

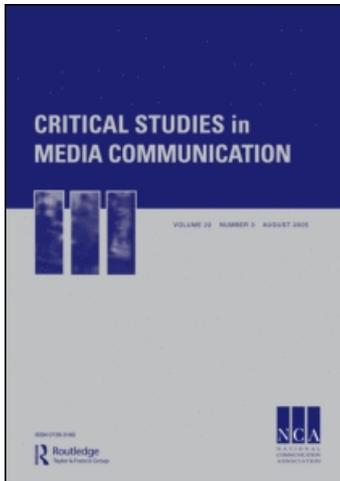
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“Whether the Giants Should Be Slain or Persuaded to Be Good”: Revisiting the Hutchins Commission and the Role of Media in a Democratic Society

Victor Pickard

This paper examines the landmark Hutchins Commission’s unpublished minutes and correspondence to uncover a potential radicalism that advocated for and then shied away from significant structural reform of the US media system. With an eye towards contemporary media problems, this project aims to recuperate lost alternatives and yield fresh insights regarding the institutional role of the press in a modern democratic society. By situating the Hutchins Commission in a historical trajectory of media criticism and media reform movements, this paper illuminates perennial tensions and confrontations between the liberal ideals and commercial imperatives driving the US press system. Drawing from Gramscian theory to contextualize the US media system’s current crisis, the paper concludes by outlining an emergent consensus that calls for structural reform and for re-evaluating core normative democratic principles underpinning the social contract between US media institutions and the public.

Keywords: Hutchins Commission; Journalism History; Normative Theory; Media Reform; Media Policy

How did American society inherit its present media system? More specifically, when and how did the U.S. polity determine the normative role of media in a democratic society—its requirements, its social responsibilities, its commitments to the public interest? Such an inquiry requires a historical analysis, a retracing of policy

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trajectories, ideas, and discourses to a moment before received assumptions about media's democratic role took on an air of inevitability. This approach highlights contingency; it reveals that policy outcomes were neither foreordained nor natural, nor necessarily ideal. At key junctures in the development of this media system, amid multiple sites of struggle, certain options were chosen, certain claims won out over others. Allowing for some happenstance, these policy decisions were at their heart political, reflecting complex and shifting constellations of power. The following study aims to illuminate the ideologies, discourses, and narratives that enable core policy formations. Such a project benefits from studies of particular moments in which conflicting interests and their respective discourses are cast into sharp contrast. One such exceptional case in the U.S. media system's development unfolded amid a series of major media policy debates in the postwar 1940s: the Commission on Freedom of the Press, better known as the Hutchins Commission.

The creation of the Hutchins Commission marked a watershed moment, the outcomes of which would establish the normative foundations for the modern U.S. press system. Nowhere else within the transitional period of the postwar 1940s were core debates related to media and democracy so clearly articulated. Grappling with a number of pressing media-related quandaries, the Hutchins Commission was composed of many of the most prominent intellectuals of the time, giving it tremendous norm-setting power. The late legal scholar C. Edwin Baker noted that the Commission's general report "provides the most influential modern account of the goals of journalistic performance" and is virtually treated as the "official Western view" (2002, p. 154). Elsewhere, he described its work as "the most important, semi-official, policy-oriented study of the mass media in U.S. history" (2007, p. 2).

The commissioners entered the discussion with two related questions: What is the role of media in a democratic society, and how should that role be regulated? Although a variety of policy trajectories was available, they exited with the conclusions that media should practice social responsibility, be protected by a negative First Amendment freedom of the press, and remain self-regulated. Between their initial questions and final conclusions, however, a number of radical alternatives were discussed and ultimately jettisoned. Based on archival evidence, including unpublished reports and transcripts, the following analysis outlines the discussions, the tensions, the deferred alternatives, and the compromises that occurred under the Hutchins Commission. This analysis is especially important now given the contemporary media-related crises emerging, at least in part, from the legacy of the commission—in particular, its prescriptions for regulating media, which largely prefigured American news media today.

A study of how the relationships between media and democracy undergo periodic ruptures linked to shifting power blocs invites a particular theoretical model, one that illuminates contingencies without obscuring the evolving contours of power arrangements between media institutions, the state, and the public. This inquiry must be situated historically within a framework of democratic theories of the press. Moreover, to illustrate how assumptions about government's regulatory role of media's obligations to society—namely, that media should remain

self-regulated—became an article of “common sense” calls for a specific approach to power and resistance. Combining intellectual and political histories, this paper’s theoretical approach to how power operates and history unfolds vis-à-vis media processes and institutions can best be described as Gramscian (Gramsci, 1971). Rendered correctly, this framework avoids over-determination by not assuming that policy outcomes always reflect the most powerful interests’ intentions. Kumar notes, “Far from being reductionist, the Marxist method enables us to understand the world in all its complexity and opens up the possibility for change” (2006, p. 83). Penetrating to the roots of normative assumptions about the democratic role of the press, this framework restores contingency to the findings and legacies of the Hutchins Commission, recuperates alternatives, and highlights the structural origins of present-day media problems—all necessary steps in grappling with the current decline of American news media and imagining new relationships between the state, various publics, and institutions of the press. The following historical study returns to the moment before status quo prescriptions were set—a moment when, however briefly, there was a chance for a different system to take hold.

