

## What Makes “Free” Radio? U.S. Media Policy Discussions in Postwar Germany, 1945–1947

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Based on archival material, this article documents the debate within the U.S. Military Government (OMGUS) in post-WWII Germany about what institutional setup would ensure “free” German broadcast media. This discussion was tied to debates in the United States and reflected changing domestic and international conditions. From May 1945 until late 1947, U.S. media policies in Germany were in flux. Issues of media ownership, control, and advertising provoked considerable debate, and reasoning shifted regarding what constituted “free” media and, more broadly, democracy. This article’s main concern, therefore, is not whether German broadcast media were truly free, but how OMGUS defined the concept of “free” and justified policy decisions accordingly.

### Introduction: Aiming for “Free” German Radio

Nazi Germany’s defeat in May 1945 was announced to the German people over the radio. Following the immediate takeover of radio by the approaching Allied forces, German stations signed off one-by-one, a proceeding depicted vividly in *TIME* magazine:

The loudest propaganda machine in history, the German radio, stumbled through its death-scene to musical accompaniment, finally died away piecemeal. Berlin began broadcasting in spasms, grew fainter and fainter, fell silent without a sign-off.

Berliners who had working radio sets heard from somewhere in Germany a thoroughly Teutonic curtain speech addressed just to them: “Vapors and smoke trail upward . . . underneath is a sea of flame, a volcano of millions of fires and twitching shadows. Berlin, help us once more to conjure up all that you have meant!” When Berlin returned to the air, it talked Russian.

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Date submitted: 2012-10-04

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And when Hamburg was next heard, the words were English—a re-broadcast of General Eisenhower's proclamation ...: "The Allied Forces serving under my command have now entered Germany. We come as conquerors. . . ." ("Sign-Off," 1945).<sup>1</sup>

This dramatic, telling scene was the beginning of what is generally referred to as the zero hour (*Stunde Null*) in Germany's (media) history (Hurwitz, 1972). But of course history, like the role of radio in history, is more complicated than that.

At the war's end, radio played a crucial role in the victors' direct communication to the conquered. During the subsequent rebuilding of Germany, the Allied Forces used radio as a vehicle to disseminate information and build public opinion. Before five years had passed, however, the Allies' shift from being a united force against Nazism to holding full-blown Cold War stances had simultaneously expanded and limited the role and purpose of national and international radio (Hartenian, 2003; Mettler, 1975; Simpson, 1994). Soon a divided Germany was at the epicenter of an "airwave war" (Arnold, 2002) that was fought among those who had earlier declared a joint victory.<sup>2</sup>

Eisenberg (1996), however, rightly stresses that such Cold War narratives and "the cloud of inevitability that hangs so heavily over [them]" (p. 7) are precisely the reason why historical studies on the immediate postwar period generally stress the deep disagreement between "the East" and "the West." Consequently, it is little recognized that "the East-West conflict was the product of human decisions" and that "in 1945 other aspirations had existed and other outcomes seemed possible" (p. 9). More importantly, such preconceived notions of history allow researchers to push aside continuities that persisted throughout the prewar, wartime, and postwar eras in Germany, and to overlook dissent and struggle within camps of power that were presumably unified.

Internal and external dissent substantially influenced decision-making processes during the period when information media was being established in postwar Germany. Only two weeks after the Allies' victory over Germany, for instance, *The Observer* reported that opinions on the setup of "free media" in occupied Germany were already "sharply divided," not only among Western Allies but also among U.S. officials ("Germany's Freedom," 1945).

Each Allied power generally followed its own broadcasting model and philosophy when drafting media policies for its zone of occupation (Bausch, 1980; Humphreys, 1994). The Soviets soon implemented a centralized, state-run radio system in the eastern part of Germany, while the United States and Great Britain played an "important and decisive role" (Humphreys, 1994, p. 131) in determining the

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<sup>1</sup> The article refers to the Proclamation No. 1 of General Eisenhower to the German people from March 1945.

<sup>2</sup> Russi (1963) states that by the end of 1949, "Germany had become a fertile breeding ground for propaganda broadcasting with Communism wooing the West and Capitalism wooing the East" (p. 155), and in 1963 "the whole of Germany abounds with propaganda broadcasts from foreign sources" (p. 156). For instance, transmitters in Munich aired Radio Free Europe, Radio Liberty, Voice of America, and the Bayerischer Rundfunk, in addition to the American Forces Network, British Forces Network, etc.

“overall structure of the [future] West German broadcasting system” (p. 131) that emerged in the Trizone created with France in 1949.

Whereas the British initially established a single, centralized broadcasting corporation that eventually was split in 1955 (Bausch, 1980), the U.S. Military Government (OMGUS) built up a decentralized radio system of local stations that served individual *Länder* (states), an arrangement typical of German broadcast media to this day. Humphreys (1994), among others, has shown how U.S. media policies in particular “effectively determined the characteristic value-system” (p. 131) of West German radio. A sizable body of literature on the U.S. occupation zone, therefore, documents OMGUS’s attempt to institutionalize radio enterprises based on democratic ideals of media freedom and information plurality (e.g., Arnold, 2002; Bausch, 1980; Hurwitz, 1972). Hartenian (2003) states that this effort, like OMGUS’s media policies in general, is “perhaps the ultimate example of a public sphere ... deliberately created by a Military Government (MG) that—by definition—was undemocratic” (p. 362), a point worth considering.

