WAR between the cities and the cable companies won't end soon. Cable companies, through national and state cable associations and individually, continue to press for rate deregulation, franchise-fee ceilings, and for the freedom the designation "electronic publishers" would confer on them. Cities, through such groups as the National League of Cities and the National Association of Telecommunications Officers and Advisors (NATOA), are pushing just as hard for their goals—continued rate regulation, elimination of fee ceilings, and the development of non-discriminatory leased- and public-access channels, possible if cable companies are designated common carriers rather than electronic publishers.

Can either side expect a total victory? No. Even with their new-found sophistication and militancy, cities can expect to suffer more defeats—in the courts, in the states, and possibly even in the House of Representatives later this year, when it takes up the cable legislation already passed by the Senate. Yet cable companies should not view their recent victories as a harbinger of total deregulation. If, as most analysts expect, cable becomes the principal delivery system for both information and entertainment, such a dominant and possibly monopolistic medium will be ripe for even stiffer regulations than those proposed today. No regulatory pendulum swings one way forever. ■

Despite their new-found militancy, cities may suffer more defeats in Congress and the courts.



'ED ASNER'

STARRING LOU GRANT

The Man Behind the Image Behind the Man

It's hard to keep the story straight when a fictional city editor plunges into real-life politics.

by Susan Heeger

"I'M GONNA CHEW some ass," says Ed Asner. "Wanna tag along?"

His tone is brisk and energetic. Striding through a maze of plywood flats, lights, and cables on the *Lou Grant* set, he locates director Alex Singer and shouts, "What is this shit? What's going on?"

Singer, a diminutive man in a denim hat, tries to explain.

"I'm not gonna do it!" Asner shouts.

At stake is his performance in a scene shot the day before, which producer Gene Reynolds has judged "too cruel." Asner disappears to view it himself and returns a few minutes later looking pleased, the matter evidently resolved in his favor.

Then he sees me, taking notes. "What's that you're writing?" he demands. "I hope you don't blow this thing out of proportion . . ."

A television character can sometimes bind on an actor like an old suit—especially a character that has been around for twelve years, as Ed Asner's Lou Grant has. The medium demands predictability from its heroes. Like ghostly family members who show up in the living room once a week, they must be themselves as viewers have come to know them, or risk losing their audience.

But as Asner has lately discovered, a television image can provide an actor with an immensely influential tool. In the past year-and-a-half, he has become a promi-

nent voice for liberal causes in America. He has marched for the Equal Rights Amendment and the Professional Air Traffic Controllers Organization, against nuclear arms and U.S. involvement in El Salvador. He has stumped for Congressional candidates, and in the fall of 1981 was himself elected president of the Screen Actors Guild.

The incident I witnessed on the set seemed more a performance than a true dispute—an actor letting off steam after a slow morning. But it suggests the many layers of a star's persona. While the producer's concern was to preserve the character's image—Lou, the gruff teddy bear viewers love—Asner's was to protect his larger public image, to see that he didn't appear in a magazine as a temperamental star. What he forgot for the moment was that his own image is indebted to his character's: Asner's persuasiveness still depends on Grant's credibility.

For the most part, Ed Asner resists seeing himself in extraordinary terms. In his own mind, the magnitude of his success doesn't altogether jibe with what he has done, or what he is. And it certainly isn't reflected in his appearance. Off-camera, there is something scrubbed, vulnerable, even babyish, about his famous face that pictures miss. He drives a notoriously aged, utilitarian car, wears wrap sweaters, and exudes the homey spice of after-shave and chewing gum.

He grew up in an Orthodox Jewish family, in a predominantly WASP suburb of Kansas City, Kansas. His immigrant father made a comfortable living as a junk dealer. Edward, by his own account, was

not an early prodigy among the five Asner children, nor did his dreams reflect much faith that he would one day be famous.

"I loved to sing and be in little plays at Sunday school," he recalls. "For a career, I thought of archaeology. Or being a deep-sea diver. The diving bell fascinated me."

In high school, he distinguished himself on the football field and did his first real acting in a radio class. He also wrote for the school paper but decided against a news career when a teacher advised him there was no money in it.

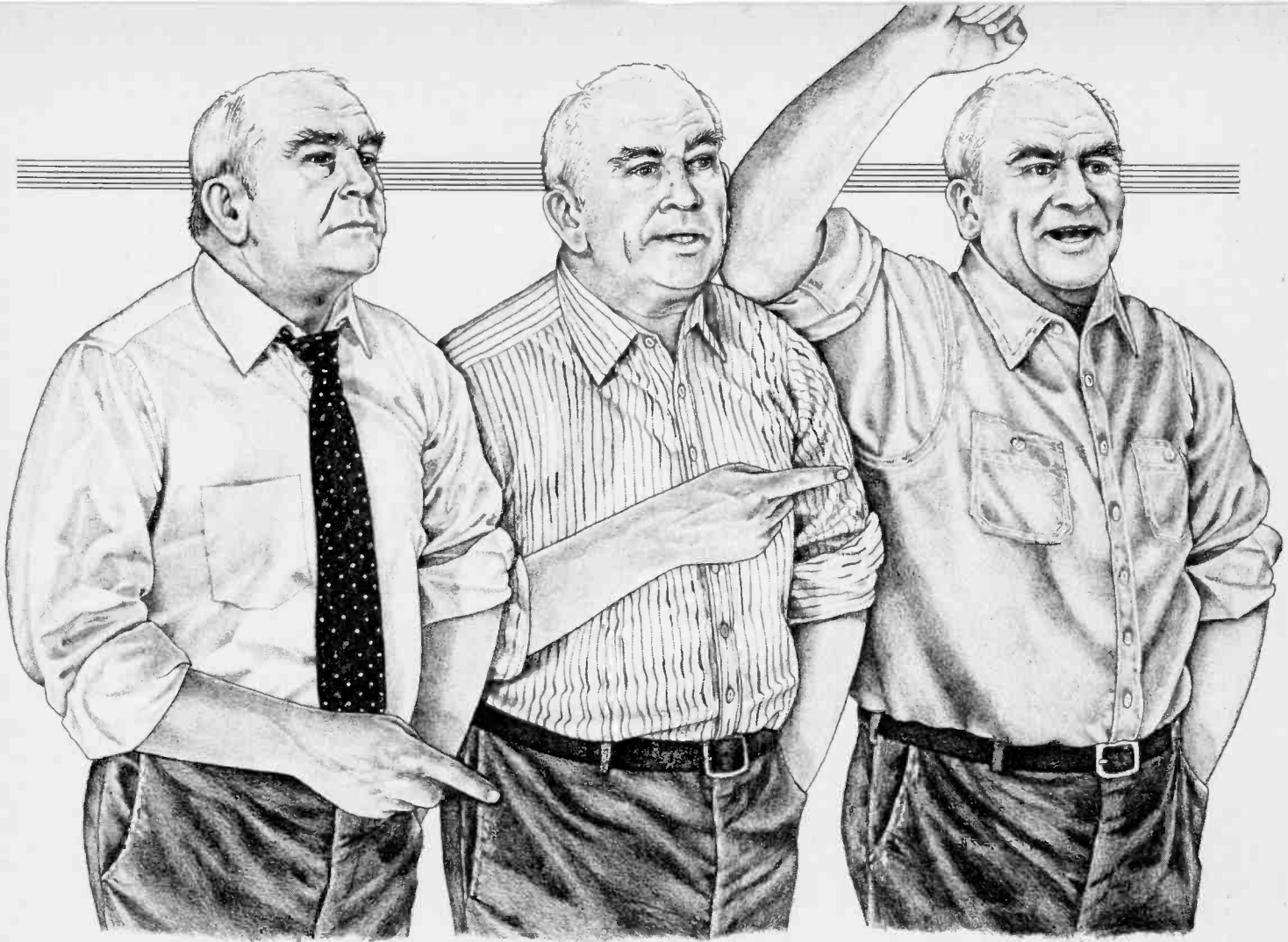
He still mentions that journalism teacher by name—Bill Corporan. And his struggling-actor stories have all the fresh pain of recent history. In his twenties, he recalls, he believed he had clinched a major television role:

"I said wow! *Studio One*! I called home to Kansas City and said I was going to do a lead on *Studio One*. My businessman brother called up the *Kansas City Kansan*—thank God it wasn't the *Kansas City Star*—and told them to write a big goddamn article on me. Well . . . I was on a total of about five minutes. I was never so humiliated in my life."

Today, after thirty-odd years as an actor, he concedes, "I've had more kicks and more success than I'd ever dreamed was possible."

Back in 1970, when he read for the part of Lou Grant, success very nearly eluded him. At the time, he was known in Hollywood as a dramatic, not a comic, actor.

Susan Heeger is a regular contributor to Channels.



Allan Burns, who created *The Mary Tyler Moore Show* with James Brooks, describes Asner's first try:

"He was awful. He pushed too hard. We were real polite, said 'you were fine' and all that. He left and we just looked at each other. Five minutes later, Ed burst back in, saying, 'I was awful! Tell me what you want. I know I can do it!'"

After some discussion, he read it again, and then he read it with Mary Tyler Moore. Burns and Brooks had the Lou Grant they wanted. "The hair stands up on your arms when something works like that," says Burns.

The show's live audience loved Grant, the blustering boss whose mood meter raced alarmingly between fury and sentimentality. Unused to reflecting on himself or being challenged, emotionally clumsy, he had unexpected soft spots that made him touching. Occasionally, with Mary's help, he saw his imperfections.

In those days, Lou's growth was more emotional than intellectual. He might learn a lesson in trying to matchmake for Mary, but not from arguing over politics. He turned a deaf ear to Mary's plea that she get as high a salary as her male predecessor. He took his wife of twenty years for granted, until she left him. He often waxed nostalgic over "WW Two." Grant

was, as Burns describes him, "a Goldwater man, a real chauvinist pig."

Though Asner played Grant broadly, he brought him alive in small, complex moments. During a scene in which he and Mary considered an affair, they kissed experimentally. Lou's tense, heavy body, his faltering passivity when facing her, conveyed his struggles with loneliness, curiosity, convention, and self-image.

"Everything Ed does comes out of a real person," says Alex Singer. "Whether you like it, whether you're amused by it, you believe the fellow that generates the behavior."

LOU GRANT WAS TO graduate to his own show before Asner gained serious public attention, but the qualities that made the character credible were already present in the Lou of *Mary Tyler Moore*.

He was an authority figure who, despite his tirades, did not put himself above his crew. He rolled his sleeves up and worked with them, then he went out for drinks with them. He accepted his own ordinariness.

Allan Burns describes how audiences perceived the actor, as well as the character, as "one of the boys": "He seemed almost without ego in terms of screen

time, in his willingness to be a team player instead of having to be the star. This made him welcome in people's homes."

The complexity and popularity of the comic Lou enabled viewers to accept his more serious side in the *Lou Grant* spin-off. Like Mary Richards starting out in Minneapolis, Lou had found his life vastly changed by a social revolution. Both were followers of that revolution, not its leaders. In 1970, when feminism was young, brave little Mary headed for an office in the city—because her boyfriend wouldn't marry her. By 1977, late in a liberated decade, Lou found himself single and out of work, clutching the address of a Los Angeles newspaper. Like Mary, the career girl in spite of herself, he was the middle-aged man starting over, thrown back on his rusty resources at a time when he'd expected to be coasting.

Lou Grant had more characters and a broader field of action than its predecessor. While the staff of WJM-TV spent most of each day cracking jokes and goofing off, the staff members of the *L.A. Trib*, where Grant became city editor, were news pros, caught up with the social and political issues of their times.

Initially, CBS felt that Grant should

'ED ASNER'

STARRING LOU GRANT

have a hero's image. According to Burns, "They wanted someone who always knew what he was doing. They kept saying, 'Make him Kojak.'"

Instead, the actor made him more like Ed Asner. Following his instincts, Asner focused on the person struggling toward truth amid complexities he was only starting to acknowledge. He made the struggle itself important. In the late seventies, many Americans found themselves in Lou's position. Like Asner himself, they were the "Class of '46," World War II veterans who had come of age in an era that exalted their country. Later, with the stalemate in Korea, the loss in Vietnam, and the social chaos that went with it, their ideals crumbled; they felt at sea in the world.

Another, larger audience, the Baby Boom generation, responded just as strongly to Lou Grant. Unlike many of their parents, who clung to antiquated values throughout the sixties, Grant met change head-on, acknowledging the inadequacy of his old assumptions. He was someone, like themselves, who didn't have all the answers.

These viewers, ages twenty-five to thirty-four, still constitute the show's largest audience, with the "Class of '46" coming next. As Burns suggests, Lou's appeal to both groups is his fallibility.

"Kojak didn't last long. Like a comet, he burst across the sky and was gone."

In 1979, the Los Angeles chapter of the American Civil Liberties Union gave Asner its Bill of Rights Award for promoting civil libertarian causes. Though Asner had belonged to the organization for years, director Ramona Ripston ex-

plained that the award was for "the kind of topics his show had devoted itself to. It raised important issues in a popular way for large audiences."

Which ignored the fact that Asner was not responsible for the show's subject matter, that he was not its only actor, and that Lou Grant was hardly on the libertarian side of every argument. But the award made an important point. Asner, the established star, had the power to recommend his show, and therefore its subjects, to the public's attention in a way the subjects alone might not. The show in turn contributed to public perception of Asner as a man involved with issues. The image, not the man, got the award.

Kim Fellner, information director of the Screen Actors Guild, took appreciation for Asner's image a step farther. On the eve of the 1980 actors strike, she invited him and the *Lou Grant* cast to a "Press Meets Press" conference, in which the make-believe reporters would brief the real ones on strike issues. The event was a Hollywood-style success.

THROUGHOUT the strike, Asner continued to make headlines. As Fellner understood, if anyone could change the public's concept of actors as rich dilettantes demanding more millions, it was beefy, Everyman Asner. Never mind his hefty income. In his early acting days, he'd done a stint in an auto-assembly plant. He knew the value of a union. Walking picket lines, he talked tough about management and working people. And though Asner's politics were to the left of Lou's, Grant's credibility made him seem less like a radical than a

kindly uncle, bustling to the defense of his family.

"Ed is someone who tries to make his life better and others' lives better," says Jack Bannon, who plays Art Donovan on *Lou Grant*. "You can disagree with him—maybe as passionately as he believes in something—but you have to respect that passion."

Respect for Asner's passion has not always been notable in his critics. As the strike dragged into late summer, a much-quoted blast from Grant Tinker had him "talking with Lou Grant's credibility" but "thinking with Ed Asner's judgment." Members of other unions whom the strike had hurt most—electricians, set designers, carpenters—condemned him for insensitivity to their plight.

But a year after an accord was reached (which Asner succinctly panned: "I think it stinks"), his own union elected him president.

"Everybody wanted him. He was really chosen," asserts Morgan Paull, a "bread-and-butter" actor who opposed Asner and William Schallert in the race. Paull cites the pro-labor, activist spirit that swept members during the strike.

While critics blame Asner's election for the growth of guild activism, actor Mark Schubb says the trend had actually been developing for much longer. A two-year veteran of the Screen Actors Guild legislative committee, Schubb notes, "The guild has given money to causes for years and years—and taken strong stands on issues: apartheid, Solidarity, ERA... Asner came to lead a movement that began long before he walked in the door."

Nevertheless, president Asner provided a convenient new target for SAG conservatives. Charlton Heston, himself an ex-guild president, emerged as Asner's chief critic.

"He is leading the guild's board in a direction that it has never gone before," he told the *Los Angeles Herald Examiner* in January. Particularly onerous to Heston were a \$5,000 donation to PATCO (actually initiated by the board before Asner took office), and the decision against giving the top annual SAG award to President Reagan, because of his anti-labor record.