Evolving Democratic Theories of the Press in Historical Context

With questions of media ownership, regulation, and responsibility once again rising to the fore, revisiting normative democratic theories of the press—theories that are always present when we talk and think about media but are rarely explicitly acknowledged—takes on a degree of urgency. Democratic theories of the press largely derive from a liberal intellectual tradition going back to Milton, Locke, and Mill, who argued for freedom of expression against state censorship. Traditional interpretations of John Milton’s *Areopagitica* led to the classical liberal notion of the “marketplace of ideas,” first articulated by Supreme Court Justice Oliver Wendell Holmes and others, implying that a diverse range of arguments was necessary to allow the best argument to emerge and truth to prevail. In the classic liberal text *On Liberty*, John Stuart Mill articulated freedom of expression based on the utilitarian notion that the greatest amount of freedom for individuals, barring harm to others, serves the greater good. These liberal foundations put a high premium on private property rights, and often assume a level playing field that naturally encourages egalitarianism.

These assumptions play a major role in drafting the U.S. First Amendment and continue to inform contemporary liberal democratic discourse. An emphasis on Lockean “natural rights” gave rise to an early tension between a government-guaranteed freedom of expression and the protection of private property, especially from state interference. The latter underpins a libertarian model of the press, which Akhil Amar’s *Bill of Rights* suggests harks back to the original intent of the First Amendment (1998). Although Amar argues that drafters saw the First Amendment pertaining primarily to individual liberties, he also sees the social purpose of these protections as allowing individual citizens to self-govern and form majorities against corrupt governments. In other words, contrary to popular lore, Amar’s interpretation suggests these freedoms were meant to protect *majoritarian* rights against state

tyranny, not minority rights from the tyranny of the majority. As such, the “essence of the Bill of Rights was more structural than not, and more majoritarian than counter” (1998, p. xiii). Similarly, Scott (2007) draws from this tradition to argue that viewing media from the perspective of a state-sanctioned public sphere is more consistent with the First Amendment’s historical context. This formulation lays the groundwork for seeing a *positive* role for government—an interventionary role—to provide enabling structures for a healthy public sphere, such as open and diverse media institutions.

The twentieth century witnessed periodic attempts to expand and reorient First Amendment protections beyond its more negative conception of “Congress shall make no law . . .” (Meiklejohn, 1948; Baker, 2007). Important normative shifts along these lines began to take root in the 1940s, captured best by Hugo Black’s argument for a more positive interpretation of the First Amendment in the Supreme Court’s 1945 *Associated Press* case. In its majority opinion, the court stated that the First Amendment “rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of free society . . . freedom to publish means freedom for all and not for some.” The court further explained:

It would be strange indeed. . . if the grave concern for freedom of the press which prompted adoption of the First Amendment should be read as a command that the government was without power to protect that freedom. The First Amendment, far from providing an argument against application of the Sherman Act, here provides powerful reasons to the contrary. . . . Freedom of the press from governmental interference under the First Amendment does not sanction repression of that freedom by private interests (*Associated Press v. United States*, 326 U.S. 1, 20, 1945).

This more expansive notion of First Amendment rights vis-à-vis the press was echoed two decades later when Barron called for a new First Amendment based on access: “There is inequality in the power to communicate ideas just as there is inequality in economic bargaining power; to recognize the latter and deny the former is quixotic.” Giving the lie to a central liberal tenet, Barron asserted that “The ‘marketplace of ideas’ view has rested on the assumption that protecting the right of expression is equivalent to providing for it” (1647–1648, 1967).

As we shall see below, this alternative First Amendment emphasis on access and audience guaranteed by proactive governmental regulation clearly registered in the Hutchins Commission’s deliberations and reports. Current media policy, however, largely rests on the more negative conception of First Amendment-guaranteed press freedoms, which discourages state regulation, privileges media owners over the public, and subjects the media system to *de facto* governance by neo-liberal market operations. In the 1940s, this deference to the market had not yet crystallized. To understand how industry reasserted itself via self-regulation to change the course of American media policy, a Gramscian framework is useful.

A Gramscian Approach to Power and History

In general, historicizing media policy debates is valuable for allowing us to see contemporary relationships, practices, and institutions as historical constructs contingent upon contemporaneous factors instead of simply natural phenomena. Under the rubric of historical research lie a number of theoretical approaches, including that practiced by Antonio Gramsci, a leading twentieth-century theorist within the Marxist tradition of historical materialism. Showing how interdependent sequences of events unfold within discrete periods, this method often relies on textual evidence from which a narrative is constructed emphasizing historical patterns such as contingencies, contradictions, conjunctures, and ruptures. This analysis assumes that rather than being independent and linear, these processes are mutually constitutive, changing together over time.

A Gramscian framework derives from the notion of “hegemony,” a contentious political process by which elites control “common sense.” Gramsci understood popular common sense as a crucial terrain for constant political struggle (1971, pp. 323–334, 419–425). By highlighting the complex dialectical interplay between dominant interests and those they attempt to subjugate, Gramsci’s application of Marxist theory brings into focus how hegemonic forces are constantly at work. These power relationships are messy and inherently unstable, and must be recreated daily, constantly opening up new areas for resistance. Stuart Hall notes that hegemony “should never be mistaken for a finished project” (1988, p. 7). In this vein, Gramsci recovers contingency, allows for unexpected outcomes, and never assumes human events reflect societal consensus, but rather ongoing conflict. This conflict is greatest during realignments of what Gramsci termed “historic blocs” of the ruling elite. These reconfigurations produce new political opportunities, which in turn allow for new policy formations. For example, the 1930s turmoil and subsequent postwar uncertainties had challenged many capitalist verities, including commercial dominance of the media system. In response, there was a concerted elite-driven movement to reconsolidate power, including business interests’ grip on the U.S. media system. Likewise, in the 1940s it became commonsensical that media should remain self-regulated and that any state intervention to regulate media be viewed as inherently suspect (Pickard, 2010b).