The planning and execution of policies by a bureaucratic, hierarchical military apparatus may suggest the absence of dissent, but research has nonetheless documented considerable debate that preceded media policy decisions (Hartenian, 2003). In May 1945, U.S. policy makers clearly disagreed among themselves about the role, institutionalization, and operation of information media in general and radio in particular, not least because of diverging ideas (partly reflecting domestic agendas) about the kind of society Germany should become (Eisenberg, 1996). As Cold War tensions rose, occupied West Germany stepped into the role of a U.S. political ally and economic partner. Simultaneously, U.S. conceptions of German reeducation and democratization, initially defined within the framework of denazification, were extended and redefined, primarily in opposition to communism (Hartenian, 2003; Mettler, 1975).

This shift affected all German information media. For instance, Mettler (1975) documented how the growing U.S. anti-communist agenda affected the privately owned press, run by license holders. Issues of employment, ownership, access, and content increasingly adhered to capitalist rather than democratic ideals, not least by excluding critical (leftist) voices that now were de facto deemed anti-democratic.<sup>3</sup> During the Cold War, the dilemma of the press, like that of radio, was that its freedom arguably was guaranteed, but only as long as it remained within the dictated framework of a *capitalist* democracy, the lines of which continuously shifted (Hartenian, 2003; Mettler, 1975). Radio, however, was particularly important for U.S. information (or propaganda) purposes because of the nature of the medium: Airwaves crossed “enemy lines” without much difficulty (Arnold, 2002), making radio supposedly “one of the cheapest, safest, most effective tools of [U.S.] [sic] foreign policy” (Simpson, 1994, p. 7).

Bausch (1980), meanwhile, has shown that West German interest groups too had vested concerns and pushed to have their own say in radio matters. Radio’s relationship with the German post became a key issue between German and U.S. policy makers. Before the Nazi takeover in January 1933,

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<sup>3</sup> Mettler (1975) also notes that mass media and information policies were not *the* driving forces in this process; rather, they represented, reproduced and at times re-enforced ideological difference within an international socioeconomic sphere of clashing national (and private) interests.

the National Post (Reichspost), as a state enterprise (*Staatsbetrieb*), had gained considerable influence over German broadcasting. The Post was first granted a broadcasting license in 1922. With the founding in 1926 of the National Broadcasting Agency (Reichsrundfunkgesellschaft), in which it held a majority share, the Post effectively took control of the nine regional radio stations in Germany (Bausch, 1956). Thus, even in the earlier Weimar Republic, radio had been caught in a political power play by which the Post used an effective broadcasting monopoly to eventually attain a dominant economic and technical position (Bausch, 1956). After 1945, the Post strove to regain this prewar position. Both individually and jointly with different German politicians and parties, it lobbied for its former role in radio control, at times fiercely contesting and resisting OMGUS regulations (Bausch, 1980).

German politicians generally preferred to reestablish radio as a state enterprise under a new National Broadcasting Agency (Staatsministerium, 1946). OMGUS's Information Control Division (ICD), which was in charge of German information media, therefore concluded that the main obstacle to the true reform of German radio was the "German traditions of government-subsidized and dominated cultural activities . . . and political control of press and radio, antedating 1933" (OMGUS, 1947, p. 9). These traditions, the ICD argued, hindered the "development of the majority popular sentiment favoring free media" (p. 9), that is, media free of government control.<sup>4</sup>

In 1945, the ICD's most urgent priority was to dismantle and destroy what remained of the centralized Nazi propaganda apparatus, the rapid launch of which the ICD attributed to the prior centralization of broadcasting (Humphreys, 1994; Taylor, 1946). Radio in particular had been vital to Nazi Germany's propaganda complex. Distributing centralized, government-controlled political and entertainment programming easily and cheaply to millions of households, the Propaganda Ministry held the exclusive power over information production (Bausch, 1980). The ICD's proclaimed goal, therefore, was to "foster German information services on a decentralized basis free from control by German government bodies" (OMGUS, 1947, p. 2), which was intended to prevent a propaganda ministry or any similar body from developing in the future.<sup>5</sup>

To OMGUS it was clear that the Post, as a "governmental agency" (Norton, 1947), had to be banned from its previous position, and that "extreme care" (1947) should be taken to limit its participation in the radio enterprise. OMGUS vigorously objected to any connection between the two (Bausch, 1980; Humphreys, 1994) and continuously emphasized its deep concern about any form of "concentration of radio control" (Taylor, 1946, p. 2). In fact, OMGUS rejected several radio laws drafted by German officials (Bausch, 1980). The key question, which concerned the kind of structure that would ensure an independent broadcasting system, encompassed issues of content, access, and ownership. After several

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<sup>4</sup> Bausch (1980) maintains that different German legislative bodies repeatedly tried to expand their power over broadcasting matters throughout the history of postwar radio (and later television).

<sup>5</sup> Reform was to happen in three consecutive stages (*Manual*, 1945). The first aimed for the complete elimination of fascist propaganda, Nazism, and militarism. In stage two, eligible anti-Nazi Germans were to reestablish indigenous media under OMGUS supervision. Stage three consisted of "deregulation" or "decontrol," meaning that responsibility for operating individual media outlets would be turned over to Germans, with media control officers remaining in supervisory functions (p. 171ff.).

delays, the first radio laws were incorporated in September 1948, and the official transfer of all stations into German hands took place in 1949.