Morgan Paull, who now sits on the SAG board and describes his politics as "closer to Heston's than Ed's," defends Asner's leadership. "His image has given him an unfair share of the blame for everything that has happened lately. He listens to all of us. He's not bullying or ramrodding

(Continued on page 59)



How Ma Bell Choreographed the Settlement

A lawmaker's account of AT&T's fancy footwork, from the Bell bill to the break-up.

by Lionel Van Deerlin

THE FIRST MAJOR nationwide opinion poll in advance of a Presidential election was conducted in 1936 by a magazine called *The Literary Digest*. It showed Kansas Governor Alf Landon leading President Roosevelt by two to one. When Landon subsequently won only Maine and Vermont, the *Digest*, humiliated, went out of business.

Had the *Digest*'s editors sold out? Were they guilty of attempted political manipulation? No, theirs was an honest poll, flawed in only one respect: It had been conducted by telephone. And in that era, not quite a half-century ago, only 40 percent of U.S. households had telephones. Inasmuch as they were something of a luxury, the phones were mainly in homes of the well-to-do—of people who, then as now, were likely to be Republicans.

Today ninety-five out of a hundred Americans have a telephone. This isn't just because affluence is more widespread. It's also because the local telephone, thanks to a number of factors, has become a bargain. Automatic switching reduced Ma Bell's labor costs. Low-interest loans made full rural service possible. And finally—goaded by state regulators to hold the price line—the telephone monopoly, American Telephone & Telegraph, presided over a system that socked it to long-distance callers to provide a subsidy for cross-town service.

As a result of all this, America's communications network is the envy of the world. Where other nations run their telephone systems as state-owned monopolies, the United States permitted AT&T to become the world's biggest privately owned corporation, with tightly regulated rates and standards of service. Under a

Lionel Van Deerlin, former Congressman from San Diego, was Chairman of the House Communications Subcommittee from 1976 to 1981.

1934 law, the company was sole provider of all equipment, from the basic black phone to gigantic PBX extension systems. Through twenty-two subsidiaries around the country, moreover, it dominated both local and inter-city service.

Like medieval castle guards, an army of AT&T lawyers stood ever at the ready to repulse any assault on those monopoly rights. No perceived threat was too obscure; in North Carolina they once prosecuted a dealer for selling plastic covers that wrapped around the phone directory!

Worst Possible Time

Inevitably, monopoly protection dampens innovation. Thus it was not mighty AT&T but a small company calling itself "Hush-a-Phone" that marketed a convenient attachment designed to simplify telephone conversation in noisy surroundings. No high technology, this—hardly more involved than a cupped hand around the mouthpiece. But Hush-a-Phone knocked the first critical prop from under Ma Bell's legal battlement with a court ruling, in the early fifties, that the attachment constituted no public detriment. Other imaginative new devices, such as the Carterfone, then microwave and satellite transmission—cheaper and more efficient than AT&T's land lines—crumbled the castle wall still further. State commissions and the courts combined to open the door for ever greater numbers of competitors. Meanwhile the Justice Department filed the second of two major antitrust suits against Bell.

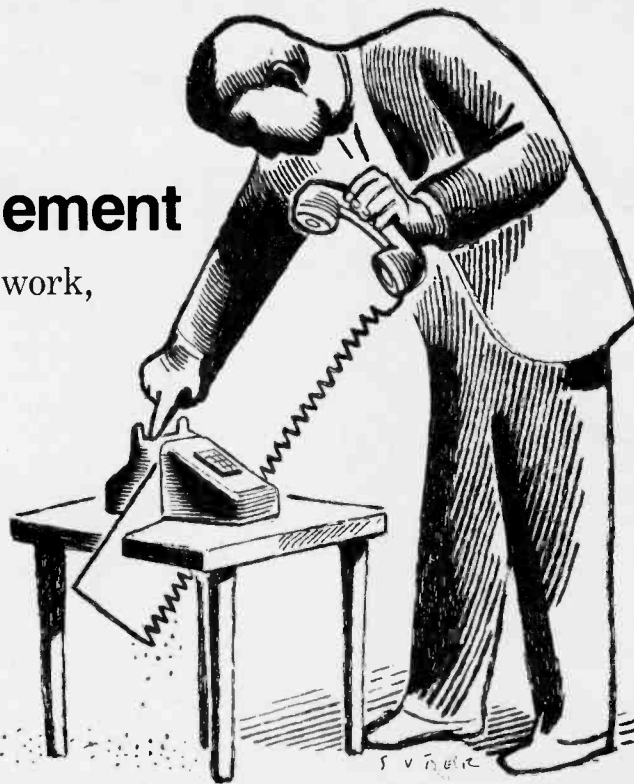
The settlement of that eight-year-old case, shortly after Christmas, portends the most profound change of all, a change likely to be felt most acutely by local ratepayers.

But my story really begins in 1976. For it was in the year of the Bicentennial that AT&T sent its briefcase brigades storming up Capitol Hill. Massive numbers of prisoners were taken in the onslaught; 189 House members, plus one-fifth of the Senate, were lined up as cosponsors of a legislative proposal the company was interested in passing.

AT&T's bill was the boldest move of its kind since creation of the East India Company in British colonial days. Its misnomer, "Consumer Communications Reform Act of 1976," hardly hinted at its purpose, which was to grant the world's largest corporation total rights to the manufacture and sale of telephone equipment and the sole right to provide inter-city toll connection. Bell would receive exclusive rights not only here and now, but for products and services it *might* provide in the future.

With just eighteen additional House sponsors needed to make a majority, the "Bell bill" might have sailed through as law. Behind it were not only AT&T but such major independent phone companies as GTE, and the politically sophisticated Communications Workers of America.

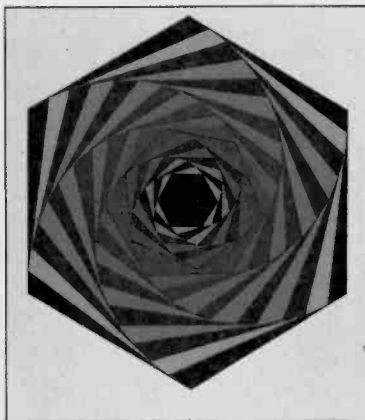
It couldn't have come at a worse time. The Senate's longtime arbiter of communications policy, John Pastore (D-R.I.), had announced retirement, and the new



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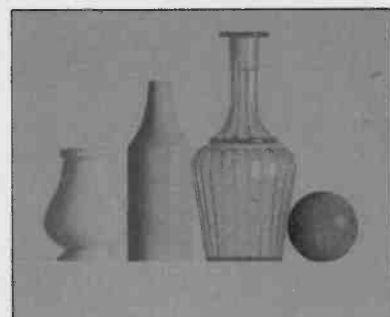
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leadership was not yet in place. Our veteran House subcommittee chairman, Torbert Macdonald (D-Mass.), was wracked by a terminal illness, from which he died in May.

I mention all this because some critics of the communications scene appear to have short memories. They fail to recall where things stood just a half-dozen years ago—how close we came to a massive setback for competition and consumer interests generally, and who prevented it.

I like to think I helped after replacing Macdonald. But there were others. Our staff's chief counsel, Harry M. (Chip) Shooshan III, held off attackers during the change of command—occasionally by firing in all directions. Representative Tim Wirth (D-Colo.) gave us the only legislative counter to the Bell bill, a pro-competition resolution that attracted a handful of cosponsors against AT&T's legions. With diametrically opposite proposals on the same subject, I was thus able to schedule hearings into "issues raised by competition in telecommunications" rather than on the Bell bill itself. And the subcommittee's doughty ranking Republican, Lou Frey of Florida, further diverted attention by proposing top-to-bottom scrutiny and possible revision of the Communications Act of 1934, the Holy Sepulcher from which Bell claimed its monopoly.

Ma Bell's Illusions

There followed nearly two years of fact finding—ninety-five public sessions covering thousands of pages of testimony as we prepared a detailed record of where telecommunications had wandered since that basic law undertook to regulate the two technologies of its day, "radio" and "wire." The staff produced a set of papers setting forth the multiple choices facing us in common-carrier regulation, ranging from the grab-bag dreams of Bell's board chairman, John DeButts, to the shredding of his empire, as others proposed. When Frey and I dropped our first rewrite attempt into the House hopper, it proposed the divestiture of Bell's manufacturing arm, Western Electric—conditioned on the company's keeping its twenty-two operating subsidiaries. But to assure other carriers reasonable access to those local systems, we proposed replacing the black art of Bell's "separation and settlements" (under which long-distance has subsidized home subscriber rates) with what we called a Universal Service Compensation Fund, policed by the FCC.

None of the participants in last January's costly antitrust agreement seemed ready four years ago to make the concessions now in place. Ma Bell still had illusions that she could keep everything. Chairman DeButts said, "We cannot live

with divestiture." Rejecting our restructuring proposals out of hand, he committed the corporate equivalent of hara-kiri, taking early retirement. His successor, Charley Brown, told me at the outset that any legislation would have to preempt all pending or future antitrust actions against his company. (To his credit, Brown quickly moderated that position.) Bell's competitors—MCI, Southern Pacific Sprint, burgeoning electronic manufacturers, and a host of "value added" systems carrying voice and data—didn't want the hobbled giant free to compete in new technologies of the computer age. "Break up Bell" was still the battle cry at Justice. State regulators refused to consider any plan that failed to guarantee low local rates in perpetuity. And other interested parties hovered in the wings: the cable industry, protective of its own rural monopolies, and the nation's newspaper publishers, nervous that Bell's prosperous Yellow Pages might eventually convert to electronic competition for classified ads.

Things rocked along until late 1979. Lou Frey had left Congress, but by then the bipartisan spirit ran so deep that all subcommittee members of both parties put their names on a new bill aimed at unraveling the competition problem. Bell's enemies had been winning big at the FCC, where a compromise access-rate plan helped all of them gain a larger market share. Savoring prospects of a full antitrust disaster for Bell, they swarmed through members' offices opposing any legislation. Nonetheless, HR 6121 cleared the full Commerce Committee in a thirty-five-to-seven vote, opening the way for the first major change in communications law in forty-six years.

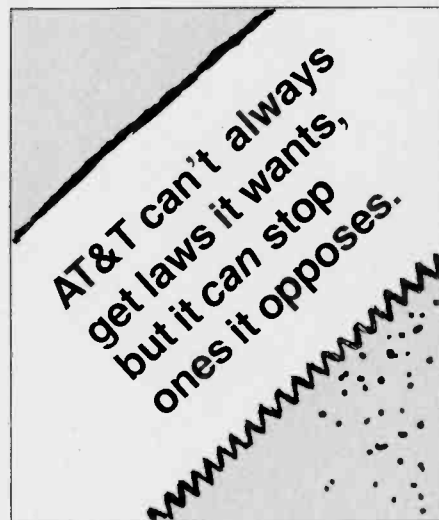
To obtain that vote margin, it had been necessary to accept three anti-competitive amendments barring Bell or any subsidiary from providing: "electronic yellow pages," burglar alarm service, and cable television. Then a funny thing happened. Peter Rodino's House Judiciary Committee, having taken scant notice of our efforts until HR 6121 was out of Commerce, asked the Speaker to let Judiciary review its antitrust implications. Tip O'Neill gave them thirty days—taking the process so near adjournment that we ran out of time.

A New Tack

THESE THINGS work in quietly strange ways. A monolith such as AT&T can't always get its way with lawmakers, but it can be awfully effective at stopping something. Though it publicly supported HR 6121, the company may have begun thinking the same thoughts as its competitors—that perhaps a better deal could be won in the courtroom. With such major

New Jersey properties as Western Electric, Bell Labs, and Long Lines, I've got to believe AT&T would have come down hard on Newark's Rodino if it had really been upset at losing the bill. (Ironically, the Judiciary Committee, seeming suddenly concerned that we might be giving too much to the Big Mother, contained nine members who had cosponsored the original Bell bill back in 1976.)

If a slowdown was indeed company strategy, the deal cut in the recent antitrust settlement seems to confirm its wisdom. Bell is permitted to cast loose its least profitable operations—the regional subsidiaries—while retaining those rich inter-exchange tolls and getting into data processing, home terminals, and the myriad other technologies of America's exciting information future. And, barring a change in the settlement or action by Congress, the cable industry and newspapers appear to have lost the protection our committee was willing to give them. Gone too is a three-tiered apparatus by which our bill would have kept local rates from rising more than 10 percent a year.



With or without the settlement (or our legislation), inevitable pressures would be pushing the home phone rate upward. Rates have remained unrealistically low through national and statewide "averaging" procedures and elongated depreciation schedules, which the states have foisted on telephone company property and equipment.

How to preserve reasonable rates and continuing quality of service in a new competitive climate? It seems likely to depend on the restraint shown by regulators. If charges are set too high, the carriers will be itching to find new conduits into people's homes bypassing the phone systems—by two-way cable, radio, or who knows what.

And when you ponder where the technology has taken us in a few short years, you have to believe they'd find new ways. ■

Stanley Hubbard and His Magni

by Julie Talen

IN THE PEA-GREEN BASEMENT cafeteria of KSTP-TV, where its president and owner, Stan Hubbard, eats nearly every lunch, conversation turns to the recent pregnancy of a Twin Cities star anchorwoman, KSTP's own Cyndy Brucato. Hubbard, eating his usual low-calorie fare and surrounded, as usual, by his faithful circle of top managers, jokes that the station has no maternity policy.

"What?" asks a visitor. "Did you ask Cyndy to leave?"

"Leave?" echoes Hubbard in a shocked voice. "Leave? Hell, we wanted her to have the damn baby on the air! Can you imagine the publicity?"

Kaki Tuohy, the programming director and only woman in Hubbard's elite, grins as she reaches for a cracker. "Another first," she says. "Another Hubbard Broadcasting first."

"Damn right, another first," says Hubbard emphatically — but he doesn't smile.