Far from being simply deterministic, a Gramscian historical framework restores the promise of agency. It brings into focus how institutional regimes and relationships see long periods of relative stability and path dependency punctuated by what other scholars have termed “critical junctures” in which the system is jolted and new opportunities for change arise (McChesney, 2007). Decisions made during these critical junctures profoundly impact systemic development while creating fleeting opportunities for agency (Collier & Collier, 1991). Thelen notes that politics always “involves some elements of chance,” but after a path is chosen, “it can become ‘locked in’ as all the relevant actors adjust their strategies to accommodate the prevailing pattern” (1999, p. 385). McChesney (2004) observes that critical junctures tend to invite more public engagement with and scrutiny of media systems than occurs

during less contentious periods, and typically emerge during times of technical, political, or social change (p. 24).

Following McChesney's criteria, an analysis of postwar media policy suggests that the mid-1940s constitutes such a critical juncture, when relatively wide-ranging policy decisions were on the table. Public discontent registered in multiple forms, including recurring themes in media discourse, representations in popular culture, complaints written to the Federal Communications Commission (FCC), and social movement groups organizing to reform media (Davies, 2006; Fones-Wolf, 2006; Pickard, *In Press*). The disintegration of the New Deal consensus, threatened business elites, and a rightward shift in the media landscape led to sociopolitical turmoil and uncertainty. Technological change was afoot as well with the emergence of FM radio, and television on the horizon. These disruptive factors combined to produce a fleeting window for a fairly radical overhaul of an entrenched media system—reforms that would be unthinkable during less contentious times.

The Hutchins Commission and the 1940s Media Crisis

In the 1940s, not unlike present times, institutions of the press were under intense public scrutiny (Davies, 2006). As a broad swathe of the public decried the trend toward one-newspaper towns, and popular campaigns rose up to contest the increasing concentration, commercialism, and lack of local accountability in U.S. media, the sense that the press was in peril became almost a consensus notion among the broader public (Blanchard, 1977). Against this backdrop, the Hutchins Commission brought together a cadre of leading intellectual figures to confront what they saw as “the present crisis” (McIntyre, 1987). Over several years and dozens of meetings, the commissioners identified major problems threatening U.S. media and democracy, and outlined minimum requirements for a socially responsible press system. Although they issued relatively radical critiques regarding the structural constraints in a commercial press system, the commissioners struggled with recommendations for meaningful reform and means of oversight. Still haunted by fears of fascism, they were clear in their general report that although “government has an important part to play in communications, we look principally to the press and the people to remedy the ills which have chiefly concerned us” (Leigh, 1947, pp. 2–3).

The Commission set to work defining press freedoms in relation to responsibility and codified a set of public obligations that the press must satisfy to remain self-regulated. A guiding assumption of the Hutchins Commission—one given less attention than it deserves in existing scholarship—held that an unaccountable press forfeited its privilege of self-regulation and was open for legitimate government intervention: “If modern society requires great agencies of mass communication, if these concentrations become so powerful that they are a threat to democracy, if democracy cannot solve the problem simply by breaking them up—then those agencies must control themselves or be controlled by government” (Leigh, p. 5). The majority of the commissioners, however, feared that a government-controlled media could lead to totalitarianism. Furthermore, they felt hamstrung by not wanting to

overly offend industry, transgress the politically viable and enforceable, or replace private with state tyranny. However, at least several of the commissioners saw “private tyranny vs. state control” as a false dichotomy and instead proposed a number of alternatives, discussed below, that neither relied entirely on state oversight nor conceded everything to laissez-faire market operations. The commissioners’ deliberations, while laying the foundations for enduring normative theories of the press, also contained recurring tensions in liberal thought, particularly around First Amendment protections. These tensions, embedded in guiding principles and media policies, continue to reproduce structural flaws in today’s U.S. press system, a recurring theme in previous scholarship on the Hutchins Commission.

Previous Literature on the Hutchins Commission

Communications scholarship uniformly treats the Hutchins Commission as an important landmark in U.S. journalism history, although treatment often remains superficial and limited to passing mentions, frequently to trot out a particular quote for rhetorical purposes. More substantive reviews generally fall into three views of the Hutchins Commission: the classic, the revisionist, and the critical. In the following I will briefly describe these evolving interpretations and then offer a fourth one—what I call the contingent—that I argue is more historically correct and more applicable to contemporary crises in journalism.

The prevailing canonized view known as the “social responsibility model of the press”—what I call the classic interpretation—was not fully articulated until nearly a decade after the Hutchins Commission in *Four Theories of the Press* by Siebert, Schramm, and Peterson (1956). This book posited that the Hutchins Commission marked a concrete turning point from the reigning libertarian paradigm of the press, which gave newspaper owners license to print as they wish, to the social responsibility model. With its emphasis on neutrality, objectivity, and balance, the social responsibility model was especially palatable given the ease with which it mapped onto the larger professionalization project of journalism, officially enshrining these principles (Nerone, 1995).