The debate over radio ownership has received little to no attention in the literature so far. This is interesting because of the apparent paradox of the German outcome as seen in the context of U.S. domestic practices. In the United States, the idea that only the corporate-commercial model could constitute free radio had led to the privatization of the U.S. broadcasting system in the 1920s (McChesney, 1993), but OMGUS laid the groundwork for implementing a decentralized local-service radio system consisting of public bodies. That is, all German stations eventually were organized under state law as autonomous public-law corporations directed by a board of trustees or a representative council (Humphreys, 1994).<sup>6</sup>

The broadcasting system under OMGUS control thus was inconsistent with a private-ownership model based on the conviction that only the competitive marketplace could guarantee democratic, free media (McChesney, 1993). Carroll Reece, chairman of the U.S. Republican National Committee in 1946, pointedly summarized the liberal-market ideology for radio: "American radio offers the finest quality and variety of programs in all the world [*sic*]. This is because American radio has been a private commercial operation where success depended entirely upon its ability to please the listener" ("Special," 1946). In this line of reasoning, the listeners' choices embodied democratic participation while simultaneously enhancing competition and fostering information plurality (McChesney, 1993). Reece left unmentioned the increased centralization of formerly independently run, local radio enterprises, which now greatly affected the vaunted "quality and variety" of U.S. radio (Hilmes, 2012). Nonetheless, OMGUS might have been expected to follow its domestic model when rebuilding German radio in its zone of occupation. Why did it not do so?<sup>7</sup>

Only a handful of authors have touched upon this question. Some stress the German National Post's traditionally strong central role in national broadcasting during the Weimar Republic (Mettler, 1975) and point to the German population's material impoverishment in the aftermath of World War II (Bausch, 1980);<sup>8</sup> others allude to the strong influence of the British public-service broadcasting model (Humphreys, 1994). Another argument suggests that the general "shortage of frequencies" (Parson, 1949, p. 5) preempted private ownership. Furthermore, as General Lucius Clay, the U.S. deputy military governor in Germany, observed, "the final form of ownership of the German radio facilities would rest [not with OMGUS but] with the decisions of the governments of the German states" ("Special," 1947). The Germans

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<sup>6</sup> Public broadcasting held a monopoly position until the 1980s, when the current "dual broadcasting system" came into existence upon the introduction of commercial broadcasting (Humphreys, 1994).

<sup>7</sup> The privately owned U.S.-licensed press was, after all, an inherently capitalist enterprise. Initially heavily subsidized by the U.S. government to ensure a diversity of publications, it faced severe press concentration upon the introduction of free-market competition (Humphreys, 1994).

<sup>8</sup> Bausch (1980) argues that this impoverishment would have made private ownership based on advertising revenue unprofitable.

decided to ensure a free radio enterprise by legally enacting a public-service broadcasting system in the Basic Law of 1949 (Russi, 1963).<sup>9</sup>

Though Clay's argument is technically correct, Humphreys correctly points out that the "principle of 'public-service' regulation conformed entirely with [sic] the intentions of the Allies," who "had established the embryonic broadcasting institutions as public bodies" (Humphreys, 1994, p. 132). And OMGUS actively participated, supervising negotiations with German legislators and gathering recommendations as to how radio was to be reorganized ("Special," 1947). Thus the establishment of "public bodies" could not have occurred without OMGUS's consent (Humphreys, 1994).

The most compelling argument places radio within the Cold War context and underlines that public bodies were easier to control for propaganda purposes. In contrast to Humphreys, who stated that "the broadcasting system was returned to German control very rapidly indeed" (Humphreys, 1994, p. 131), Hartenian (2003) has shown that even though overt institutional control was relaxed, information control intensified. In fact, the policy shift to anti-communism encompassed OMGUS's growing reluctance to relinquish its own control over German information media (Bausch, 1980; Mettler, 1975), especially in that the new policy direction considerably eased pressure from ICD to abort its say in radio matters (Hartenian, 2003).

Bausch (1980) emphasized that U.S. supervision lasted until 1955, persisting even after the Federal Republic had become a sovereign state.<sup>10</sup> But his account also shows how German editors, journalists, and politicians repeatedly resisted U.S. control, and thus serves as a reminder that U.S. information policies and interests should not, and cannot, be taken as the sole determinant framing broadcast programming in Germany.

In turn, communication critic Herbert Schiller (1984) points out that the U.S. Cold War rhetoric of "free media" and "free speech," once introduced to Germany, also served broader U.S. foreign interests by promoting democratic ideals while legitimizing and expanding international market interests. In addition, "since WWII, the U.S. government's national security campaigns have usually overlapped with the commercial interests of major . . . media companies" (Simpson, 1994, pp. 3-4).

This article, while fully acknowledging the validity of these arguments, is not primarily concerned with systematic analysis of subsequent developments. Rather, it seeks out debates that took place on the ground in the war's aftermath that have yet to be retrieved. Though the U.S. insistence on capitalism was unquestioned (Eisenberg, 1996) and, as will be seen, the union of free enterprise and free speech served as this dominant ideological frame, little else was apparent in the historical moment of the war's end.

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<sup>9</sup> The German Basic Law (*Grundgesetz*) of 1949 lays out general principles but does not specify the structure of the broadcasting system. The federation (*Bund*) is empowered to enact general "framework" laws (*Rahmengesetze*), but because the states have cultural jurisdiction (*Kulturhoheit der Länder*), media legislation falls under the purview of each *Land* (Bausch, 1980; Humphreys, 1994).