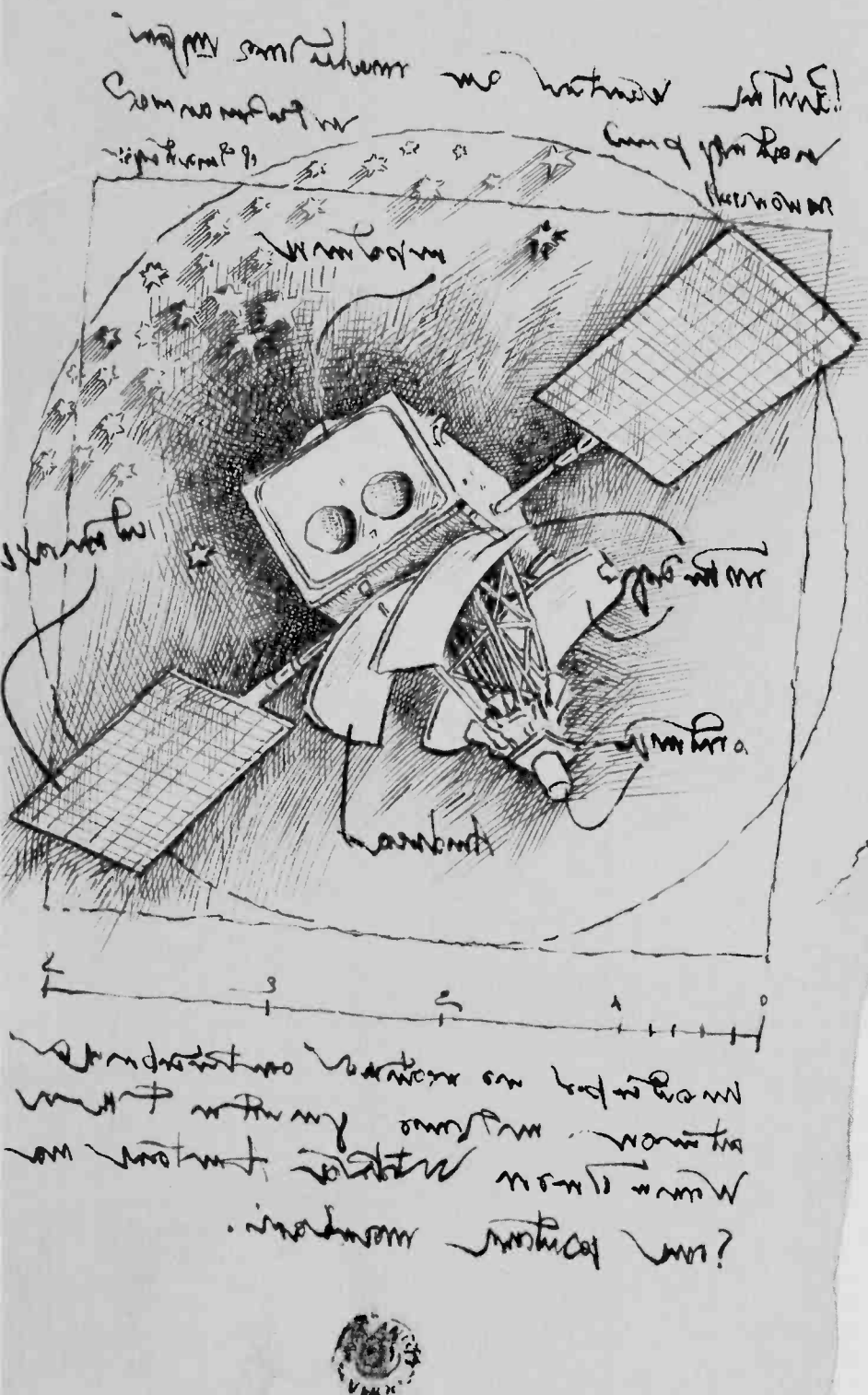
A Litany of Firsts

"Hubbard" and "first" are two words this man doesn't take lightly. To his mind, they belong together, as they have been throughout the career of his eighty-four-year-old father, Stanley Eugene Hubbard, who lays claim to Minnesota's first amateur radio set in 1912; the first plane-to-plane radio contact in his days as a pioneer aviator; the first commercial radio station in Minnesota in 1923; the first radio news service anywhere, begun between Chicago and St. Paul when United Press International refused to serve the then-infant radio industry; the first NBC television affiliate; the first television station in the Upper Midwest and the third in the nation when KSTP-TV began broadcasting in 1948. The list goes on—first station to go all-color, first station to broadcast news regularly — a KSTP litany of firsts.

Stanley Stube Hubbard, the son, has kept his father's traditions. KSTP, at the moment, is ABC's most-watched affiliate, and the two Hubbards may be, in another sense, the cities' most-watched

Julie Talen is a New York writer who grew up in Minnesota.

Illustration by Andrea Baruffi



ificent New Flying Video Machine

*A broadcaster is bullish on
the satellite he was supposed to fear.*

broadcasters. As well known as the rotund blue "5" that KSTP plasters across the cities' billboards are the antics and passions of these two mavericks: their hatred of unions, their love of zoos, their ferocious devotion to news, the son's fanatical attention to hockey, their mutual infatuation with all things technical, the wizardry of all things television. "We had the first color-film processor of any station," says Harold Meier, a news director in the early days of television. "We had the second one ever made—I think NASA had the first." The son has a weather department equipped with twenty-three weather observers, one jet helicopter, nine meteorologists, Doppler radar, and no fixed budget. "If we need it, we get it," says George Merrill, KSTP's chief engineer. In Minnesota, where weather is a serious subject, the U.S. Weather Service calls KSTP for tips.

Famous, too, are their right-wing politics and their hands-on approach to running KSTP—"with a fist in every pot," as Skip Loescher, an ex-employee who successfully battled the Hubbards in court, puts it. Nobody at the CBS affiliate, WCCO, their rival for the past five decades, gets this kind of attention. "But I don't know if anyone here *wants* that kind of attention," says Jim Rupp, a WCCO executive.

Though you wouldn't know it to look at its ratings, KSTP is also the last of a dying breed: the family-held, family-run station, whose founder, at eighty-four, still presides as chairman of the board. Five grandchildren work at the station when they're not in school. "It's a family business," says Hubbard. "We talk over everything. We have forever."

With jug ears, receding blond hair, and eyebrows so light as to be nonexistent, Stanley S. Hubbard, at forty-eight, looks like a startled six-year-old. He's got the energy of a Cub Scout troop on its first outing—and some of the same mentality. "I'm not for Carter," he announces, loping down the halls of KSTP, "I'm not for Reagan. I'm for *freedom*." A tiny flag flies in his lapel, its patriotism corny but real.

Hubbard's conversation is an odd mixture of evasiveness and point-blank di-

rectness. "He's, for me, the living definition of arbitrary and capricious," says one former employee. "He'll keep people guessing, he always keeps people off the point. He doesn't like anything that's formal or prepared—he wants to think he cuts through all that stuff." He can be



Stan Hubbard

You'll hear about some really nice things he does and you'll hear about some really bad things – and they'll both be true.'

unnervingly frank and profane, exploding his opinions with all the forethought of a kid throwing a firecracker.

He doesn't drink, doesn't smoke, sleeps like a baby, and displays a magnanimity as unexpected as it is genuine. Fired employees stay on the payroll until they find another job; chemical dependency treatment for employees is anonymous and free. "He presents many sides," says that same ex-employee, "You'll hear about some really nice things he does, and you'll hear about some really

bad things—and they'll both be true."

Stanley E. Hubbard, for reasons unknown to the rest of us, did not give his son his own middle name. He did, however, bequeath to him Hubbard Broadcasting, a corporation whose holdings, worth upwards of \$200 million, now include a luxury hotel, a marine electronics supply company, a remote-unit television production company, a sixty-six-foot yacht, and, most pertinently, three television stations and five related radio stations: KSTP-TV, AM, and FM in St. Paul, Minnesota, WTOG-TV, a UHF independent in Tampa-St. Petersburg, Florida, WGTO-AM in Cypress Gardens, Florida, and KOB-TV, AM, and FM in Albuquerque, New Mexico, an NBC affiliate.

Preemptive Strike

As of April 1981, the Hubbards may have another first to add to their list. Like them, it is both simple and shrewd, defensive and daring. They call it the United States Satellite Broadcasting Company Inc. (USSB). Stanley E. Hubbard is its chairman, his son its president and *raison d'être*. USSB is the younger Hubbard's response to a perceived threat: the direct broadcast satellite, or DBS.

Latest noodles in the alphabet soup of the New Television, swimming alongside CATV, HDTV, and LPTV, DBS should be distinguished from FSS—fixed-service satellites. Those are eleven broadcast satellites that currently send signals to public television stations and to the nation's 2,000 cable systems, carrying such now-familiar pay-television fare as uninterrupted movies, sports events, and Ted Turner's superstation.

Perhaps as many as ten thousand people have gone to the trouble and expense (\$5,000 or more) of erecting in their yards an unsightly umbrella-shaped dish, ten to fifteen feet in diameter, to pirate these signals from the sky. Imagine the appeal of a dish about the size of a saucer a kid might use to slide down a snowy hill, which you could charge at your neighborhood Sears for a few hundred dollars and carry home under your arm. That's all you'd need to pick up a DBS signal, which is stronger and on a higher frequency than the FSS signal.

Depending on how many satellites will be built, and how much of the 12 gigahertz band is allotted to the United States at the 1983 Region 2 Administrative Radio Conference, DBS systems may rain as many as forty new channels of television down on the land by the end of this decade.

How does DBS threaten people like Hubbard? It doesn't, necessarily. It could bring more television to the places already doing a booming business in the larger earth stations — remote areas that get few or no conventional television channels. And it could bring multi-channel pay television to people living in the 30 or 40 percent of the nation that will probably never be wired for cable.

TV Without the Middleman

On the other hand, DBS can also provide the most direct method yet for getting a television signal into a home. It is television without the middleman — without stations like KSTP to relay programs, and without broadcasters like Stan Hubbard.

"I'd been thinking about DBS for a long time," says Hubbard, speaking from his wood-paneled office in the Hubbard Broadcasting Building, "and I, like every other broadcaster, was worried about it." His thinking was jolted last April, when the FCC agreed to consider a 1,132-page opus from Comsat, the nation's largest satellite manufacturer, proposing several satellites to cover the United States with three to five channels of pay television. In considering Comsat's proposal, the FCC opened the door to proposals from competing systems.

"That's when I really started thinking about it," Hubbard says. "Struggling in the back of my mind was: How the hell do you merge the concept of DBS and the concept of the local broadcaster? And, all of a sudden, like a light out of the clear blue, it came to me that it would be possible to do it."

He came up with another Hubbard first — a DBS system of his own. His scheme could remove him and other local broadcasters from the middleman's role and put them in a position to benefit from DBS: He could form a confederation of local stations, build a system of direct-broadcast satellites, program the system with the help of his confederation — and beam channels directly to anyone with a dish.

Hubbard's DBS application arrived at the FCC only a few weeks after Comsat's. In it he proposed a system of two large satellites, each with two beams, or "footprints." Each beam, carrying three television channels, would cover one U.S. time zone. The first channel would carry general-audience entertainment programming very much like network

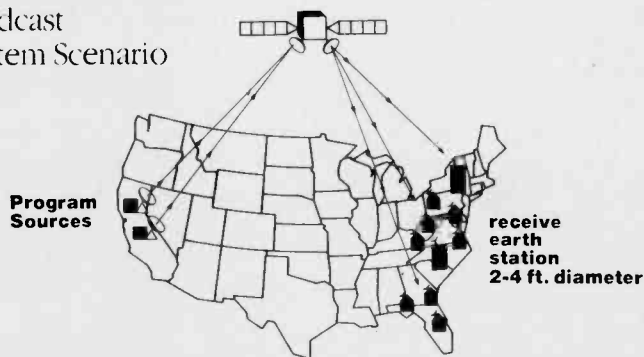
fare — sitcoms, serials, soap operas, talk shows, news and, last but far from least, advertising. The second would be a twenty-four-hour all-news channel, programmed to a large degree by the news departments of the local-station confederation, in a kind of Associated Press of the sky, and the third would be left open for some unseen future development.

In each USSB market, one independent station — or network affiliate, if no independent wanted to join and an affiliate could be wooed away — would get exclusive rights to rebroadcast Hubbard's material. As the networks do now, he'd compensate them for whatever share they cared to rebroadcast — regardless of how

encourage them to relay their own productions as often as possible; a similar approach at PBS has engendered some of its most innovative programming. Unlike PBS, though, Hubbard would compensate local stations for their contributions.

As a final inducement to join, Hubbard would give member stations first crack at a public stock offering of nonvoting shares (Hubbards, elder and younger, will control the voting stock). And they'll elect a board, with its own full-time executive, to oversee the operation of the system. "Grassroots input," the application calls it; a system "truly national and local at the same time."

Direct Broadcast Satellite System Scenario



many dishes were getting the programming in their area — and stations could cut in with their own local news, other programs, and local advertising. The programming would come, in part, from the same Hollywood studios that bless us with their output on the Big Three now — Lorimar, MTM and Norman Lear — and also from the new production facilities Hubbard plans to build in St. Petersburg and Albuquerque.

The application promises great things for localism, most of them through the wonders of satellite technology. The stations in the top fifty markets would be required to install an "uplink" to transmit signals to the satellite. Their signals would then go, on a weaker beam, to a master feeder in the Midwest, which would either record them or send them back up to be rebroadcast by other systems — nationally or regionally.

Not incidentally, many of the larger independent stations already have satellite uplinks. "Nothing Hubbard's suggesting can't be done," says Steve Bell, general manager of the Los Angeles independent, KTLA, which has been beaming its *Richard Simmons Show* nationwide with spectacular success. "It's all being done right now." For example, *Independent Network News*, which airs across the country during prime time, uses local stories from a host of independent stations every night. Hubbard's plan would give

local stations regular satellite time and

Beyond the limits of the independents' signals, and in towns where there is no independent station, Hubbard would offer rebroadcasting rights to low-power television stations (LPTV). Only one such station happens to be operating at the moment — from Bemidji, Minnesota — but when the FCC approves the thousands of applications pending, these stations, with their ten-to-fifteen-mile range, should spring up like mushrooms after a Minnesota rain.

Every Which Way

One could almost accuse Hubbard of overkill. His plan uses every non-network television outlet to be had: the independents, the low-power stations, the dishes — and, theoretically, the cable systems that would have to rebroadcast the independents' signal. There would be duplication in the programming that reaches the home, but to what extent no one can be sure, until these small dishes are actually in the marketplace competing with cable and conventional television. And the USSB signal would provide different fare to different people: Those with dishes would get USSB's local and regional programming only from a satellite; those with conventional sets would get their local programming from a station, as well as whatever that station chose of

local and regional programming from USSB's satellite, and those with both (whew) could take their pick.

"The idea," Hubbard says, "is to have a DBS system *and* maintain the strength of the local broadcaster. With our plan, the local station is, number one, a news bureau, number two, a producer, and number three, a carrier of any part of our programming. If he does less over the air, he'll still have income from the other two.

"Yes, we're becoming [our own] competition," he continues, a note of exasperation creeping into his voice at having to explain the obvious. "We have to. The question is—are you going to sit and let the world pass you by, or are you going to move ahead and be part of the future? You can't have it both ways."

'People Like Ads'

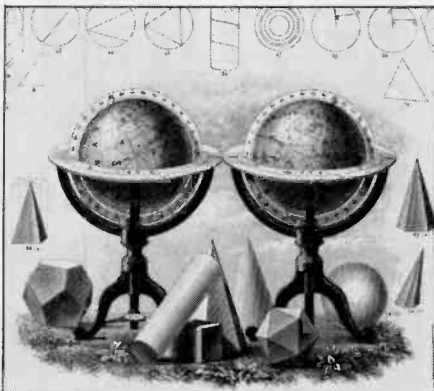
If Hubbard is guilty of overkill, it may be because he has to be. No RCA or Comsat, able to bleed for years until DBS becomes profitable, Hubbard needs a national audience right from the start so that he can sell national advertising—\$786 million worth the first year of operation alone. The networks, with access to 98 percent of American homes and more than 200 affiliates each, bring in more than a billion dollars in advertising a year each, and they've been at this a long time.

As far as Hubbard's concerned, advertising is more than a necessity, it's a downright virtue. Free, over-the-air broadcasting is what made this country's television great, he believes. Free television—the kind the Hubbards make their money from—will sustain USSB. "People like ads," he says. "We have some research to prove it. They think it's a small price to pay for the programming."

Hubbard's DBS application is in a lot of company. The FCC had expected perhaps one or two applicants besides Comsat. It got fourteen, including one from two inmates at an Indiana state penitentiary. In October, after weeding these out, the agency took eight proposals and a portion of a ninth for serious consideration. Its decision could come quite soon.

Hubbard made first cuts. So, too, did RCA, CBS, Western Union, and Comsat. The size of these corporations reflected the vast sums needed to put a DBS system into operation. Hubbard's, not surprisingly, was one of the least expensive, proposing \$300 million for satellite costs and nearly a billion dollars for the first year of operation. Aside from the \$786 million in advertising, funding would come from underwriters, partners, and banks. In the first year, the lion's share of the costs—\$647 million—would go to programming. That's considerably less than networks allot for programming now.