Nerone and others have challenged this traditional interpretation’s denaturing of the Hutchins Commission with a revisionist approach that historically contextualizes the classic model in its Cold War ethos. Also contributing to the revisionist interpretation were a handful of scholars who, over a 25-year period, offered more thorough analyses that went beyond the Hutchins Commission’s published reports to include contemporaneous press accounts (Blanchard, 1977; Marzolf, 1991) or deeper archival research (Bates, 1995; Bryant, 1969; Fackler, 1982; McIntyre, 1979, 1987). These studies provide solid narrative description of the Hutchins deliberations and begin to adequately historicize the reports. Within the revisionist camp, Bates comes closest to analyzing the Hutchins Commission from the perspective of contemporary (albeit early 1990s) media problems. Drawing from both Bryant’s thesis and original research, he summarizes some of the more radical proposals passed over in the Commission’s discussions (1995, p. 12). Although he captures some of the recurring tensions and

notes a number of contributing factors in the Hutchins Commission's ultimate failure, he sees the outcome, which he characterizes as a "reformist flop," as the natural response from a "gritty, populist press" reacting against elite intellectuals (pp. 25, 30–31). Blanchard's treatment suggests the Hutchins Commission legitimated media criticism as a respectable endeavor, and that the social responsibility model of the press was an idea whose time had come (1977). Lastly, McIntyre's interpretation makes the important point that the commissioners saw themselves as developing an innovative policy orientation that would instruct politicians, journalists, and policymakers. She also notes that the normative principle of accountability was a late compromise, replaced in the general report's title with "responsibility."

The critical interpretation of the Hutchins Commission goes beyond these revisions to question the entire premise of social responsibility. It sees the social responsibility model as a process of self-inoculation by the press to protect itself from public scrutiny, governmental oversight, and possible structural interventions. Dallas Smythe was the first to articulate this view. A colleague of the *Four Theories* authors, he saw their social responsibility theory as abetting the public relations program of big business, masking the media industry's true economic motives, and "formally equivalent in class and political economic terms to the press doctrine in the Soviet Union" (Smythe & Guback, 1994, p. 96). Altschull (1984) argues that the notion of social responsibility is essentially a meaningless term employed as an instrument of social control and practiced by whoever happens to be in power. McIntyre, who straddles the critical and revisionist camps, suggests, "The four theories model had a comforting certainty about it and provided a philosophical rationale that could be used to defend and legitimize contemporary media structures and practices, even at the same time that it appeared to be offering a mild critique" (1987, p. 137). Similarly, McChesney and Scott (2004) suggest the Hutchins Commission report was the first in a long run of systemic critiques that leveled fierce scrutiny but offered tepid recommendations for structural reform (p. 22).

While many of these analyses were important contributions, more emphasis needs to be placed on the alternative proposals seriously discussed during the Hutchins deliberations and their applicability to today's media crises. Proposing a more contingent interpretation of the Hutchins Commission that simultaneously builds upon and challenges previous revisions, this paper adheres to the critical interpretation that the Hutchins Commission's tenets were largely co-opted by a profit-driven news industry to provide a veneer of evenhandedness and accountability, but it also takes into account the report's contingency and conflicted nature. This view sees an often-overlooked potential radicalism in the original intent of the published Hutchins reports, and especially reflected in far-reaching recommendations that were edited out of the final report. These nuances clearly emerge upon close inspection of the unpublished transcripts of the meetings and back-channel correspondences between the commissioners, and are also supported by an analysis of the mid-1940s media crisis to which the Hutchins Commission was responding. Previous scholarship has hinted at this contingency and touched upon some of the

alternative proposals, though rarely explicitly stated or thoroughly explored, especially in terms of broader historical, theoretical, and contemporary contexts.

Research Questions and Methods

My research questions address these gaps in the extant literature that fail to sufficiently address alternative recommendations considered but dropped in the norm-setting Hutchins Commission reports. Moreover, my inquiry addresses under-researched connections between the Hutchins Commission and a broader context of media crises, liberal theories of the press, media reform efforts, and media institutions' structural attributes. Specifically, the following analysis focuses on four questions: first, what media criticism provided impetus for media reform? Second, what alternatives were proposed and discussed? Third, how were these debates resolved? Finally, what lessons can be drawn for current media reformers and policymakers?

Since these questions must be pursued via archival methods focused on primary source material, this study employs two levels of historical methods. First, I analyzed trade journal accounts, newspaper coverage, and the Hutchins Commission's six published book-length reports, placing special emphasis on the most well-known and influential publication, referred to as the "general report." Second, I located the relevant archives holding Hutchins Commission original materials, such as detailed transcripts, minutes, and proceedings from the meetings, and numerous reports issued by individuals or groups of commissioners. These papers are held in special collections at the University of Washington (UW) and the Joseph Regenstein library at the University of Chicago (UC). At the UW archives I gained permission to digitally photograph every document issued by the Hutchins Commission. I took approximately 2,000 photographs that I later examined as PDF documents. The UC collections, which held correspondence between Robert Hutchins and the other commissioners, did not allow photography and placed limits on photocopies, necessitating an on-site analysis in the form of extensive field notes. These papers illuminated back-channel communications and the intellectual dynamics between commissioners.

The narrative below emerged from close, iterative readings of trade press accounts and archival records.¹ In the following, first I sketch the societal shifts and media criticism creating the historical conditions necessary for the Hutchins Commission's formation. Then I provide summaries of the alternative proposals, compromises, reactions to, and legacies of the Hutchins Commission's recommendations. I conclude with implications for current media problems and promises for reform. Placing the Hutchins Commission in historical context, with particular emphasis on recurring tensions and deferred alternatives, gives purchase on larger connections and ramifications, both historic and contemporary, that otherwise might elude analysis. Based on the full range of Hutchins Reports, transcripts of meetings, and other archival materials, this historical analysis aims to recover important linkages and

potentially radical—but ultimately deferred—outcomes during a critical juncture for U.S. media in the 1940s.