<sup>10</sup> Under the press and broadcasting law of September 1949, the Allied High Commission retained intervention powers until the official end of the occupation in 1955.

Practical short-term necessities governed media policies in the war-torn country despite its need for long-term policy directions, which were open to considerable debate.

Based on archival material, this article sketches the internal OMGUS discussions on the institutionalization of radio, focusing on debates over ownership (public vs. private) and content (the role of advertising) and partly situating them in the U.S. context. It concerns only the period from May 1945 until late 1947—that is, from Nazi Germany's defeat in WWII to General Clay's announcement of an overt U.S. anti-communist propaganda campaign in October 1947. This decisive period—in which OMGUS arguably played a "key part" in determining "the structures and values of broadcasting" in the later Federal Republic (Humphreys, 1994, p. 131)—can more importantly be considered a window of opportunity that reflected "considerable possibility and even idealism" (Hartenian, 2003, p. 101), as well as a seemingly heightened openness to debate. Hartenian (2003) shows how the year 1946 was marked by "enthusiasm for the democratic transformation of German society and media" (p. 101) as OMGUS hastened to relinquish control. But by 1947, this development had shifted, and a narrowing frame of anti-communist reasoning "[radically reduced] the possibility for rational and democratic opinion formation" (p. 214), including in intra-OMGUS policy discussions that were tied more closely to the State Department.

Clearly, this essay's scope does not extend to an all-explanatory frame showing why and how media policies were eventually implemented, or why German broadcast media became a public enterprise. The article also does not detail how the German case fits into a broader "transitional cultural economy" of communication networks (Hilmes, 2012). What it does offer is insight into the historicity of U.S. media policy debates that aimed to solve concrete problems. It acknowledges the continuity of arguments that question and define the *raison d'être* of "free" media and recognizes the history of radio as a history of struggle for answers that ultimately concern the role of mass media in a viable democracy. Information policies and their implementation cannot be adequately explained unless they are seen as part of complex policy decisions in national and international cultural and socioeconomic spheres (Hilmes, 2012; Mettler, 1975).

The main concern of this article, therefore, is not whether or not German broadcast media were truly "free," but rather how different interest groups used and defined the concept of "free" and how policy decisions were justified accordingly. Indeed, the discussion of free media in postwar Germany is a "tale of exceptional fascination and complexity" (Eisenberg, 1996, p. 9), not least, as will become clear, because of the currency of arguments that have reappeared in recent debates on media reform in the United States.

### **Owning and Controlling "Free" Media**

With the Allied victory on May 8, 1945, the United States acquired jurisdiction over three major radio outlets in Southern Germany—that is, in Stuttgart, Frankfurt, and Munich<sup>11</sup>—one small station in Bremen in Northern Germany, and the soon-to-be "Radio in the American Sector" (RIAS) in Berlin. Two days later, Radio Munich was the first station back on the air; Radio Stuttgart and Radio Frankfurt soon

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<sup>11</sup> Stuttgart in Württemberg-Baden, Frankfurt in Hesse, and Munich in Bavaria.

followed. Ruby Parson, deputy chief of the ICD Radio Branch, stressed that "it was imperative to get radio going" (in Russi, 1963, p. 116), for radio was *the* "medium through which occupation officials could reach the German people with instruction and information" (p. 116). Accordingly, the short-term "military" objectives of radio were to publicize OMGUS's rules and regulations and avoid spreading rumors (Russi, 1963).

OMGUS, however, did not have a long-term media policy plan. According to Parson, "there was no time for leisurely surveys, planning and instruction" (in Russi, 1963, p. 83); rather, OMGUS's immediate strategy consisted of practical decisions that corresponded to general U.S. policy goals and the critical conditions on the ground, mainly material shortages in a devastated Germany (Bausch, 1980).

Despite the lack of concrete instructions, it was clear from the outset that radio would play a central role in the long-term project of German democratization and reeducation (Russi, 1963). Correspondingly, OMGUS's orders reiterated that "it is basic Military Government policy that control over the instrumentalities of public opinion, such as press and radio, must be diffused and kept free from governmental domination" (Hays, 1947, p. 1), which was what had made Nazi rule possible.

Menck (1949/1965) points out that while all authorities in the western zones of occupation generally agreed with this principle, there was no plan detailing how to institutionalize it. For OMGUS, the ideal of the licensed press based on private enterprise served as the model of how reliance on local, private, initially subsidized entities would serve "free" media by guarding against monopolistic state control.

The Information Control Functional Program of April 1947 clearly stipulated that the ICD was to encourage "self-regulation and responsible free enterprise" (OMGUS, 1947, p. 2) "on the part of private groups in the information services" (p. 2). Thus, as part of the ICD's regulatory role of guarding information media from government interference, "where trade or other associations are used, Information Control units [were to] satisfy themselves that these associations are run along democratic lines, and are based on the existence of strong local groups" (Taylor, 1946, p. 2). In short, "democratic lines" of decentralized free media generally meant a competitive marketplace. Where this marketplace was not an option, the ICD was "to prevent subsidized or monopolistic information services" (OMGUS, 1947, p. 2) from being instituted by government agencies and conform to the overarching dictum that "economic and financial facilities needed to maintain independent" (p. 2).