Most of the other applications were based on some combination of pay and advertiser-supported television. Two companies, RCA and Western Union,



Hubbard would form a confederation of local and low-power stations, build a system of DBS satellites, program the system with the help of the stations, and then beam three channels to anyone with a dish.

proposed that their satellites be common carriers—provided they retain the option to choose their clients. Direct Broadcast Satellite Company, another early entrant, wanted to lease varied amounts of satellite time to any and all takers. And CBS

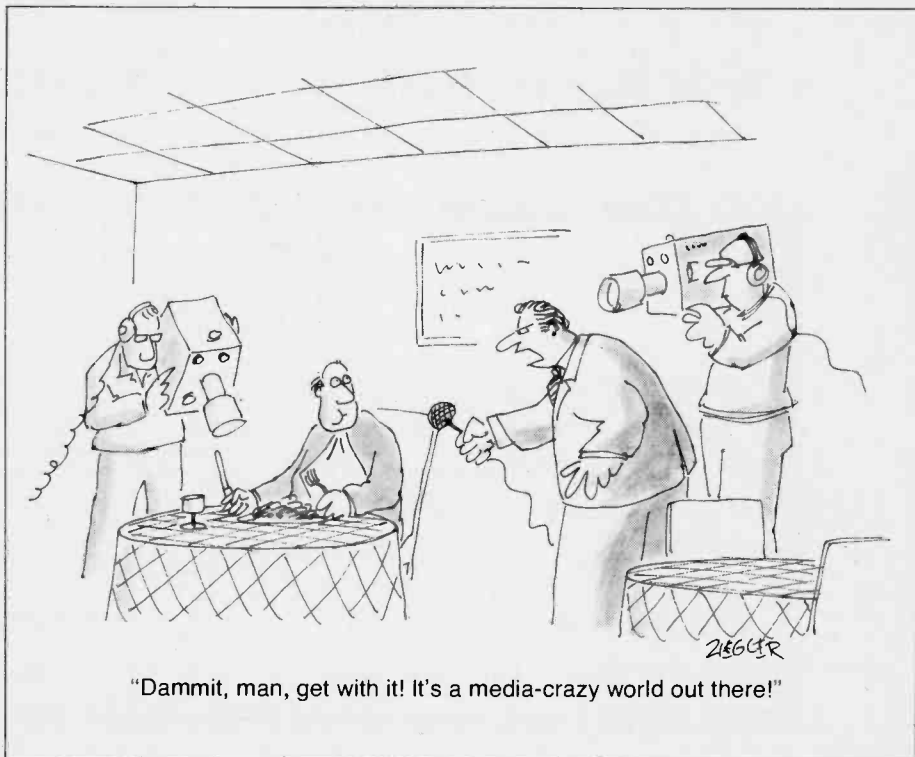
wanted to preempt all the others by reserving the entire spectrum in question for high-definition television, a new process creating a clearer television image by doubling the number of lines on the screen.

For all the variety in these proposals, they all ignored the traditional local broadcaster—the middleman. All of them, that is, but Hubbard's.

Back in Minnesota, the snow falls on another winter, another hockey season begins, and Stan Hubbard checks over the bid for the state high-school hockey tournament, which his KSTP covers with eleven cameras and three "slo-mo's," roughly the allotment ABC gives a game on *Monday Night Football*. Hubbard's love of hockey has become something of a local joke. Though paintings on every wall of his office testify to his love of sailing, it's Hubbard's passion for hockey that gets attention—probably because he once preempted a nationally televised NCAA basketball game to show a St. Paul semi-professional hockey team, the Vulcans. He did it, Hubbard says, to help his television crew bone up for the hockey tournament, but the presence of his oldest son, Stanley Eugene Jr., on the rink in a Vulcans uniform created a furor that still lingers in local memory.

On another plane, though, Hubbard's devotion to this most vicious and chaotic of team sports is an apt one for a broadcaster in such times as these. "Hockey was very important to me psychologically," Hubbard once told a sports maga-

(Continued on page 58)



LOVE *vs* HATE

"Outstanding Achievement for Public Service"

— Columbia University School of Journalism National Magazine Award

A "rallying cry... above the mellowspeak"

— Time magazine

"Inviting graphics, wry humor and colorful writing"

— Los Angeles Times

Publisher of "lies, half-truths and distortions"

— A top Ford Motor executive, after our award-winning story that forced the recall of two million Pintos

"A libelous reckless attack... by innuendo, lies and character assassination"

— A top official of the Laborers International Union, recently indicted for racketeering

"Sleazy"

— a senior Reagan appointee to the CIA



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MOTHER JONES • 1886 Haymarket Square, Marion, OH 43305

'Hey . . . Achilles! Why so tense?'

Ancient mythology, brought to you by Madison Avenue

EVERYTHING FADES. You can forget your own shoe size, your parents' zip code, the capital of Missouri. But try forgetting the dozen or so television commercials soldered to your synapses: Mr. Whipple and the Charmin, the Esso tiger in your tank, Brooke's Calvins, Robert Young's Sanka prescriptions. Memory's runny sieve has special reservoirs for these. We can all play about a thousand feet of celluloid over in our minds, and most of it contains commercials.

There is no shortage of explanations for this: *The volume goes up; the jingles stick on your tongue; the editing is ten years in advance of that in feature films.* One book claims that ads use hidden sexual images to get our attention—mammary-shaped ice cubes, mermaids in the dishwasher. There may be something to all this, but it doesn't add up to equal the power of commercials to stay with us.

I propose something entirely different, something bound to seem farfetched at first. Commercials work so well because they act as myths used to; in fact, in a rather ironic way, commercials *are* our contemporary myths. Among other things, classical myths showed how the world was transformed by divine interventions. They comforted by explaining. The stakes are lower in commercials, of course; they might explain how a drain has been unclogged rather than, say, how a river has been set free. And, amusingly enough, the hero of these thirty-second dramas is a product rather than a Hercules. But the plots of commercials and myths are nearly identical.

Though at first there seems an infinite variety of commercials, a closer look shows only a handful of basic types. These have stayed fairly constant since the fifties. Each has an almost exact parallel in mythology. The most common kind involves the product intervening to solve a problem. "How will I stay calm and dry for my daughter's wedding?" the mother asks in one vignette. Enter Johnson's Baby Powder. This is also the plot for one of the most common types of myth: Gods are always coming in to rescue their favor-

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by Mark Edmundson

ites when they're in danger. When Homer's Odysseus is in trouble (though perhaps of a more serious nature), there's little doubt his patroness, Athena, the goddess of wisdom, will enter from above swathed in celestial light. We've seen this plot reenacted countless times on television, with dishwashing detergents, household cleaners, and soaps sailing down, often haloed, to save the day. And about a decade ago the products came supported by demiurges: Remember Mr. Clean, the Man from Glad, the Ajax Knight, and all the other now-retired members of the Madison Avenue pantheon?

Then there's the simple demonstration—a grease spot, a streaked window, a stalled car, and an announcer bringing on the product. The correlative myth is one in which the god proves his divinity by his deeds: Hercules takes on twelve labors, Phaeton drives his father Apollo's chariot. The gods—and the products—prove themselves by taking up a challenge.

Turn on the set right now and you'll see Bill Cosby administering the sacrament of pudding to a knot of kids, or the former Dr. Welby healing coffee-frayed nerves with Sanka. That tale's been around too; all through the Greek epics, soothsayers broker between gods and men. On television our own favored figures, celebrities, are the ones in good with the reigning powers, manufactured products.

How about those feel-good commer-

icals, "Have a Coke and a smile!," or "Reach out and touch someone!?" Those too are based on myths, and very powerful ones at that. They show us a version of Utopia, that prototype of the harmonious city depicted by philosophers from Plato to Marx. A new car sliding through a lush rural scene provides the bucolic variant on the Utopian theme, a gesture toward the good life that's been lost, or that will perhaps be found in an Arcadia or an Eden.

So suppose commercials and myths have something in common. Are we any closer to knowing why ads cut themselves so quickly into our memories? Probably. Beyond pushing a specific product, the commercial-as-myth does something more general, and not wholly unlike what the classical myth did for the ancients. It provides assurance and comfort in the contemporary world, at best a baffling place to maintain residence. For a great number of the snarls that aggravate us everyday, the commercial suggests some very sure solutions—involving, of course, the purchase and use of the "right" products. Commercials don't address the major questions the way myths did, but maybe the plethora of problems they do address makes up for individual shallowness. And besides, my car engine is sometimes as puzzling to me as a stroke of heat lightning must have been to a wandering Athenian. If a sacrifice of cash for a detergent gasoline can propitiate the machine, I'll do it as readily as that Greek might have butchered a white heifer in offering to Zeus.

When Madison Avenue takes over these formerly sacred plots and structures, it inevitably finds latent in them a sort of religious residue. The Soviets haven't chosen to convert churches into museums of the revolution for no reason. There's a backwash of piety there, and the propagandists want it. The copywriters, likewise, know what works. The standard for effectiveness in the ad business is how memorable the commercial is—and myths are memorable. They tell us things we like to hear: that the world makes sense, that quandaries have resolutions. When these sorts of "certainties" fall into doubt, myths, great and small, come to our minds, and we repeat them to ourselves yet once again. ■

Illustration by Gil Eisner

The Myth of 'Improving' Television

The Age of Television

by Martin Esslin

W. H. Freeman & Co., \$15.95; paper \$7.95

WHAT, THEN, a hundred or two hundred years hence, might posterity come to regard as the greatest American disaster of the twentieth century? It may well turn out not to be the Great Depression, or Pearl Harbor, or the Vietnam War, or Watergate, or double-digit inflation, but in fact, American television . . . So prophesies Martin Esslin — former BBC programming director, current Stanford drama professor, and author of such works as the noted *The Theatre of the Absurd* and, most recently, *The Age of Television*.

Few of us could deny that American television has its shortcomings: that a good deal of its fare is insipid, if abundant and elaborately prepared; that its sophistication is often more salient than its integrity, or that its character, split as it is between financial and artistic concerns, seems at times a bit schizophrenic. But why this latter-day Jeremiah's forecast of doom? One reason that surfaces in this short, laxly structured discussion of the medium is that American television is controlled by the wrong sort of people. "For the first time the least intellectually developed segment of society is dictating the intellectual level of society's chief medium of information and communication. . . . In our age, even members of the intellectual elite are routinely exposed to TV and are expected to adapt to its level if they want to communicate through it."

American television is thus judged by Esslin to be both juvenile and delinquent. The twelve-year-old mind to which it supposedly panders has been allowed, through the default of legitimate cultural (read "upper middle class") authority, to bully us into an interminable viewing of its simple-minded fantasies and obsessions. If only, Esslin laments, the best American minds could be jarred out of their apathy long enough to consider (as their British counterparts have done), that television is

a potential "means to raise the cultural level of the nation," then some much-needed discipline might be brought to bear upon the medium. While it is quite possible that commercial television will remain forever unruly, obstinately refusing to broadcast anything more enlightening than "the collective psyche, the collective fears and aspirations, neuroses and nightmares of the average American," is it necessary that *all* our television be so embarrassingly unrepressed, so libidinally dominated? Can't *some* American television be dedicated to informing our minds rather than merely to reflecting their base preoccupations? Must the "10 percent of the population" upon whom "the intellectual, cultural, and *economic* well-being of the nation principally depends" be continually denied their "basic human right" to intelligent, thought-provoking television?

Come now, the reader interrupts, surely PBS provides enough artistically/intellectually respectable programming to satisfy a highbrow audience. Although Esslin admits that PBS has the right idea (one suspects that his approval may be prompted by the number of BBC products imported), he is pessimistic about the ability of a system dependent upon notoriously unreliable financing to thrive as a cultural forum. Nor can cable television — the audience of which is restricted to those with the means and willingness to pay for its service — achieve the range and impact Esslin seeks. What is needed, he asserts, is at least one (preferably two) noncommercial national networks à la BBC, funded by public, television excise, or commercial network taxes, or by television licensing fees (the last is a British tactic). With steady monetary support, a public television system could be constructed in America that, according to Esslin, would rival its technologically sophisticated, if intellectually vacuous, commercial sisters for the greater share of the viewing audience.

Influential, praiseworthy television is the end point of Esslin's argument. Unfortunately, he offers only limited advice for achieving it; namely, how to educate the masses into an appreciation of better television, assuming that with appreciation, a demand for such will surely follow. Identifying television as a dramatic genre (whether its form be sitcom, serial, news, commercial, game- or talk-show), Esslin stresses that the "multilayered dramatic package" produces "an emotional impact

the elements of which remain largely subliminal." The psychological states that television induces must therefore be analyzed if its deleterious effects are to be counteracted, or its "positive potential" harnessed. Towards this end, he suggests that television criticism be introduced into our elementary school curriculum. By demystifying the televised image and the process responsible for its production, such a course of study would yield, Esslin hopes, a more discerning crop of viewers. The implication here is that an audience whose critical faculties have been tuned up before it tunes in will not only come to value Esslin's brand of television, but will discriminate more accurately between the truth and fiction, style and content of television; between, for example, the "facts" recited by newscasters and the carefully rehearsed sincerity of the recitation. Thus, though the Walter Cronkites of the world may continue to elicit our trust by somewhat disingenuous means, we would at least be able to pride ourselves on knowing the manner in which we're manipulated.

Esslin's stance toward television is similar to that of some eighteenth-century observers of the novel: Although initially introduced into the culture as a *popular* form of entertainment, television, like the novel in the hands of Fielding or Richardson, might be employed by the artistic elite to instruct its viewers/readers while continuing to delight them.

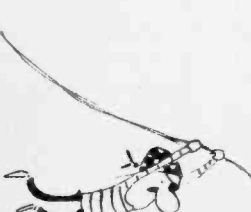
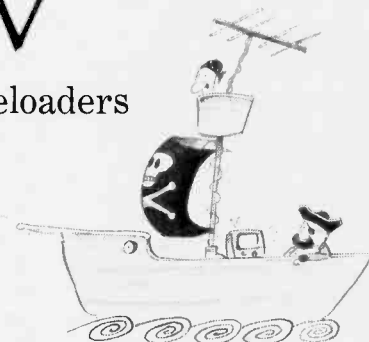
That we could all benefit from some artistic instruction is clear; television would indeed do well to take its didactic function more seriously. What is abundantly less clear, however, is exactly what Esslin would have us be delightfully instructed *about*. Although he repeatedly argues against the current state of American programming, borrowing surprisingly and haphazardly from the likes of Plato, Brecht, and Sartre for support, his remedy substantively amounts to little more than reverence for the BBC. Granted, the BBC produces some very good television. But allegedly we import the best of it, and still Esslin grumbles. One comes away from *The Age of Television* with the distinctly uncomfortable impression that Esslin has thought longer and harder about who should control American television than about the content that would be controlled. EILEEN GILLOOLY ■

Eileen Gillooly is a writer in New York City.

PURSUIING THE PIRATES OF PAY TV

The industry strikes back at video freeloaders

by Brad Jaffe



A New Jersey man was having his apartment wired for cable recently when the installer casually made

him an offer.

"Look," he said, "you've already signed up for the basic service. For \$30 I can remove your filters and you'll see all the pay-TV movies you want, too."

The offer was politely declined, but not out of virtue. The new subscriber had already, in fact, noted the serial number of the lock on the junction box where all the cable lines from his apartment floor connected to the main cable. He had called the lock company and requested a duplicate key, claiming he'd lost his.

In two to three weeks he would have his own key and access to his cable line. From there it would be a snap to remove the filters—a friend at work had told him how. Maybe he'd see if anyone else on his floor was interested.

And so it goes.