From Ownership and Control to Social Responsibility

By the mid 1940s, major media policy conflicts had largely shifted from structural questions over ownership and control of media institutions to questions regarding social responsibility. The social contract between the public, the press and the state was still highly contested (Pickard, 2010c). Media criticism was becoming a popular sport, especially from public intellectuals such as Morris Ernst (1946), who advocated for imposing an extra tax on newspaper and broadcasting chains, and for an end to joint ownership and interlocking directorates of media outlets. Blanchard (1978) suggests 1940s press institutions were fighting for legitimacy in the face of this fierce criticism.

A number of transformations had occurred within American society to necessitate a concept such as social responsibility of the press. First, a corporate power structure built on ownership rights originally intended for individuals had gradually emerged during the early decades of the twentieth century. These privileges stemmed from notions of corporate personhood, limited liability, and economic rights. Second, with the rise of concentrated power and wealth, the press increasingly came to be seen as a countervailing force to keep elite interests in check. Third, the end of World War II had impressed upon people that media have tremendous power, particularly under totalitarian regimes. Fourth, media elites felt uneasy with how the government insinuated itself into media co-production during wartime (Gary, 1999). Finally, with the rise of mass media and mass society, many had come to believe that the requirements of the press had undergone both qualitative and quantitative shifts. Despite a brief postwar boom, newspapers in the 1940s, not unlike today, faced a rise in local monopolies, public distrust, spiraling production costs, and labor disputes (Davies, 2006; Baker, 2007).

Formation of the Commission

By the early 1940s, both establishment liberals and some news industry leaders began expressing the need for a national forum on press freedom (Blanchard, 1978). While liberals were responding to perceived systemic failures in the press, industry figures may have been responding to preparations at the highest levels of the FDR administration to challenge concentrated interests in the newspaper industry (Baughman, 1992; Pickard 2010b). Within this milieu, Henry Luce, founder of *Time* and *Life*, asked his old college buddy, UC president Robert Hutchins, to undertake a high-profile study investigating the relationship between media institutions (including broadcasting and film as well as newspapers) and social responsibility. Luce provided Hutchins with a budget to enlist 13 of the most respected public figures and intellectuals in the U.S.—all white, elite, liberal men, including Archibald MacLeish, Harold Lasswell, Arthur Schlesinger, William

Hocking, Zechariah Chafee, Beardsley Ruml, and Reinhold Niebuhr. These men would meet for about three days every other month from December 1943 until December 1946 for a total of 17 convenings, with smaller meetings occurring regionally. They would interview 58 leading media critics, policymakers, and journalists, and take testimonies from over 200 others. From these efforts, they would produce six book-length reports, although most attention (including this analysis) has focused on their main summary report, henceforth referred to as the “general report.”

The commissioners saw themselves as taking on a historic and critical endeavor, noting that these commissions “are important points of influence and reference for periods of a decade or more,” usually emerging “in a time of crisis in a specific area such as the present critical juncture as regards information and understanding in matters of public concern.” Further, the commissioners noted that such forums wield “a sure influence over a longer period of time if their work is done well” (McIntyre, p. 140). Focusing on a number of central questions dealing with how the press can best be molded into a more democratic institution, the commissioners frequently cited the work of radical critics such as Ernst and were influenced by a recent flurry of progressive media initiatives, including the Supreme Court’s articulations in the *Associated Press* case and the public interest arguments outlined in the FCC’s Blue Book (Pickard, In Press). They concluded that just as media were becoming more integral to modern democratic society, they were also becoming more commercialized and concentrated—as evidenced by the prevalence of one-paper towns, decreasing competition, and large national media empires. Magnifying these concerns were a fear of propaganda and totalitarianism, suspicion of media monopolies, a changing technological landscape, misrepresentations of minorities, and an open anti–New Deal bias in the press. The commissioners frequently spoke in terms of “crisis,” citing vulnerabilities in the commercial media system and resultant threats to democratic governance. They were prepared to at least consider redefining institutional relationships and experimenting with new models.

Radical Possibilities

Radical options initially figured prominently in the discussion. Reinhold Niebuhr (1945) set the tone early: “There is no evidence that government restrictions have seriously endangered the freedom of the press. Minor changes are suggested in relation of the government to the press in various relationships but it is obvious that the peril of governmental interference with press freedom is not great.” He continued, “This increase in governmental initiative in the field of communication must not be rejected in the name of archaic laissez-faire conceptions.” In crafting alternatives, “[t]he essential freedom of communication can be adequately protected by measures designed to prevent the government from having a monopoly in any field of communication. Governmental initiative must be introduced merely as a supplementary force in the field.”

Arguing that public services conducted by the press were too precious to subject to unbridled market conditions, the commissioners suggested reclassifying the press as a common carrier or a public utility to guarantee reasonable access. Hocking argued for a collectivist approach to the media, declaring, "We cannot leave to private agencies alone the ultimate responsibility for the service of news" (1945; Bates, 1995, p. 7). He compared the news with the public education system, arguing that neither should be left to the profit-driven whims of the marketplace. Ruml discussed how a federal agency modeled after the FCC should look after the press, making media corporations' submission to this oversight mandatory to retain the legal protections of limited liability incorporation. Based on a public utility model, Lasswell proposed a plan for content regulation in communities dominated by one news organization (Bates, 1995; Bryant, 1969; McIntyre, 1987). Merriam (1944) spoke in favor of forming citizen councils to oversee local media based on "mutual, cooperative, consumer types of relations over controls of communication."