Although the licensed press served as a model, the licensing of radio was not seen as a "viable option" because the "universality of the medium [made] it impossible to apply the licensing principle to radio stations" (Bishop, 1945, p. 2). It was not explained why that was so. Generally, however, and unlike the British, OMGUS focused on locality rather than centrality, intending that radio have "a genuine, independent, community character" (ISD Berlin, n.d., p. 3) in each *Land*. This objective was underlined when the first of the three major radio outlets under U.S. control, Radio Stuttgart, was transferred to

German hands on July 22, 1949 (soon followed by Radio Munich and Frankfurt).<sup>12</sup> In his celebratory speech, Clay aimed to emphasize a station's significance for its *Land*, for the handover of radio meant

returning one of its basic freedoms to the community to which it belongs . . . their own independent community radio. Free radio, like free press, is one of the indispensable instruments of a vigorous democracy. . . . We believe that such a local organization is close to the people it serves, and more faithfully reflects their views, than a wideflung [*sic*] system, centrally controlled. (ISD Berlin, n.d., pp. 1–3)

Clay also called for German citizens' participation in radio matters:

You must be not merely listeners to Radio Stuttgart, you must be advising stockholders. When you lose your interest in your radio station, it will not be long before you will have lost the station itself, and with it one of the most powerful instruments established for the development of your democracy. (p. 4)

Clay's additional point, however, met with strong opposition. Critics in the Radio Branch stated as early as February 1946 that "the theory existing in some quarters that the native population be allowed to take it or leave it is fallacious" (Maulsby, 1946, p. 1), implying that it would ultimately lead to the disintegration of U.S.-controlled broadcasting. Stressing "that [broadcast] policy and operations are one and cannot be separated" (p. 2), these voices asserted that "the present system of decentralized control [only] fosters regional partisanship and local loyalties harmful to overall control" (p. 2), and therefore "the authority of IC [Information Control] over broadcasting should be direct" (p. 2), as in the British model, since only centralized organization would permit all five U.S. radio stations to make more concerted efforts toward establishing democracy. To achieve the latter, one needed to regard "radio broadcasting [as] a business . . . a studied play for markets" (p. 1) that required central leadership for financing as well as content-related issues.

Clay, meanwhile, firmly embedded local radio at the center of the national (and perhaps international) capitalist democratic enterprise. To him "the rehabilitation of [local] trade and industry . . . essential to a free society" (ISD Berlin, n.d., p. 2) went hand in hand with "the growth of an individual as a citizen and the growth of community responsibility to guard collectively the means by which men remain free" (p. 2). Free radio was a prerequisite to this. Thus, even though Radio Stuttgart was *not* a commercial endeavor, free enterprise in a competitive marketplace remained closely connected with free citizenship.

### **Private or "State" Ownership**

When a "Special to the *New York Times*" (1947) reported that the United States "desired state ownership of the broadcasting facilities [in Germany as] the only feasible option," (p. 19) readers were confused. To be sure, German legislators strongly opposed the idea of private enterprise for radio (Bausch, 1980). As the State Ministry of Württemberg-Baden affirmed in January 1946, the possibility of

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<sup>12</sup> Radio Bremen and RIAS remained under the control of OMGUS (Bausch, 1980).

private ownership was, "for political and economic reasons . . . not desirable," and the "transfer of a monopoly to an institution i.e. of commercial life . . . could by no means be considered politically responsible" (Staatsministerium, 1946). Yet Clay's announcement of state ownership was surprising, and very likely due to a general lack of terminology that was applicable to the German context (Humphreys, 1994).

The report quickly clarified that "Clay considered state ownership simply as a technical device" ("Special," 1947) in that he referred to the role of the National Post "as a servicing agency" (Norton, 1947) in broadcasting. The Post was to operate the technical facilities needed for radio; it was not to control radio or engage in programming matters.<sup>13</sup> OMGUS hoped that eventually also "this position of technical ownership by a Government agency will be eliminated . . . when Germany-wide democracy is realized" ("Special," 1947).

The U.S. trade journal *Broadcasting, Telecasting* raised the question why "competitive radio in Germany, similar to that of the U.S." ("Commercial Radio 'Out,'" 1946) was not an option worth pursuing, even in the face of German resistance, and answered by describing it as "'beyond the economic reach' of the German people" (1946). Internal OMGUS documents from July 1946 state that "the creation of privately owned commercial radio stations is not prohibited, but, for practical reasons . . . cannot be considered at present" (Pemples, 1946, p. 1). "Practical reasons" referred mainly to material shortages but also to the fact that "the existing U.S.-controlled radio stations are financed by public funds collected as fees on radio receivers" (p. 1). The National Post had resumed this practice immediately after the war. Regulatory clarity regarding who would receive these fees was lacking (Bausch, 1980), but OMGUS nonetheless concluded that if fees were collected, then "such stations must be state owned [i.e., could not be privately owned]" (Pemples, 1946, p. 1).

Another impediment to private radio enterprise was the lack of sufficient control personnel who were qualified to perform the duties required to guarantee free radio (Pemples, 1946, p. 1). And later, ICD chief Gordon Textor announced publicly that there was simply an "insufficient number of stations to permit free competition among them" ("Plan American Style for Radio," 1947). This shortage necessitated that broadcasting stations become "public utilities [i.e., not privately owned] . . . equally accessible to all points of view und cultural needs" (Hays, 1947, p. 1), since there was no private competition to bring about this "multiplicity of voices" (Parson, 1949, p. 6).