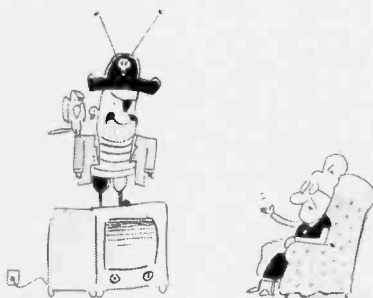
Like speeding and income tax finagling, the theft of pay television has become a crime that otherwise law-abiding Americans try to get away with. Cable industry experts estimate that 10 percent of the 26 million American homes currently receiving a pay-television service are doing so illegally. In urban areas, the estimates run as high as 25 percent.

Modus Operandi

Methods of piracy depend on how the desired services are distributed. Apart from the over-the-air delivery of subscription television, pay television is usually

received by cable or through multipoint distribution systems (MDS).

MDS subscribers, often apartment dwellers, pay an initial charge to have an antenna installed on their roof, and then a monthly fee for the programming they receive. The antenna picks up the signal from a large transmitting antenna usually located on a tall, well-situated building in



the customer's town.

Unfortunately, MDS has a weakness: It's easy to pirate by duplicating the antennas and converters. Electronics stores, small manufacturers, and fly-by-night businesses copy and sell the equipment at prices below those of legitimate MDS operators. Antennas, for instance, can be bought for \$200—less than a subscriber would pay for a legally installed antenna and six months of service.

A recent, widely reported survey of MDS piracy by the Texas Entertainment Network revealed that some 25,000 illegal units exist in Dallas and Houston alone—amounting to half of TEN's legitimate subscribers.

Cable operators face a different set of problems. Since all cable services are transmitted over the same cable, the

operators must devise ways to prevent freeloaders from receiving pay services they haven't bought. Pay channels such as Home Box Office, Showtime, and Prism are either filtered out by a small cylindrical trap attached to the cable line or transmitted in a scrambled form, requiring the purchase of a decoder box from the cable company. Neither of these methods has worked very well. Tinkering customers have figured out how to get at and remove the filtering traps, and there's a large market for misappropriated decoder boxes.

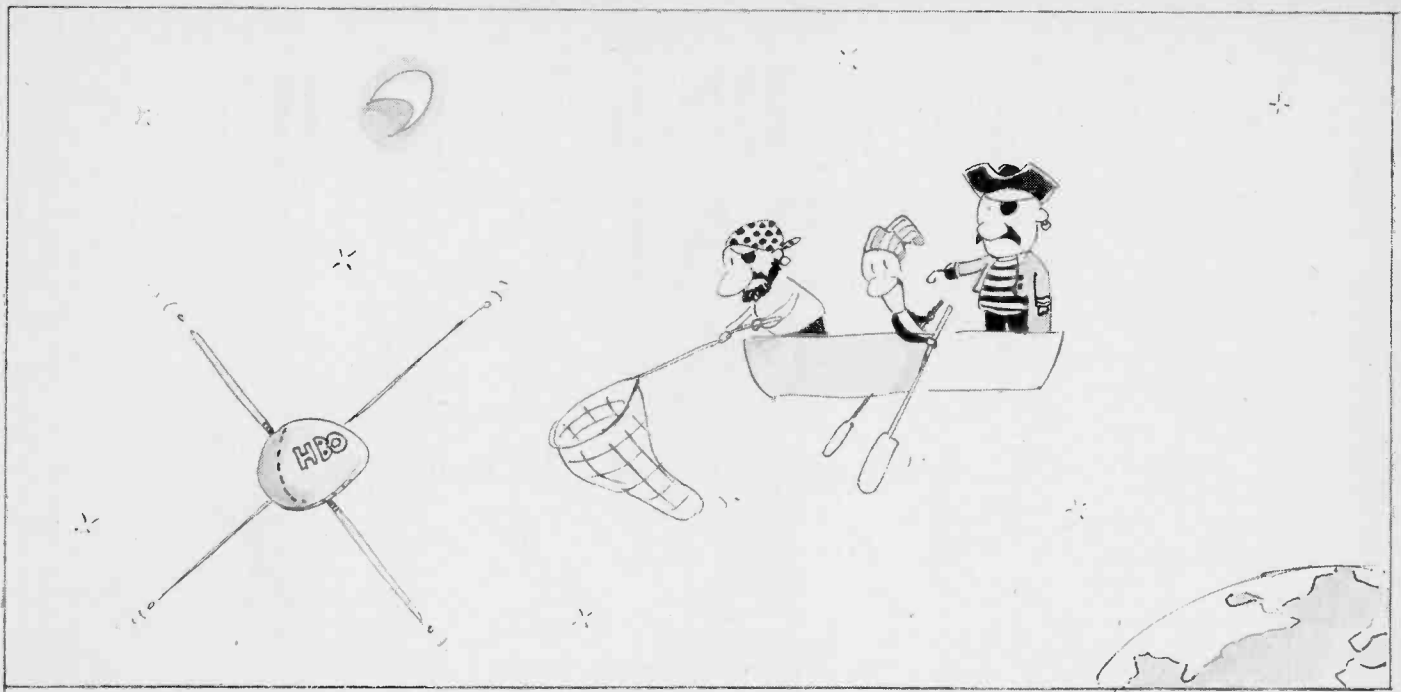
Cable company employees who provide services for an under-the-table fee further contribute to the cable-piracy problem. Cable linemen and installers make easy money by removing traps, selling company consoles and decoders, and occasionally performing full-fledged cable hookups. The fees for these illegal services range from \$25 to \$30 for removing filters. Three hundred dollars will buy the cable tie-in, which usually includes two or more channel-selection consoles, the removal of filters, all wiring and labor—and the risk of prosecution if caught.

Until recently, the cable industry concerned itself primarily with construction, marketing, and sales. The growth of many new cable franchises was so rapid, and the demand for service so intense, that inventory control and security were often overlooked in the scramble to hook up as many households as possible. When the industry finally realized it had a problem on its hands, it avoided publicity, which only encouraged the cable pirates, who now do a multimillion dollar business.

Cable companies have begun to strike back. The most active campaign is being

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Illustrations by Patrick Mc Donnell



waged by HBO, which was recently awarded a permanent injunction against Ashton Electronics Ltd. and twenty-one other defendants in the New York area who were selling illegal MDS equipment. The United States District Court ruled that sale of equipment designed to intercept pay-television services violates Section 605 of the Communications Act, which prohibits the unauthorized reception of "any radio transmission" except those intended "for use by the general public."

Dishing Out Punishment

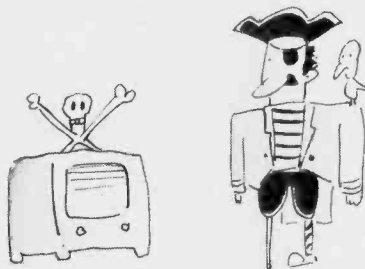
While this decision is a victory for HBO, many in the cable industry consider it far from satisfactory. Questioning the relevance of communications laws written before television existed, they support a bill now before Congress (HR4727), which would allow courts to impose penalties of up to \$50,000 and two years' imprisonment for the unauthorized reception of pay programming. The bill, cosponsored by Congressmen Henry Waxman and Timothy Wirth, is the first to specify civil and criminal penalties for cable piracy.

But if HR4727 is passed without amendment, it will make criminals of a group of Americans who claim to be entirely within their rights: the owners, distributors, and manufacturers of satellite earth stations who are not affiliated with cable systems.

A backyard earth station is a dish antenna, ten to fifteen feet in diameter, that pulls in signals from the geostationary communications satellites orbiting 22,300 miles above the equator. The reception and variety of programming provided by a satellite dish is a videophile's notion of

heaven.

Recent innovation and competition have brought the once-exorbitant price for these dishes into the range of middle-class affordability. Good basic systems these days cost between \$5,000 and \$7,000 installed and are quickly gaining popularity in rural areas not serviced by cable or



MDS. The Society for Private and Commercial Earth Stations (SPACE) estimates that there are some 30,000 earth-station owners in America. (*Barron's* makes a more conservative estimate of about 10,000.)

The Federal Communications Commission abolished all licensing requirements for earth stations in 1979. But pay-television program suppliers contend that the reception of their programming by the earth-station audience violates Section 605 of the Communications Act.

SPACE has unsuccessfully attempted to negotiate around its differences with HBO and the other major subscription services. Even offers to pay market rates for cable programming have been refused by the industry. Fred Finn, legal counsel and spokesman for the group, claims

there is "a certain attitude of hostility towards SPACE and the earth-station audience." He attributes it to the corporate connections between the cable industry and the major suppliers of services: HBO, Showtime, and The Movie Channel are all owned by corporations also owning large cable companies.

Although SPACE believes the cable industry is unfairly trying to check dish owners' activities, cable executives say they only want to protect their services from continued exploitation—for instance, by landlords who put dishes on their roofs and pass along the programming to tenants without reimbursing the pay-television companies.

In addition to the civil and criminal penalties proposed by HR4727, several technological solutions to the earth-station dilemma have been suggested. The FCC recently recommended that subscription services adopt more sophisticated scrambling techniques to protect their signals. While some companies balk at this expensive approach, HBO recently announced a multimillion dollar plan to provide its affiliates with state-of-the-art scrambling technology.

Congress won't decide what course to take until later this year. Meanwhile, would-be cable and MDS subscribers continue to tamper with decoder boxes, tap into cable lines, remove filters, fashion homemade MDS antennas, and employ the discounted services of "independent cable contractors"—in short, anything and everything necessary to help themselves to services.

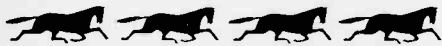
After all, as early skeptics of cable used to say, why should anyone pay for something he can watch for free? ■

Racetracks Are Betting on Cable— & That's What Has Bookies Worried

by Vic Ziegel

Mr. Gant's office hours are noon to 2 P.M. and 6 to 8 P.M., seven days a week. It's a hectic life on the telephone, quoting numbers and fractions, with a legal pad to keep track of his clients' investments. On Dolphins, on Pacers, on Packers, on Astros, on Celtics, on Flyers, on Dodgers, and Expos.

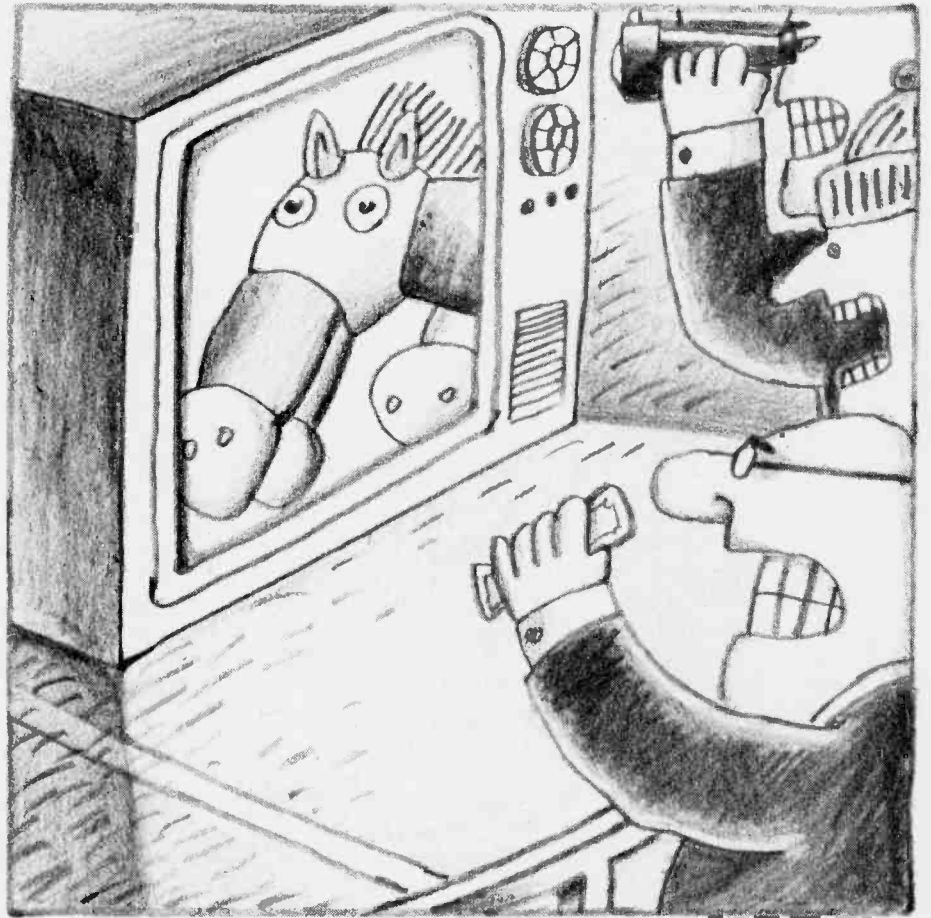
The busiest time of all is Monday evening, because of the professional football game on ABC. Mr. Gant doesn't complain. His daughters will attend Ivy League universities, his Mercedes-Benz 380SLC is parked in the garage, an elevator ride from his office. "My Monday night car," he calls it.



When Mr. Gant was at college, more than thirty years ago, and his father was in the same line of work, the family car was a snazzy Buick convertible. Horse racing, Mr. Gant's father told him, paid for his books and the Buick. Times change. For Mr. Gant, professional football is the major source of revenue; horse racing is almost invisible. Mr. Gant is philosophical about the new order. "If somebody wants to play the horses, I'll make an accommodation. But it's a pain in the neck. I'll do it if I know the guy, if he's one of my football customers." Let's face it, Mr. Gant is a bookmaker.

These are treacherous times for horse racing. According to Lynn Stone, president of Churchill Downs race track and the Thoroughbred Racing Association, the daily average attendance at the top ten tracks was up a mere .5 percent in 1981. The daily betting rose by 2 percent. "That's not enough to keep even with the inflation rate of 10 percent," Stone says. "Those ten tracks did not do so well. The other ninety-three North American tracks had worse statistics." We're told that only a handful of horse owners realize a profit. The steady diet of televised sports has

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very little to do with horse racing. The Triple Crown events—Kentucky Derby, Preakness, Belmont—are full-blown network broadcasts. But other major-stakes races are hustled through the weekend anthology shows.

"Nobody really wants to see the sixth race at Hialeah," says Barry Frank, senior corporate vice president of Trans World International, sports programming packagers. "Unless you can bet on it, until you can push a button on your set and bet \$2, I don't see any interest in racing on television."



Horse racing is a game for bettors only, and older bettors at that. Not exactly the crowd commercial television is chasing. The networks are in the youth business.

There's another dwindling bankroll—

at the New York City Off-Track Betting Corporation, which collected \$869 million from its legal betting parlors in the last fiscal year. The take was down almost 3 percent from the previous year. "We've reached a plateau," says Harry McCabe, executive vice president, "and our costs continue to rise. We must have some kind of bolster that will escalate our betting handle."

The Kentucky Derby, the first Saturday in May at Churchill Downs, draws more than 100,000 spectators. Suddenly, that's not enough. "We felt we had hit the maximum on-track potential and we wanted to expand the national exposure of the race," says Bill Rudy, the public-relations chief. "We felt that offering the Derby to other tracks, to be used as one of the races on their card, would help both them and us."

The on-track people and the off-track

TV doesn't kill racetrack attendance. It creates new fans.

betting executive, who often agree only on how much they disagree, are waiting for the same bright light: cable television.

"Only one thing scares me," says Mr. Gant. He's talking about television too. "People love to bet on what they can see. If racing ever gets big on the cable, I'm going to have a major headache." He means the arithmetic will not be in his favor. When his customers bet on team sports—football, basketball, hockey—they must risk \$11 to win \$10; the odds are set. The odds vary slightly in baseball. That's the bookmaker's edge. In horse racing, the odds are established by the amount of money bet on a particular horse divided into the total amount bet to win. If a long shot comes in at odds of, say, ten to one, the bettor collects \$50 for every \$5 he bets. When the bets are larger, so are Mr. Gant's headaches.