As a group, they considered increasing competition by aiding start-up newspapers through government-guaranteed loans, subsidies, and reduced postal rates (Bates, 1995). Looking for ways to generate revenue for such subsidies, Hutchins asked Chafee in a letter, "Do you think that the Supreme Court would hold a non-discriminatory tax on newspapers unconstitutional? . . . Suppose the tax had been clearly for revenue and had applied equally to every publication? Do you think that an equal tax on all radio receiving sets would be held constitutional as a violation of the First Amendment?" Chafee responded carefully but approvingly, particularly regarding the radio tax. Commissioner Clark (1946) expressed concern that they were watering down the final report. He argued against removing a sentence about reduction of profits, saying that "it seems to me probably true that the things we should like to see done by [the media industry] would involve some reduction of profits . . . are we, in these revisions, trying to kid ourselves with the idea that no real financial sacrifices would be involved? I'd be willing to face this possibility and accept the issue." In the end, the general report hedged more than some commissioners wished.

Compromised Recommendations

Despite general agreement on the merits of the aforementioned proposals, concrete recommendations for far-reaching alternatives began to fade from the discussion as commissioners became nervous by their own conclusions. Partly this was due to the dilemma of enforcement, partly because the commissioners felt daunted by the sheer improbability of their recommendations being implemented, and partly because, as the general report approached its final version, some commissioners were increasingly uneasy about seeming too critical. In a letter to Hutchins, Redfield (1946a) suggested that a "paragraph or two might well be included making explicit acknowledgement of the many excellent qualities of the American press, its enterprise, its candor and even its variety, taking the little one with the big." In another letter, Redfield (1946b) expressed disquiet about using antitrust

measures and appearing to advocate for government ownership of media: "Have we not expressly disavowed government ownership of the media?" However, his letter concluded, "If radio does not reclaim its programs from the advertisers, the public may put its trust, and then perhaps wisely, in government ownership." Chafee (n.d.) pinpointed a core tension: "Indeed, one of the main problems before our commission is whether the giants should be slain or persuaded to be good."

Archibald MacLeish, author of the original draft of the general report, consistently pushed the Commission's radical edge by stressing that access was critical for any conception of press freedom. A livid MacLeish wrote to Hutchins regarding the watered-down general report: "It is a lovely piece of editing and synthesis, and organization and everything else it ought to be . . . But it says nothing which requires contradiction by anybody, including [media moguls] Frank Gannett, Arthur Sulzberger and Colonel Bertie. Some of our colleagues will consider that a virtue. I, alas, do not" (1946). He continued, "I still think the only really useful service our report can perform is to state the problem in clear, uncompromising and realistic terms which will enable public opinion to form around the central issue . . . Those members of the commission who believe we can avoid controversy . . . delude themselves." Casting the debate as one over democracy, MacLeish argued:

The basic difference between us, I suppose, has to do with the end of the cat to be grabbed. You can talk about a democratic society and the press in terms of the people as consumers of press products and the kind of press service they are entitled to have. Or you can talk about it in terms of the people as citizens and participants in the exchange of ideas and the formulation of opinion in which case you are concerned with the citizens' use of . . . communication rather than their consumption of manufactured products.

Soon afterwards, Hutchins relieved MacLeish as a primary author, and after eight revisions, much of the report's fiery language and innovative recommendations were purged.

Although it failed to deliver on its radical promise, the Commission's general report identified five responsibilities as a basis for evaluating press performance. First, the press should provide "a truthful, comprehensive, and intelligent account of the day's events in a context which gives them meaning" in a way consistent with "objective reporting." Second, the press should be "a forum for the exchange of comment and criticism." Third, the press should provide "a representative picture of the constituent groups in society." Fourth, the press should "present and clarify the goals and values of the society." Fifth, the press should provide "full access to the day's intelligence." Also, a vague outline was provided for a national citizens' news council to evaluate the press (Leigh, 1947). In summary, the commission identified three core tasks for the press: provide diverse information; enable self-governance; and watchdog the government.

The Common Sense of Self-Regulation

Despite the Hutchins Commission's relatively tepid recommendations, the response from some sectors of the newspaper industry was fierce and quick. A study by Daniel Leab begins with the observation that "little acclaim and much criticism greeted [the Hutchins Report] when it was issued at the end of March 1947." (1970, p. 105). When it was not ignored altogether, it was attacked in mainstream and trade press accounts, charges ranging from being pseudo-science to being the product of a sinister Communist cabal endeavoring to subvert American press freedoms. Although there was some lukewarm positive reception from respected figures in the press such as Walter Lippmann, the detractors far outnumbered and outmaneuvered supporters. The commission's fiscal sponsor Henry Luce dismissed it as "uninteresting," and an *Editor & Publisher* article famously described the Hutchins Commission as the workings of "11 professors, a banker-merchant and a poet-librarian" (Walker, 1947). Other members of the press resorted to redbaiting. Under the headline of "A free press (Hitler style) sought for U.S.," the *Chicago Tribune* condemned the report as part of a campaign of "totalitarian thinkers" who were out "to discredit the free press of America or put it under a measure of governmental control sufficient to stop effective criticism of New Deal socialism, the one-world doctrine, and internationalism" (Hughes, 1947; Bates, 1995). Another *Tribune* story, this one on the front page, stated that "multimillion dollar, tax exempt foundations which have given cash grants to communists or to the publication of communist propaganda also are financing attempts to tamper with the freedom of the press in the United States" (Hughes, 1948). The *Tribune* reporter who wrote these stories, Frank Hughes, was later given paid leave to author a 642-page book painting the Hutchins Commission as a nefarious communist vanguard (Hughes, 1950).