All of these reasons, however valid, would have presented only short-term obstacles to the implementation of a philosophy that presupposed private enterprise and competition to be the guarantees of "free" radio, that is, understood as free of government intervention. After all, supporters of commercial broadcasting, including J. H. Hills, director of Information Control in Württemberg-Baden, pushed the idea of commercial radio by underlining that "there will be no politically independent radio system in Germany so long as the Deutsche Post [National Post], or any government agency, hold any small part of the

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<sup>13</sup> The Post was to collect radio fees and provide the cable network as well as interference elimination services (Hays, 1947, p. 2).

institution as chattel" (Hills, 1947, p. 3). Only the enhancement of private interests through advertised-based broadcasting "would propagate the concept of free radio" (ibid., p. 2).

Shortly thereafter, G. H. Garde at OMGUS headquarters clarified that indeed, "the competition of completely commercial broadcasting stations with non-commercial stations is envisaged for such time when new broadcasting channels are open. Such competition would be healthy in the utilization of radio as a cultural instrument" (Garde, 1947). Clay accordingly declared that the ultimate goal was "to see established in Germany at least twenty to thirty radio stations privately and independently owned" ("Special," 1947). And as late as December 1948, Radio Branch Chief Charles S. Lewis sent the various OMGUS offices an order regarding the "Consideration of Small Private or Commercial Radio Stations" (Lewis, 1948), in which he responded to "inquiries . . . regarding the possibility of permitting private or commercial broadcasting stations" (1948). He stated clearly that OMGUS general policy "favor[ed] the creation of private or commercial broadcasting stations" (1948), but he also indicated the need for a "careful study" (1948) of the technical conditions and terms of operation.

At the same time, OMGUS also expressed explicit skepticism of private or corporate involvement in information media. Even as it rejected government ownership of radio stations, OMGUS emphasized that it also would "not approve any organizational plan which by reason of either ownership or corporate system contravenes the instructions for establishment of free and independent organization" (Keating, 1947). This was a clear acknowledgment that it was not only government authorities that could execute an information monopoly.

Later that year, the *Clarification of Radio Broadcasting Control Policy* (Hays, 1947) stated that "within this policy radio broadcasting organizations shall be constituted as public service instruments, free of domination by *any* [emphasis added] special interest group, governmental, political-economic, religious or any other single element of the community" (p. 1). Radio ownership should be vested in people, for only such ownership would allow for "a diffused representation that guards against [any such] domination" (Keating, 1947). Directed by a representative council consisting of "socially significant groups" (*gesellschaftlich relevante Gruppen*)<sup>14</sup> (Humphreys, 1994), a radio broadcasting enterprise was to "include groups truly representative of the entire community" (Hays, 1947, p. 1). Most importantly, these independent public agencies were also made financially responsible in order to "definitely . . . preclude governmental [or any special interest group's] control directly or indirectly by the budgetary process" (ibid., p. 2).

With these practices already (or soon to be) implemented, Parson of Radio Branch stated that *if* "commercial radio does become feasible in Germany through development in FM, it will . . . probably be regulated under the public radio council to serve the general public interest" (Parson, 1949, p. 6). Put differently, if commercial radio proved to be technically possible, it would not be left to market forces alone but would operate within the public-service framework. Most certainly, however, this approach also related to the already existing institutional setup.

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<sup>14</sup> E.g., trade unions, churches, universities, etc. (Humphreys, 1994, p. 130).

### The German Radio Debate in the U.S. Press

U.S. audiences were no strangers to the discussion about radio ownership. Pickard's "Battle over the FCC Blue Book" (2011) shows that debates over the impact that ownership and market forces had on U.S. radio had indeed occurred in the 1940s. The Blue Book, initiated in the mid 1940s by the Federal Communications Commission (FCC), outlined the "negative effects of media concentration" (Pickard, 2011, p. 172) on radio programming. Simultaneously, FCC Commissioner Clifford Durr openly questioned U.S. commercial radio in lectures and magazine articles titled "Freedom of Speech for Whom?" and "How Free Is Radio?" (p. 174), and the FCC proclaimed that "radio stations were putting undue emphasis on the commercial aspects of their program and insufficient attention to wider cultural and educational programming" ("Special," 1946). About the same time, the Hutchins Commission also dealt with the question of commercialism's limiting the democratic potential of U.S. mass media in general and the press in particular (Nerone, 1995). The common idea of the Blue Book and the Hutchins Commission was that mass media had a social responsibility in modern societies. Although this idea did not originate with these initiatives (Nerone, 1995), both must be seen as examples of "the 1940s struggle to define media's democratic role" (Pickard, 2011, p. 174) in the United States.

Thus, the question of the organizing of German radio resonated with the U.S. readership. In fact, a lengthy piece in *Vogue* stated that the discussion on "what is wrong with the [radio] industry in this country . . . is almost as popular a panel topic as the Truman Doctrine" (Young, 1947, p. 41). Its author, Mahonri S. Young, a professor of communications, argued that the reason for "American radio's own mood of self-examination" (ibid., p. 41) was that radio "worried about the people who don't listen because they can't find anything they want to hear" (ibid., p. 41):

Witness New York's WQXR, with its \$1,000,000 gross—a sum gained, it is true, by piling spot announcement on spot announcement, commercial on commercial, three minutes for one, while the quality of the music goes down and down. All large cities could have municipality stations. Specializing in local affairs, encouraging the Mayor to talk, discouraging the City Council. (Young, 1947, p. 74).