Mr. Gant wouldn't let me use his real name. He wouldn't let me use the name his regular customers call him, which is not his real name either—merely a nickname he shares with one of the seven dwarfs (not Dopey). We were talking about horse racing and Monday night football. "I'm on that phone for two straight hours," Mr. Gant says. "If I go to the refrigerator to pick up a beer, it could cost me. Depending on who called. If Tommy Sugar doesn't get an answer in two rings, he hangs up and calls somebody else. He's superstitious that way. That costs me a dime, maybe two dimes, if he has a strong opinion."

A dime, in Mr. Gant's world, is \$1,000. Those sizeable bets, on any of the major sports, are not uncommon. When Mr. Gant receives a large bet on a horse, "I lay it off before I get another headache." That is to say, he calls the New York OTB, where he maintains a legal telephone betting account under a code name (again, not one of his other names). Using his *nom de course*, he bets the same amount on the same horse. Since OTB collects a 5 percent surcharge on winning tickets, Mr. Gant takes a small loss in these transactions. "A bargain," he says.

During the winter months, there are approximately two dozen televised college basketball games a week available to Mr. Gant's clients, as well as fifteen or so hockey and professional basketball contests. "My customers love it," Mr. Gant says. "I had guys who used to go up on the roof with a radio, or to the cliffs by the

Hudson River, to get an out-of-town game. Now they sit in the living room and there it is. If there's a top game that's not on television I may get a little less action than I would have in the old days. I guess there's what you'd call a finite bankroll out there. But believe me, they're coming up with more money than ever. I think television for that."

If the networks aren't reaching for the horse-betting audience, others are. New York off-track betting's first experiment with "simulcasting"—the closed-circuit televising of live races—began last October. At two branch offices in Staten Island, the customers can watch and bet on all ten harness races from Yonkers Raceway or Roosevelt Raceway, whichever is in season. It's an eighteen-month experiment, courtesy of the state legislature, signed into law by the governor, approved by the state's racing and wagering board, and agreed to by the local harness tracks. The process is hardly at a gallop.

For the first two months, results were smashing—a betting increase of nearly 60 percent at both shops. Those figures tumbled in January when New Jersey's handsome harness track, the Meadowlands, a short ride from Staten Island, opened its season. Still, the OTB experiment should prove, to no one's great surprise, that simulcasting will mean added revenue.



"It's terrific," said one customer, who wouldn't give his name. (He didn't request anonymity; he took it for granted.) "If I go to the track, there's the parking charge, admission, you get a few beers, you tip the guy in the bathroom. Here, I bet a couple of races and go home. No overhead."

Not much comfort, either. At the Staten Island shops, there was nothing to do but bet and stare at the four television screens. That, and a favorite OTB event, the cigarette-butt-to-the-floor toss. There are no seats, no soda or snack machines, none of the amenities of home or track. A sign tells the bettor that by special arrangement with OTB and the Tack Room next door, the bar's restrooms are available.

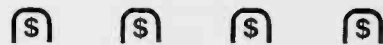
There's a happier setup in Connecticut, a state without a race track. Off-track betting, Connecticut-style, features the New Haven Teletrack, a three-level auditorium and betting parlor. The television screen is twenty-four feet by thirty-two, with comfortable theater seats, fast-food counters

on the first floor, a restaurant on the next level (roast breast of chicken *forestière*, \$5.95), and banquet rooms on the top floor. Unlike the New York OTB offices, which charge no admission, Teletrack collects \$4.20 for the clubhouse, \$2.40 for the grandstand.

Connecticut buys its product from the New York Racing Association (NYRA), the group that runs thoroughbred racing at Aqueduct, Belmont, and Saratoga. At present, the NYRA is violently opposed to simulcasting its races into New York City, its immediate neighborhood. "We recognize that simulcasting is the wave of the future," says Gerard McKeon, newly appointed NYRA president. "We better get involved. But we're concerned about saturation within our market area."

The NYRA is aiming at Las Vegas—and at smaller race tracks around the country that will televise and accept bets on the featured Saturday race from New York. In exchange, NYRA will divide the betting revenue with the track. The first such arrangement, a four-month experiment, began this spring at Penn National race track. At last, the race goers in central Pennsylvania are able to lose their money on first-rate horses. "We can't survive without expanding our marketplace through television," NYRA's McKeon points out. "We have to get out of New York electronically because we no longer can depend on the New York area for people. We are negotiating with Las Vegas for simulcasting. We envision in the immediate future that tracks will be receiving our races constantly."

When will all that happen? "Tomorrow," says Charles F. ("Chuck") Di Rocco, owner of Sports Form Inc., a licensed Nevada race-wire disseminator who sends racing information to the betting parlors. "We've seen what television did for sports betting," Di Rocco says, "and when I came along with televised horse betting, the hotels in Las Vegas that have betting rooms could see this was the game of tomorrow."



The first time Di Rocco said "tomorrow" was 1980. He had a contract to televise Chicago's Arlington Park races into Nevada. More important, he got approval from the Nevada Gaming Control Board. Unfortunately, the technology wasn't quite ready for him. There was an encoder device at the track—which would scram-

'Brideshead'

(Continued from page 11)

of picketing increased the risk that people hired to work on the series wouldn't be available for its completion.

But the picket line had its consolations. For one thing, it brought together Granada employees who otherwise had little contact with one another. It was on the picket line that Granger had a chance to spend many hours in conversation with Charles Sturridge, a twenty-eight-year-old director who had come to Granada from Oxford, had grown up in a large Catholic family, and knew, loved, and understood Evelyn Waugh's book.

The strike lasted thirteen weeks. When it was finally settled, *Brideshead* had lost its director, Michael Lindsay-Hogg, to other commitments. Britain's biggest-ever drama budget was on the line. Faced with this predicament, any American television executive interested in keeping his job would immediately have sought out a "bankable" director, someone with the kind of reputation that would protect a massive investment.

Instead, Granger chose the relatively unknown and inexperienced Sturridge. Granger believed in Sturridge because he understood the book, and Granada Television agreed to let an unproven director cut his teeth on a \$10 million series because it believed in Granger.

It all seems eminently sensible now. Sturridge took over and quickly began to shine, winning the necessary respect and support of the crew as well as the stars. But the decision had taken some courage; it carried no guarantees. If there is greatness in *Brideshead*, it is not simply because the British are best at making such programs, but because they occasionally take the chances American television companies refuse to take.

PBS and Exxon, which proudly claim credit for bringing *Brideshead* to American screens, did agree in advance to buy the completed series. But they didn't take many other chances. PBS (actually New York's WNET) hired William F. Buckley Jr. to do the obligatory wraparound — as if the program wouldn't be complete without a star to interpret it. As for Exxon, it seems unsure where *Brideshead* came from. Granada's name never appears in the Exxon ads, which leaves Americans to assume that *Brideshead* is a BBC show. Maybe that's the reason: Everybody knows the BBC. It's "bankable." Or perhaps the underwriters have simply forgotten that buying something isn't quite the same as making it. ■

MICHAEL SCHWARZ

Michael Schwarz is associate editor of Channels.

ble both the audio (the call of the race) and video (the race itself), guaranteeing that his signal couldn't be pirated — but there were only enough decoders available to service four betting rooms. That limited sort of operation wouldn't have come close to covering his expenses.

Di Rocco was back late last year with contracts from two Maryland tracks, Laurel and Bowie. The Maryland legislators had amended a law that prohibited more than one live race being broadcast out of state. The decoding technology was in the starting gate. This time the problem, Di Rocco says, was the Nevada commission. "They were concerned that televised racing would create enforcement problems: Illegal bookmakers might pirate the signal." He's currently on hold. "I have invested \$400,000 in this," he says. "I'm either completely insane or I have enough vision to know it will happen someday."

Tomorrow? "Absolutely," Di Rocco says. "I'm as confident as I can be. I just hope my money holds out."

The one operation showing anticipated growth is Louisville Downs, a small Kentucky trotting track. In February of 1981, Louisville Downs became its own off-track bookmaker by instituting telephone bets on its races, boosting its nightly handle by \$6,200. A month later, the races were televised each night after they were over. The betting zoomed by an average of \$13,000. By July, the races were being shown live, and the average was up to \$19,200. For the first two weeks of this year's season — with additional terminals in place, with the track leasing channels on two cable systems, one serving the city of Louisville, the other all of Jefferson County — the average call-in handle is at \$31,840.

"The critics told me it would kill my attendance," says William H. King, the track's president, "but attendance is off only 2 percent. By being on television, we've created new fans. We tell them about our party plans, our special events, we teach them how to read the program, we interview the people at the track. We're introducing a new audience to racing. We're pioneering. Other tracks want to put our phone system in and they will. It's just a matter of time. But without the cable it would be a bomb. The secret to our success is television."

Television. Just what Mr. Gant is afraid of. ■

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Network News

(Continued from page 27)

which probably goes far toward explaining its day-to-day variability, which included holding up Reagan's Libyan menace to scorn. Compared to the Democratic Party and to traditional Midwestern Republicanism, the Republican right provides a national network with a perilously narrow political base, and one that was not exactly growing larger in our recent winter of discontent. Despite the frequent surprises, ABC's right-wing character eventually comes through, if only because it is the only consistent thing about it. Like most of Reagan's right-wing supporters, for example, ABC News has expressed its disappointment with Reagan's foreign policy: Bellicose words have not been translated into bellicose deeds. He has offered "the rhetoric of a new foreign policy but not the substance," ABC noted in its critical summary of Reagan's first year in office. Alone among the three networks, ABC deplored Reagan's decision not to sell certain advanced fighter planes to Taiwan. "A bow to pressure from Peking," ABC tartly noted, as if the ghost of the old China Lobby still haunted its purlieus, as indeed it still haunts the Republican right.

On domestic affairs, ABC generally (but not always) drew a mild picture of hard times and saw to it that Reagan's economic program was stoutly defended. On the day when the worst unemployment figures in recent history were published, ABC featured the President denouncing as a liar anyone who dared attribute the recession to any policy of his. When NBC accused the Administration of backing off from antitrust enforcement — more shades of the old anti-monopoly Middle West — ABC that same evening cited without demur the Administration's lame denial that it had done any such thing.

In truth, the most revealing thing about ABC was how sharply it differed from NBC, the other nominally Republican news program, on certain fundamental points. One difference I already noted: ABC favors an assertive foreign policy, and NBC does not — a contrast reflecting the old isolationist/internationalist split that used to torment the Republican Party.

The second difference reveals something far more significant for contemporary American politics. The issue is Ronald Reagan himself. Although ABC does not treat the President as a sacred totem (it is protective but not reverent), it became clear after watching NBC News for several weeks that its old-fashioned Republicanism was deeply offended by the Republican President. ABC most certainly was not. NBC's criticism of the

President's December news conference proved to be, in fact, the precursor to a personal indictment of Reagan that NBC began drawing up on January 14. The date is significant. It was two days after the political storm broke over Reagan's granting of tax-exempt status to two professedly racist colleges. That policy had angered a host of eminent Republicans, and so, quite possibly, it strengthened NBC's resolve to attack the President more boldly than it had done in the past.



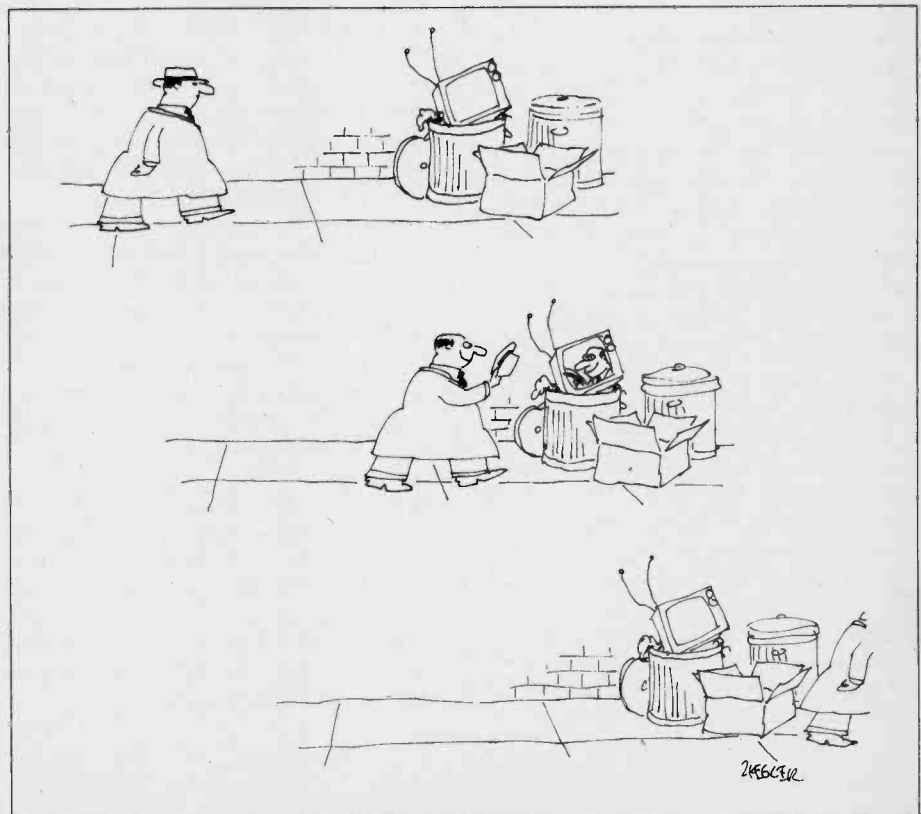
NBC began with its account of the President's speech to worried business magnates in New York City. He "sounded more like a cheerleader than a chief executive," noted the NBC reporter, sounding the network's basic theme. On the same program, NBC — and NBC alone — offered a devastating example of the cruel mindlessness of Reagan's budget cuts: War veterans who die as paupers will no longer receive a free military funeral. Thanks to an Administration that endlessly prates about patriotism, such veterans will be unceremoniously cremated, their ashes dumped in a common burial hole. American Legionnaires were "outraged," reported NBC News.

The next evening, NBC homed in on the Reaganites' determined hostility to the Freedom of Information Act, another reflection of the Administration's appetite for secret government. According to a special NBC investigation, the Adminis-

tration's case for securing FBI immunity from the act is based on utterly false arguments. After the President's January 19 press conference, NBC News once again pounced on his lies, evasions, and misleading anecdotes. A few days later, NBC offered a telling example of the President's shortsighted frugality: A \$40 million cut in the Coast Guard's budget was hampering its efforts to keep America's harbors safe for maritime commerce.

All in all, in the space of eleven days, NBC News had painted a devastating portrait of a President who lacked the very first requirement of a serious leader — an honest interest in the realities of the world. The network saw him, instead, as a man who wrapped himself in clichés, dogma, and self-delusion, ignoring as best he could the real business of the world.

I have dwelt on NBC's view of Reagan for two reasons: first, because it demonstrates that a network news program — a medium for the masses, for "ratings," for commerce — can be more politically courageous than the so-called leading newspapers of the country; second, and more important, because NBC's critical assessment of a Republican President strongly suggests that Ronald Reagan, dogmatic leader of a dogmatic faction, may well end up shattering his party. This is but another way of saying that the network news shows represent, with considerable fidelity, the active political forces in this country. ■



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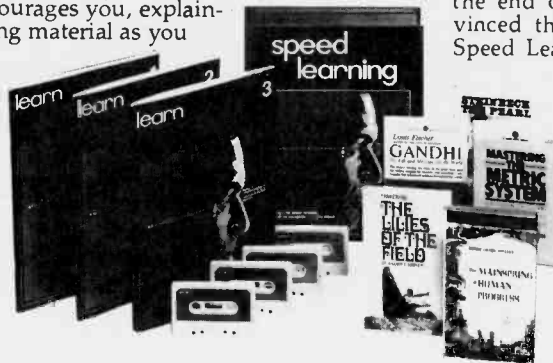
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Stanley Hubbard

(Continued from page 47)

zine. "Football and baseball are completely structured sports. Hockey is the only game where a nonconformist can find himself."