Despite its critical analysis and recommendations, the most significant outcome to emerge from the Hutchins report was that media should remain *self-regulated*. The Commission's reports and subsequent interpretations essentially removed from conversation any significant attempts toward other forms of regulation. In Gramscian terms, this postwar settlement for the press marked the triumph of the re-ascendant historic bloc of American industry. As evidenced by the increasingly commonsensical belief in the self-regulation of the press, industry's capture of major policy institutions and discourses consolidated its grip on the media apparatus. Connected to this commonsensical view were discursive constructions of the First Amendment that privileged individual media producers, technocratic language that was reluctant to engage with normative debate, and economic paradigms that assumed a benevolent role for market governance. The Hutchins Commission marked one key discursive moment within this larger reformation of normative assumptions about the democratic role of media.

The potential challenge to industry's ascendance posed by the Hutchins Commission was articulated clearly by Wilbur Forrest, the outgoing president of the major newspaper industry group, the American Society of Newspaper Editors (ASNE). At its 1947 annual convention he warned the membership—although not media owners

themselves—of the gathering threat posed by the commission: “We have knowledge that there is a campaign on foot to tear down the prestige of the American press as an institution in order to obtain government regulation of the press. Is not regulation a step in the direction of control?” Recommending a more aggressive defense of their laissez-faire ideal for freedom of the press, Forrest cautioned, “We are . . . in an era in which the American press is and will be under attack by those who constantly seek some measure of regulation” (ASNE, 1947, p. 19). By this First Amendment view, government should always defer to market governance in matters of the press.

The Hutchins recommendations, on the other hand, implied a positive reading of the First Amendment, in line with the Supreme Court’s decision against the AP, of the public’s “right to know.” These shifting expectations—reflecting an alternative vision of the First Amendment that nearly took hold—were thusly stated: “The freedom of the press can remain a right of those who publish only if it incorporates into itself the right of the citizen and the public interest. Freedom of the press means freedom from and freedom for” (Leigh, 1947, p. 18). The Hutchins Commission also stated, “Freedom of the press for the coming period can only continue as an accountable freedom” (Leigh, p. 19), implying that a failure to remain accountable to the public may invite government intervention. Although this positive view of the First Amendment would have periodic proponents in the ensuing decades, it would gradually recede from most policy discourse.

In short, the Hutchins Commission ultimately failed to significantly expand press freedoms to include audience rights. Nevertheless, by setting the normative dimensions for press requirements within a democratic society, the Hutchins report is widely considered the blueprint for responsible journalism. Although it was greeted with a mixed-to-hostile reaction from the newspaper industry—or entirely ignored—the report was incorporated into many journalism schools’ curricula as a core set of media ethics. Although falling short in many of its reformist aspirations, the commission mainstreamed press criticism and codified key democratic benchmarks, thereby inspiring generations of media reformers, including outside the U.S. (Tsukamoto, 2006). Failing to create a groundswell of support in the 1940s—largely because it aimed at elites, did not enlist journalists, and lacked a large base of popular support—the Hutchins Commission’s tenets would later manifest in parts of the New World Information and Communication Order debates at UNESCO in the 1970s and early 80s (Pickard, 2007) and the public journalism movement of the late 1980s and 90s (Glasser, 1999).

Implications for Current and Recurrent Media Crises

Although much has changed since the 1940s politically, technologically, and socially, our contemporary era finds media institutions in a similar crisis, most dramatically exemplified by problems in the newspaper industry. Today’s newspaper failures range from the content-related, evidenced by a flurry of official *mea culpas* for pre–Iraq War coverage and ongoing misrepresentations of important social issues like the legitimacy of torture (Bennett, Lawrence, & Livingston, 2007), to the commercial-related,

reflected in declining circulation and advertising revenue. The advertising-supported model of journalism that many assumed to be the natural source of news revenue throughout the twentieth century is now collapsing. Newspaper ad revenue has declined as much as 30% in recent years. While newspapers still rely on print advertising for 90% of their revenue, advertisers pay much less for online ads to reach their target audiences, and classified ads are now available for free on websites such as Craigslist. Although newspaper readership overall has never been higher as more people read news online, internet ad revenue makes up just a small percentage of newspaper earnings.

These grim numbers, however, obscure a crucial fact: many newspapers have continued, at least until recently, to deliver significant profits. Gitlin notes, “In 2002, the figure for the top 10 drug companies—the most profitable sector in the *Fortune* 500—was a sweet 17 percent.” Such staggering goals, Gitlin argues, are based on the “assumption, widely touted in the business press, that newspapers ought to be making upwards of 20 percent” (2006, pp. 51–53). In 2005, the three leading newspaper chains, owned by Gannett, McClatchy, and E. W. Scripps, reached levels at or around an astounding 25% profit margin (Klinenberg, 2006). In 2008, McClatchy papers saw a 21% profit margin and Gannett’s newspaper holdings enjoyed 18% profits, with some papers earning as much as 42.5%. Yet many of these papers are over-burdened by large debt loads incurred during earlier consolidation sprees (Pickard, 2010a).