On the other hand, proponents of U.S. commercial radio defended its mechanisms and pushed for private ownership in international broadcasting as well, in defense of capitalism. In April 1947, the *Chicago Daily Tribune* wrote:

The infinite variety in American privately sponsored radio programs is the best demonstration of our freedom of speech. Foreign editors would best understand the success of the enterprise system . . . if they heard commercial announcers vying with each other to sell more soap, candy, cigarettes, automobiles, radios, watches, and all the other goods which socialist government fail to make accessible. ("Bureaucrats in Radio," 1947)

The logical conclusion for Germany, as for any Western country, therefore, would be to guarantee such freedom of speech, and in turn a viable democracy, by way of similarly consumer-based radio. Long-term

policies, according to this rationale, should make the radio enterprise truly American, for "the one basic idea that the United States has to sell to the rest of the world . . . is our American system of free enterprise" ("Bureaucrats in Radio," 1947).

Opponents of this approach claimed that the United States needed to "remember those words, 'Physician, heal thyself'" (Young, 1947, p. 41) to cure the "patient's symptoms" (ibid., p. 41). Favoring the Third Programme of the British Broadcasting Corporation (BBC), which proved it was "possible to create whole new audiences" (ibid., p. 41) through forums, panels, and discussions, U.S. critics of commercial radio proposed that German radio should look to the BBC as a model. Parson (1949) remarked that although this system had worked out admirably in many cases, it lacked something he saw as necessary for "full representation of all the significant elements of community life" (ibid., pp. 4-5): "the incentive [for such variety] which is provided by commercial competition in American radio" (ibid., p. 5).

Eventually *Broadcasting, Telecasting* announced to the U.S. readership that an "American style radio" ("Plan American Style for Radio," 1947) that was "radically different" (Morrow, 1948) from the British model would be set up in Germany. The implied similarity to U.S. radio, however, did not refer to private ownership of radio but to an institutional decentralization "that would enable each state to have its own radio outlet" (ibid.). It also remained unmentioned that U.S. radio, though operated locally, was mainly controlled by national corporate networks (McChesney, 1993).

This seems to suggest that Radio Munich, Stuttgart, and Frankfurt, soon to "be freed from United States control" (Morrow, 1948), were, at least partly, reforming the U.S. system in that they were "public-owned, self-supporting and independent of government control" ("Plan American Style for Radio," 1947) and would retain radio receiver fees as their chief source of revenue. All three German stations, however, were also given "permission to sell broadcast time to advertisers" (ibid., 1947).

### **The Question of Radio Advertising**

By 1947, the radio receiver fees that were to finance German radio had become an issue between the different radio stations as well as the different *Länder*. There were no cohesive regulations to determine the collector of the fees. Meanwhile, it often remained unclear to which "jurisdiction" a radio station and its listeners belonged, partly because of administrative and institutional issues. Consequently, funding was unevenly distributed between different stations in the U.S. zone and the stations in the other occupation zones (Bausch, 1980). Furthermore, (Mettler, 1975) radio was still under U.S. authority, and its overt outlets (Radio Bremen and RIAS) were financed by the occupational budget (Hartenian, 2003; Mettler, 1975). Moreover, OMGUS was under increasing pressure to justify rising occupational costs to the U.S. Congress.

Keeping expenses down through private sponsorship became an interesting incentive, which was seen as "paying for the occupation costs" (Hills, 1947, p. 2) and increasing revenues, especially for smaller stations, like Radio Stuttgart, that suffered from a general lack of resources (Bausch, 1980).

The ICD had not yet considered the question of whether to allow public broadcasting stations to earn extra income through advertising. Clay's adjutant general, G. H. Garde, clarified why: "Although the financial need of the station is a primary consideration, it is *not* [emphasis added] the concern of Military Government" (Garde, 1947) because the financial responsibility for radio stations lay with the respective minister-presidents. However, "the manner in which the station meets its financial need by the introduction of advertising *is* [emphasis added] of concern to Military Government" (ibid., 1947) because of the possibility that any special interest could have an influence on what was broadcasted. Thus, although the responsibility of regulating issues of radio advertising fell to German legislators, OMGUS retained its right to disapprove, which it regularly exercised (Bausch, 1980).

### ***The Radio Ad File***

On February 1, 1947, Hills wrote a letter of inquiry to the Director of Military Government in Württemberg-Baden presenting a "Justification for Initiating Limited Commercial Broadcasting" (Hills, 1947). In the letter he explained why commercial broadcasting was a worthwhile option for increasing Radio Stuttgart's revenue. Hills stated that "unsolicited requests" (p. 1) had been received continuously from "firms for commercial radio time" (ibid., p. 1). Radio advertisement was of considerable importance to these firms, partly because "newspapers, even without serious [paper] shortage, cannot possibly handle all advertising that is available" (ibid.).<sup>15</sup> Not only would radio advertising, as an "avenue of competition . . . set the most emphatic precedent for encouraging the revival of small business" (ibid., pp. 1-2) and thereby diffuse big employers' political power and clout (p. 2), but it would also accord with the overarching U.S. occupational policy "to encourage the recovery of German [*sic*] economy" (ibid., p. 1) by promoting foreign trade, which would open "the way for eventual advertising of American products" (ibid., p. 2).