A lone headline tacked on Hubbard's wall reads: "Stanley Gets Praised and Blamed." So, too, does his brainchild, USSB. "Anyone who looks at Stan Hubbard's proposal and doesn't take it seriously just has his head buried in the sand," avows Ron Sherman, president of the entertainment division of J. Walter Thompson, amending an initial negative response from the ad agency quoted in *The Wall Street Journal*.

But bleak prognoses come from hardened media analysts in Manhattan. "The function of affiliates to distribute programming is an obsolete one," declares Anthony M. Hoffman, an oft-quoted entertainment analyst with A.G. Becker. Hoffman believes Hubbard is deliberately ignoring the role of cable in the years ahead. "Unfortunately, he's inventing a fourth network." Hubbard Broadcasting's ability to sustain the losses in operating USSB raises Hoffman's doubts. "I think Hubbard's also invented a new concept of profit and loss."

"I will personally eat my way to Minneapolis from New York if Stan Hubbard gets one-tenth of the advertising numbers he projects for the first year," corroborates Stanley Moger, a New York syndicator and president of SFM Entertainment. "The advertisers are not going to take \$300 million from each network and place it in a nonentity. I say, yes, it's a viable idea, but not at those figures." Moger knows Hubbard personally. "I think there's a lot of ego involved here," he says, "but I wish him well, I really do. I

would love to be proven wrong."

Independent stations have taken a wait-and-see attitude toward the plan that Hubbard arranges so flatteringly around them. "I can see where a lot of the low-power stations might need his service more than we do," says one independent manager. Another, Hal Protter of KPLR in St. Louis, is chairman of the new technology committee for the Association of Independent Television Stations (INTV). He's so convinced of the merits of the idea that he's already flown to Minneapolis with his boss, Ted Kopljar, to investigate. Herman Land, president and a founder of INTV, expresses a more cautious view. "Any really serious comment is premature," he says. "Ultimately, of course, it's the programming that counts. It's all well and good to have a good structure, but it's what you put into it that will make or break the thing."

Hubbard counts 182 independent stations as potential members of USSB, but to tap the growing strength of independent stations in any significant way, he'll need to persuade the twenty stations in the top thirty markets to join. Two vice presidents of Hubbard's new corporation are recent refugees from important independent stations—James Coppersmith, from New York's WNEW, and Robert Fransen, from the Minneapolis competition at WTCN. They're expected to draw on their personal connections among the independents, which the Hubbards, as lifelong network affiliates, don't have.

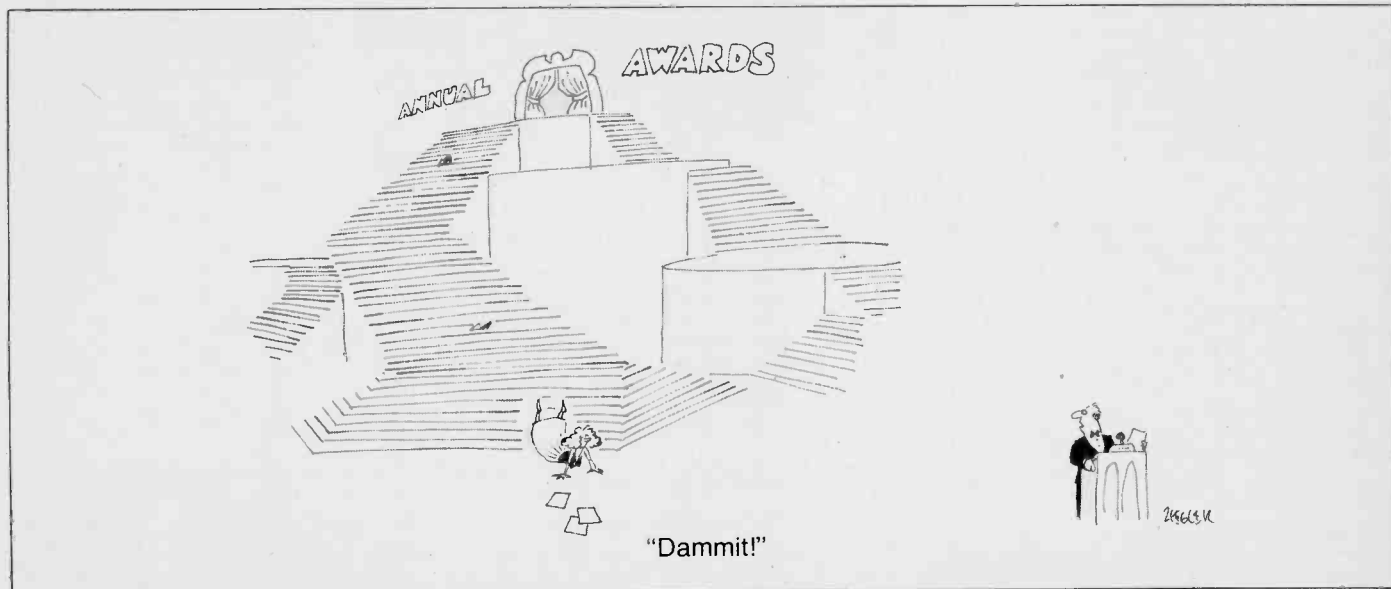
The maverick Hubbards have been network affiliates for many years—but not with just one network. After a thirty-five-year association with NBC, Stan Hubbard startled the industry in 1978 by joining forces with ABC, then on the ascent and wooing new affiliates. Hubbard impressed the industry with his timing

and nerve. But his decision was more practical than brave: It was in part for ABC's promise of translator stations, which would make KSTP a more powerful station than it had been with NBC.

Hubbard's reputation as a maverick didn't hurt him in this instance. ABC filed against DBS, but casts a benign eye on its favored adopted son. Says Robert Fountain, the ABC vice president who engineered the Hubbard courtship, "We're as impressed with this as we were with them before. It's no less than we would expect." And Donald Swartz, president of the Minneapolis station that lost its ABC franchise to KSTP and has since become the most-watched station in the independents' top twenty, feels the same way. "Sure, he's a maverick. But sometimes it's the maverick who comes out on top." Hubbard, by the way, has no intention of switching yet again to make KSTP an independent flagship for USSB. In fact, he's already offered that slot to Swartz—who is considering it.

No one has ever accused a Hubbard of being subtle. They've never been a part of the Twin Cities elite—the Daytons and the Pillsburys and the newspaper families who built the Guthrie Theater and Walker Art Center. No, Hubbards build hockey rinks. They outfit the St. Paul police department with its first car radios, and then S. E. Hubbard installs one in his own car, the better to call his station and get it to the scene of the crime before the cops.

They have a bloodhound's instinct for the neglected, the overlooked, the exploitable obvious. Join independent television stations, low-power television stations, saucer-sized dishes, and Hubbard Broadcasting, and you may not have the preservation of American localism. But you might very well have the preservation of Hubbard Broadcasting. ■



'ED ASNER'

STARRING LOU GRANT

(Continued from page 40)
anybody."

In February, the board passed a resolution supporting Asner and his right as a citizen to speak out on public issues.

SAG has traditionally functioned more as a professional organization than a union. But in recent years, the problems facing it have changed. Corporate entities, not movie moguls, now run the entertainment business. The telecommunications field, while promising work for more actors, lacks a framework of protective rules. The guild can haggle with producers for a share of pay-television profits, as it did during the strike. But both depend on Congressional and FCC regulations to insure that copyrights are respected and carriers pay fairly for programs.

Other problems actors face are bad economic conditions and a government unresponsive to the poor. Actors tend to be poor. Last year, more than 80 percent of SAG's 46,000 members earned less than \$5,000. Many of them, only intermittently employed, have suffered disproportionately from social cuts — in unemployment, Social Security, and pensions.

In the future, Asner aims to boost his union's clout through mergers with the Screen Extras Guild and the American Federation of Television and Radio Artists. Currently, following the lead of more traditional blue-collar unions, his board is studying measures to involve SAG increasingly in legislative and elective politics. All of which, Asner hopes, will result in a "total identification with the American labor movement and an end to the erosion of labor's power."

LATE AFTERNOON ON the *Lou Grant* set. During a shooting break, a make-believe office, complete with desk, phony ceiling, and venetian blind, has a disconcerting, half-toy, half-business look. At the moment, it is overrun with technicians taking light readings and measuring sound levels, swiveling on prop chairs. The actors wait, amid the cables and 2-K lights that tower on poles where two of the room's walls should be. Allen Williams, who plays the *Trib*'s financial editor, shadowboxes in a beat-up fatigue jacket. Daryl Anderson, "the Animal," paces moodily, muttering lines.

Ed Asner has just returned from his dressing room. In a fresh blue shirt with bunched sleeves, he reads letters his secretary has brought him. (One, from the "SAG pile," is a colorful, pop-up greeting



card: "Merry Christmas and Season's Greetings . . . You big prick!") He chats on the stage phone, visits the makeup man for a fresh buff of his shiny head, then ambles toward me.

I ask him about the strike settlement, in which actors agreed to accept 4.5 percent of gross revenues from original pay-television programs. (These residuals do not begin until after a show has played on a pay system for ten days in a given year.) Did he feel that the accord set a precedent for actors to claim part of the new market's profits?

"That was the sop used by everybody," he answers. "At least it opened the door. But you could've put gravel in the door and done that. It should've been no playing time." He folds his arms and chews a ravaged toothpick, with a look that implies he has stated the case gently.

I raise the subject of celebrities and politics. Does he worry about another actor with his influence using it to promote conservative views?

"You mean like that phenomenon — that poltergeist — our President?" The toothpick dangles from a smiling corner of his mouth. "Yeah, sure. There was a time when I castigated performers who spoke out. Then I realized that the right seems to have greater numbers take to the hustings. The left joins and contributes but rarely speaks its mind. So I thought I was offsetting a bad trend."

What issues is he most involved with at the moment?

"Medical aid for El Salvador, the Democratic Socialist Organizing Committee — that is, looking for true alternatives

to Reaganomics — the ACLU . . . And of course stumping for individual candidates: George Miller of California, Howard Wolper of Michigan, Gary Hart . . ."

Does the idea of political office ever tempt him personally?

Emphatically, no. "I hope to keep acting and, by my efforts, to keep putting the right people in Congress."

I ask him about acting. Paul Sills, who directed him years ago at Chicago's Playwrights Theater Club, calls him "a great loss to the classic theater." What of theater or film, after so much television?

"I'd love to do a good Iago," he says wistfully, but complains of "the elephantine rhythm of painstakingly working out a stage role."

The thought of film, too, makes him restless, though he's eyeing the part of union boss Joseph Yablonski in a Brian dePalma feature. He mentions *Fort Apache*, *the Bronx*, the 1980 police drama in which he starred with Paul Newman. "It drove me nuts — the sitting around, the waiting. I don't know that the added time helps. I've been indoctrinated by the pace of TV, twelve years of doing it *now*."

Suddenly, his director calls. The cast has assembled, and magically, the toy office comes to life. Allen Williams has put on a suit. "Animal" has stopped pacing. The managing editor swivels in his chair.

"May I have my Ed please?" Singer cries. "I'd like to shoot this very badly!"

Flipping down his toothpick, Asner legs it, with Shakespearean bluster, for the stage. "Verbiage, verbiage! Harness thy windpower!"

The "ready" bell cuts him short. Someone creeps up with the clapstick. Someone else calls, "Three — Denver — Two — Background — Action!"

And the *Trib* staff goes to work.

Neither Asner's politics nor his blunt, impetuous personality have changed much with time. But after years of comfortable celebrity for his Lou Grant role, he is suddenly in demand at the rate of more than two interviews a week. An activity folder, containing a year's requests from organizations for his support, is five inches thick.

"Ed draws attention to public issues in a way we're not able to," says the ACLU's Ripston. "If Ramona Ripston says something, people think, 'Oh, that's Ramona Ripston and that radical ACLU.' When Ed says the same thing, he's the one they're seeing every Monday on TV."

Opponents attack Asner for encourag-

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ing public confusion of his roles, or confusing them himself: "He should remember that he is Ed Asner, president of the Screen Actors Guild," warns Charlton Heston, "not Lou Grant, the crusading editor."

What critics miss is *where* the two overlap. It is not, as Heston implies, in their politics. Lou Grant is not a crusader or even a liberal. His views, on such issues as capital punishment and even unionism, are often at odds with Asner's.

The intersection occurs in the realm of sensibility. It was Ed Asner, himself a veteran of World War II and the social upheavals of the sixties and seventies, who made Lou a truth seeker, a man of conscience who can't ignore an injustice or the appeal of someone in need.

Through Grant, Asner, or an amalgam of both, this sensibility comes before us frequently in the media. We see the man touting the ERA in television spots, praising the socialist paper *In These Times* in a subscription ad. We find his letter in our mailbox, promoting medical aid for El Salvador ("My name is Ed Asner. I play Lou Grant on television . . ."). The national press reports his February trip to Washington with \$25,000 toward medical supplies for Salvadoran rebels and strong words for President Reagan and Mr. Haig: "[Your] enemies in El Salvador are not our enemies."

Refusal to equivocate has its price. In the week following his Washington trip, Asner's critics seized the headlines. Disgruntled actors, charging that he failed to state he wasn't representing the guild, petitioned to recall him as SAG president. There were threats on his life. And the newly formed Congress of Conservative Contributors called for an advertisers' boycott of *Lou Grant*.