Linking the international capitalist market, local business, and democracy more explicitly, Hills pointed out that because commercial radio advertising for local enterprises would "decentralize the political power and persuasive element that rests with big employers and manufacturers" (Hills, 1947, p. 2), it could achieve fundamental political goals such as "better civic cooperation and political balance" (ibid.). Hills concluded with a strong sympathetic look to the United States:

Commercial radio practice [i.e., advertising] may eventually lead the Germans of their own free will to the one system which will completely free radio, just as the press is liberated, from government control . . . by eliminating entirely the fee now collected by the Deutsche Post. (Hills, 1947, p. 3)

In a letter to the OMGUS commanding general on February 12, 1947, Leonard C. Cooke from the Military Government Headquarters of Württemberg-Baden argued differently: "While concurring . . . that radio controlled by Government is not 'free,' it is pointed out that radio which is wholly dependent upon advertising for its income is subject to powerful influences which definitely restrict its liberty" (Cooke,

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<sup>15</sup> These firms included insurance companies, travel agencies, banks, music firms, talent bureaus, art shops, etc.

1947). Cooke made clear that OMGUS's emphasis on prohibiting the influence of special interests on broadcast media referred to more than the government. Powerful private interest groups too could, by providing revenue and capital, attain power that by definition limited the freedom of radio (ibid.).

Cooke, like Hills, drew on U.S. experiences by citing "the fact that commercial radio in the United States has developed in such a way that it does not constitute the best example of utilizing radio in one of its most important toles [*sic*]" (Cooke, 1947). Cooke held that broadcasting, at its best, should be utilized "as an instrument for longer term popular education and a means of lifting levels of culture and public taste" (ibid.). He closed his argument against leaving radio to commercial interests alone by recommending "that the adoption of a policy with reference to the source of income of radio be considered in the light of plans for the future of radio control and operation" (ibid.).

Later that February, Garde stated that whereas "there is no objection by Military Government to the institution of limited commercial broadcasting," (Garde, 1947) the "degree to which such radio advertising should be limited is defined by . . . financial need [and] independence of the station." Garde emphasized that the main concern regarding advertising was that OMGUS "cannot permit the station to be an instrument of any special interest" (ibid.), including economic interest groups. Accordingly, not just any kind or amount of advertising would be aired; rather, "a schedule of the contemplated commercial broadcasting . . . showing the extent of advertising within the programming structure" (ibid.) had to be submitted for approval, along with "samples of the type of advertising as contained in scripts" (ibid.) to ensure "the features will be of a high level" (ibid.).

Furthermore, Garde underlined, what worked for one station would not necessarily work for another. While limited advertising for Radio Stuttgart was under consideration, "no commercial broadcasting is contemplated for either Radio Munich or Radio Frankfurt" (Garde, 1947) at this time because "both stations have no need for resorting to commercials for financing purposes" (ibid.). After all, the main goals were the respective stations' independence and the quality of their content, neither of which should be jeopardized by questions of revenue. Still, OMGUS believed that both targets could "be met and the independence of the station [be] safeguarded by acceptance [*sic*] of a small amount of advertising" (ibid.). These commercial regulations for Radio Stuttgart set the precedent for Radio Munich and Radio Frankfurt, both of which were eventually also permitted to boost their revenue through ad sales.

### **Conclusion: The "Free" in Radio**

OMGUS's debates about "free" German radio focused first on its independence from government bodies and next on private control. Increasingly superposed on both concerns, or even replacing them, was a growing anti-communist agenda. Paradoxically, therefore, "one of the immediate sponsors to use these [German] radio outlets for a set fee" (Morrow, 1948)—that is, the first buyer of commercial radio time—was OMGUS, which used German radio to broadcast its *Voice of America* series. This was only the beginning of the use of radio for foreign propaganda broadcasts (see Footnote 1). Thus radio remained "free" only if (and as long as) it supported a model of democracy that was framed and justified in

opposition to a self-serving narrative of communism, making "freedom" an inherently capitalist enterprise (Hartenian, 2003; Schiller, 1969, 1984).

However, this essay has shown that in the initial postwar period, other outcomes seemed possible. This conclusion is supported by the considerable disagreement among the various players over the meaning of "free" (broadcast) media and their role in building democracy based on private enterprise, not least because it raised questions of how democracy itself was to be defined.

In any case, German interest groups had their say in shaping the eventual framework for German radio. Kurt Pfister, the German prewar radio expert charged with negotiating and drafting the legal framework for laws on German radio, later recalled that he had aimed to find "a way in-between" (in Bausch, 1980, p. 108) an entirely state-owned radio and the "private American system" (*ibid.*).

Within OMGUS, the debate over free German radio was closely aligned with debates in the United States about the deficiencies of the corporate-commercial model. Critics in the U.S. repeatedly pointed out that "networks are not all of radio" (Young, 1947, p. 74). These controversies merit notice, especially since similar debates in postwar Japan also referred to the U.S. experience of the roles of advertising and government control in radio (Nakajima, 1971).<sup>16</sup> It is unsurprising that the ICD's general line of argument strayed little from a commercial-radio perspective. After all, this was this perspective that served as the starting point from which to venture the establishment of "free" radio in Germany.

Organizing radio as public-service entities was an experiment for OMGUS: It was the outcome of a crisis moment, internal dissent, external restrictions and debates, and the broader historical moment. Within this experiment, the concept "free" remained a rhetorical device whose meaning shifted according to each different interest group's line of argument. Free radio thus was both positively and negatively defined. It referred to freedom from government control (of content and ownership), freedom of (or for) capitalist interests, and the free access to information needed to create a mature citizenry. If anything, such an understanding scuttles "one-size-fits-all" notions of what "free media" is assumed to stand for.

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<sup>16</sup> Though more centralized than in Germany, the Japanese broadcasting system was also organized around the public-service model.

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