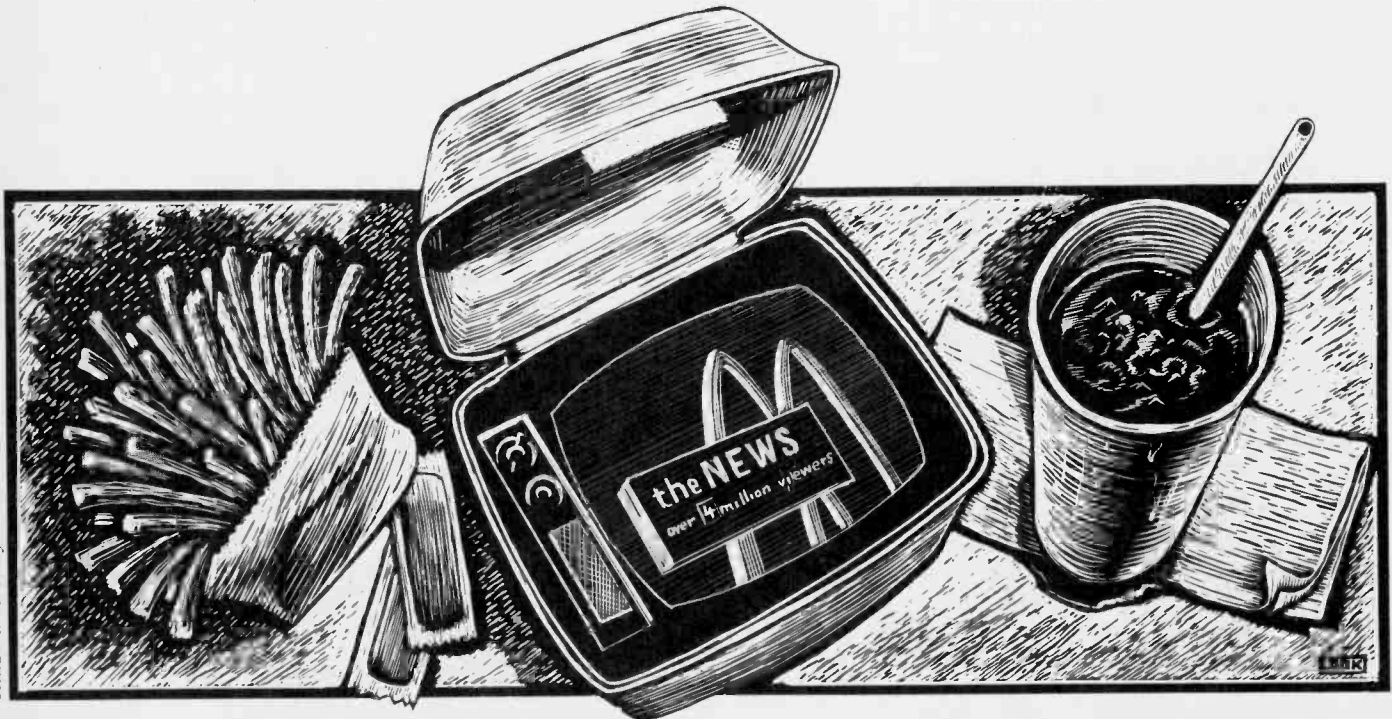
The boycott, which its proponents term "the only way we can reach him," suggests the chief source of critics' frustration. Asner may take a radical position on El Salvador, but the public continues to see him on television as the kindly, respectable, middle-of-the-road Mr. Grant. In New York alone, he appears once a week on *Lou Grant* and twice daily on *Mary Tyler Moore* syndications. The character deflects attention from Asner's politics onto the slightly tarnished but still shining idealism that he and Grant share. The impulsiveness that gets both of them into trouble is only proof of their honesty, their uncompromising sense of justice.

At a time when public distrust of politicians is high, we find inspiration and comfort in a man who blurts out his beliefs, without stopping to count the risks.

"You hired me for being a man of strong opinions!" Lou Grant shouted at his publisher on his first day at the *Trib*. "You didn't say they had to be yours!" ■

The New Enemies of Journalism

by Charles Kuralt



Illustrations by David Klein

ON THE TELEVISION news programs now, bells ring, pictures flip and tumble, and everybody seems to be shouting at me. This may be the way to do it, but I don't think so.

The news is bad enough without added jingle and flash. I think it would be better to tell it calmly, with as many of the details as possible, and not to try to make it more exciting than it is. I even think viewers would appreciate that, and tune in.

This runs contrary to the prevailing opinion at the networks. One of my bosses said of a program I used to work on, "We want to keep it a news broadcast, but one that is more interesting, rapidly paced, with more spontaneity and serendipity, almost like all-news radio. . . . We want a news program that better serves the needs of people who don't have time to watch television for long periods . . . and need to get information quickly."

I respect this man, but I respectfully disagree with his judgment. I don't see how a news broadcast can be quick without also being cheap and shallow. Almost any story worth mentioning is worth an additional word of explanation. The story told in a few seconds is almost always misleading. It would be better not to mention it at all. And all those electronic beeps and bells and flashy graphics designed to "grab" the viewer and speed the pace along only subtract a few more seconds that could be

used to explain the events of the day in the English language.

The "quick news" idea has been preached for years by the shabby news consultants who have gone about peddling their bad advice to small television stations. They have never given a thought to the needs of the viewer, or to the reason the news is on the air in the first place—namely that this kind of country cannot work without an informed citizenry. The ninety-second news story does not serve the people; neither do the thirty- and twenty-second stories, and that's where we're headed. Fast. With bells and graphics.

In this sort of journalism there is something insulting to the viewer, the man or woman who sits down in front of the television set in the wistful hope of being informed. We are saying to this person, "You are a simpleton with a very short attention span," or, "You are too much in a hurry to care about the news anyway." Sooner or later, this viewer, who is *not* a simpleton and *not* too much in a hurry to care, will get the message and turn the dial. The networks are in a news-ratings race. The one that wins it will be the one that stays calm and intelligent and reliable—the most responsible, not the most excitable.

(I offer an analogy from the newspaper world: When I first came to work in New York, such sensational newspapers as the *Journal-American*, the *Mirror*, the *News*, and the *Post* nipped at the heels of the solid and reflective *New York Times*. The *News* is on its uppers, the *Post* is a joke, and the others are memories. The *Times* may be the only one of them all to survive.)

Even if I am wrong, even if it turns out that a network news

Charles Kuralt is a CBS News correspondent, and is the anchorman for CBS's Sunday Morning.

department *can* achieve high ratings by putting red slashes on the screen and shouting out the headlines and jangling people's nerves, does that mean it *should*?

Right now, more Americans are out of work than at any time since the Great Depression. The President is asking that the country spend more dollars on military hardware than the government possesses. Meanwhile, many dollars for the unemployed, the poor, the blind, and the disabled, may be taken away. How can any discussion of these matters be carried out in short, loud bursts on television?

In Geneva, negotiators for the United States and the Soviet Union are meeting to seek some way out of the terrible nuclear confrontation. Our country seems to be sliding into a bog of Central American quicksand. The Congress has on its agenda a

sweeping revision of the federal criminal law. These subjects also call for much explanation and public debate.

They will inevitably slow the pace of any news program that takes them up. But they are the stuff of our national life. The people expect us to inform them about these things, and if we don't, who will? If the people are given baby food when they are hungry for a meal of information, they will be undernourished and weakened — and then what will become of the country that is the last, best hope of man?

The best minds in television news are thinking more about packaging and promotion and pace and image and blinking electronics than about thoughtful coverage of the news. I have worked in the field for twenty-five years, and every year I thought we were getting better. Suddenly, I think we're getting worse. ■

... And This Is How They Do the News in Europe

by Bill Pease

DECEMBER 19, 1981. Poles storm the Communist Party headquarters and set it aflame — the first scenes on Belgian television's evening news. (The film is from the archives — a rerun of the December 1970 workers' revolt in Gdansk — because direct broadcasting from Poland stopped with the imposition of martial law.) Belgian television workers have organized a strike in solidarity with the Polish people, so all evening news programs are delayed by one minute. The union spokesman preempts the show's anchorman to announce that many unions are preparing food shipments for Poland. As he appeals to his audience to send money to a Solidarity fund, its bank-account number is printed across the screen. Belgian viewers are not just receiving the day's rumors from Poland, they are being asked to take action.

An American watching European news broadcasts can't avoid having his assumptions about the nature of news challenged. Instead of stories that end almost as quickly as they begin, he sees ones that assume fuller proportions: European networks sometimes present only two or three stories during a forty-minute program. Perhaps it is this dedication of more time to reporting that is the most impressive achievement of European news. In addition to the nightly news programs, most national stations also run one to two hours of documentaries, political commentaries, or interviews.

During the first month of the military takeover in Poland, broadcasters' inability to transmit live images severely hampered coverage. American news programs had to resort to reporting rumors and interviewing emigrés. But European news programs compensated by expanding their formats to include documentaries. (Since they're not subject to the same commercial pressures as the American networks, they have a scheduling flexibility their American counterparts lack.) German television, for

Bill Pease is a community organizer in Vermont. A Rhodes Scholar, he travels frequently throughout Europe.



instance, aired a series of films on the history of the Church in Poland and on the ramifications of banking ties between Eastern Europe and the West. Other national networks aired a Polish documentary *Solidarity* made to commemorate the 1970 strike. The film interviewed workers who had participated in the revolt and contrasted official television pronouncements with forbidden scenes of street fighting.

The regular inclusion of documentaries in European programming has led to a different definition of "newsworthy" than the one that prevails in America: European networks broadcast not only what is "new" in the news, but also present events in their historical and social contexts.

An even greater challenge to American assumptions about the news arises from the overtly political content of news programs in Europe, where governments hold tight reins over national televi-

sion to maintain its educational character. I had thought that direct government involvement would threaten the objectivity of European news. I discovered instead that Europeans are accustomed to watching news that emanates from a variety of distinct ideological perspectives; it reflects the contending political factions in European social democracies. Dutch television, for example, airs news shows created by various political parties, unions, and religious groups.

Since Europe's political spectrum is much broader than America's, Europeans are commonly exposed to a much wider

Television was pointing out that television can lie.

range of ideologies. Socialism and communism, for instance, are an integral part of their countries' political cultures, and this influences the way stories are reported for mass consumption.

Where American news programs tend to contain political assumptions in spite of their efforts at objectivity, European broadcasters forsake objectivity, believing instead that "truth" is attainable only by acknowledging and understanding how differences in political perspectives inevitably lead to conflicting views of the same event.

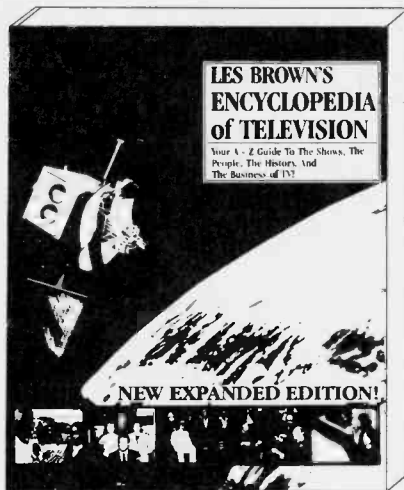
When Secretary of State Alexander Haig visited Brussels in January, Belgium's lead news story that evening was not Haig's position on Polish sanctions. Instead, it showed Haig exploding at a European reporter who questioned how the United States could righteously condemn Poland while supporting the military junta in Turkey. Haig chastised the press for its "left-leaning moral

confusion" in linking the issues of human rights in Poland and Turkey. But the linkage was an inevitable one for Europeans to make, since their media had extensively covered the story of human-rights violations in Turkey.

The predisposition of European television to acknowledge the political content of news is manifested in other ways as well. American government positions are generally accompanied by reports of the Soviet perspective. (Tass, the Soviet press agency, and White House press releases are given equal weight as authoritative sources.) Other juxtapositions dramatize that the selection of news stories can be a form of propaganda. One evening on Belgian television, an American network's interview with Polish sailors wanting to emigrate was followed by a Polish television interview with workers from a Katowice coal mine who claimed they had been manipulated by Solidarity. The story was not simply that sailors emigrated or miners struck but, implicitly, that two political systems were competing, with television images, to influence our interpretation of events. Television was pointing out that television can lie.

This attitude informed the way European networks handled the Reagan Administration's *Let Poland Be Poland* on January 30. Most countries refused to broadcast the show direct, but taped and edited it into their news formats. Belgian television reduced the show to seven minutes and pointed out in a voice-over the hypocrisy of having a Turkish military dictator criticize his counterpart in Poland. French commentators compared Reagan's professed belief in the right to strike with his actions against the air traffic controllers union, PATCO.

Having failed to understand the nature of European television news, the American government made a razzle-dazzle program that was portrayed for what it was: a simple attempt to use television as a blunt weapon against Poland and the Soviet Union. The show bombed everywhere in Europe. ■



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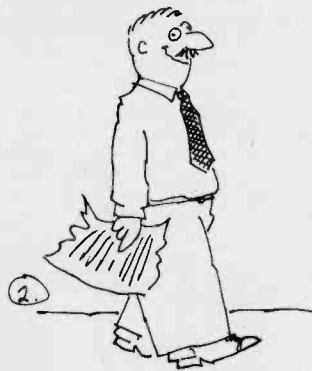
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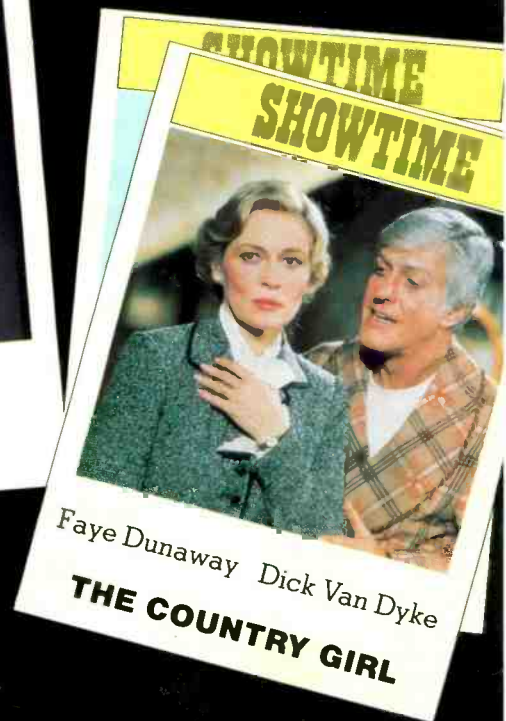


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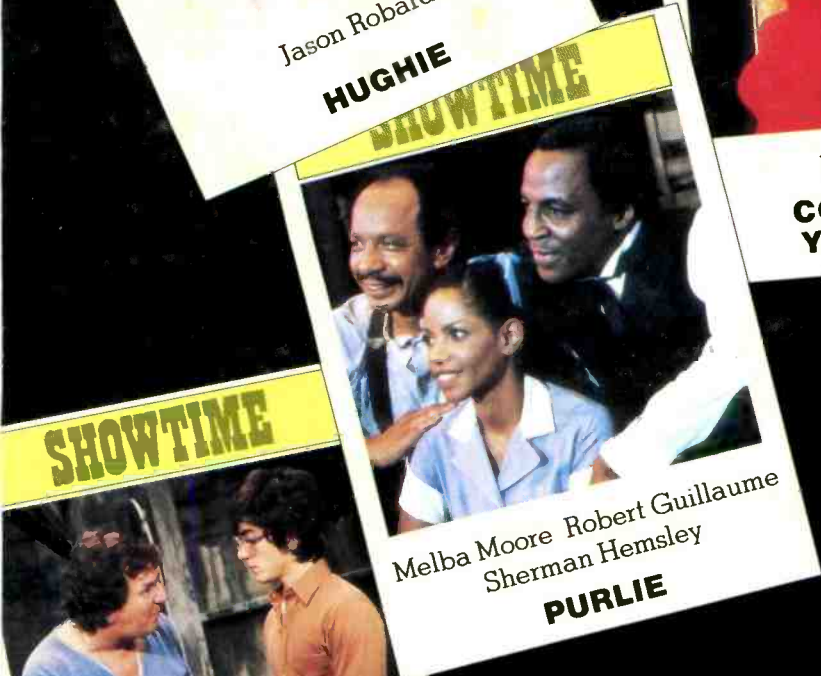


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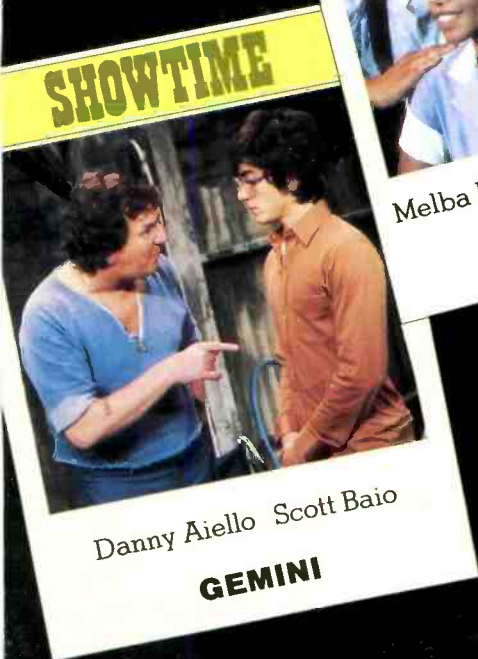
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