These profits appear to be unsustainable and in sharp decline as increasing numbers of people abandon print for online news and advertising-supported journalism collapses. Nearly 16,000 journalists and newspaper employees lost their jobs in 2008 and nearly 15,000 in 2009 (Paper Cuts, 2010). Despite relatively fewer job cuts in 2010 (over 2000 as of September), newspaper circulation’s downward spiral continues, with a nearly 9% decline in average weekday sales among all newspapers sizes, suggesting a systemic crisis extending beyond large dailies (Plambeck, 2010). In some cases, the newspaper industry’s cries of impending doom have been used to bolster rationales for antitrust exemptions allowing further consolidation of media and possible cartelization of content behind online “pay walls,” as well as downsizing news operations, and other cost-cutting measures. The ruthless drive to slash operating costs translates to fewer beats, less investigative reporting, more syndication, and overall homogenization—all trends that eviscerate quality journalism and local cultural production. Given recent closures and bankruptcies of major newspapers, these trends are grounds for deep concern.

In light of today’s crisis, potential lessons drawn from the Hutchins Commission suggest that only a major structural overhaul of the current system would help foster media institutions more conducive to democratic imperatives. Perhaps by recuperating the more radical potentials and often-overlooked contingencies of the Hutchins Commission’s reports, we can address these problems. An earlier attempt to actualize some of the Hutchins Commission’s ideals was the public/civic journalism movement. The movement emerged throughout the 1990s in an attempt to create more accountable journalism only to lose steam within a decade despite a recent boost

from the blogosphere. While focused on transforming news norms, journalistic routines, and the culture of newsgathering, the public journalism movement did not take on the larger commercial ownership structures of the media. In recent years, an argument has gained strength that enormous profits can no longer serve as the sole criterion for a healthy media system and that focusing on short-term profits at the expense of long-term survival is not sustainable. Driving home this point, a University of Missouri–Columbia study based on 10 years of financial data found that in the long term, investments in news gathering increase profits more than spending on circulation, advertising, and other business operations (Mantrala, Naik, Sridhar & Thornson, 2007). These ongoing contradictions between media's business and democratic imperatives continue to animate calls for media reform.

Implications for Contemporary Media Reform

With the growing consensus that only structural reform will prevent U.S. media from cyclically undergoing future crises, the need for meaningful alternatives comes into focus. One central location for these objectives is today's media reform movement, where organized constituencies often grapple with structural problems in their attempts to create a more egalitarian system and establish alternative models of communication. However, given the reigning neoliberal policy paradigm and its default position of radical deregulation (Pickard, 2007), many reformers are forced to focus their energy on preventing the media system from worsening. For example, much of the media reformers' efforts have gone toward preventing the FCC from loosening media ownership restrictions, which would lead to increased media concentration—thus leaving the movement open to the charge that it assumes maintaining the number of corporate owners (instead of changing larger media structures) would necessarily shift the media landscape towards a more diverse and information-rich system. The dangers of an increasingly concentrated media system notwithstanding, calls are increasing for a more proactive and creative approach to structural reform.

This proactive turn may be happening now. The past several years have witnessed an emergent consensus from a diverse array of union leaders, former journalists, media critics, and academics, calling for alternative ownership and business models. Advocating for policies that encourage local ownership of newspapers, such as tax law reform and public subsidies, award-winning journalist Geneva Overholser states, "Now, 60 years later, the Hutchins critique sounds familiar. Blessedly, though, the many years of ineffectual lament have turned at last toward a more constructive grappling with possible solutions" (2006, p. 5). The former dean of the Berkeley Graduate School of Journalism, Orville Schell, suggests that organized groups set up trusts to fund self-sustainable community journalism not dependent on foundation dollars (2004). Baker (2007) has argued that structural reform via state intervention based on First Amendment principles is needed for democracy to thrive in an age of mass media. A series of recent reports responding to the journalism crisis have built upon these earlier calls for reform to provide a number of policy recommendations

that aim to transition a failing commercial model to a public service vision of journalism (Pickard, 2010a).

Media criticism in trade and opinion magazines echoes this call for rescuing newspapers from the jaws of Wall Street. Morton warns that “newspapers must stop the ax-wielding and accept that the era of exceptional profitability is over” (2008). In trying to end the vicious cycle of large institutional investors placing high quarterly demands on media companies, the Newspaper Guild has taken after its 1930s forebears in its attempts to establish a major chain of union-owned and -controlled newspapers. Other long-standing alternatives already exist, including the Poynter Institute’s *St. Petersburg Times*, the trust-funded British *Guardian*, and the nonprofit Center for Public Integrity (CPI). CPI founder Charles Lewis (2007) stated that it was time for civil society, especially foundations, “to collaborate with journalists and experts who understand the changing economics of journalism in an imaginative, visionary plan that would support our precious existing nonprofit institutions and help to develop new ones.” Perhaps the silver lining to the current crisis is a critical mass for attempting new journalistic models. Unlike the 1940s, when prominent figures in the media industry viewed any suggestion of state-sanctioned structural reform with knee-jerk hostility, now some media industry elites are advocating for new—even nonprofit—models for sustaining viable journalism at the local level, such as municipal-owned newspapers (Chandler, 2006). Indeed, one major change with today’s crisis is the growing conviction within media industries that radical structural reform is necessary (Lewis, 2007). This trend may combine with a growing media reform movement already on the ground to build the crucial public support that was lacking or disconnected from policymakers in the 1940s.

Many of these commentators believe that the journalism necessary for a healthy democratic polity depends on a vibrant print media. Unlike the discursively rich blogosphere, investigative journalism requires institutional support and steady funding streams. Although questions about monetizing the internet continue, many of these proponents see the likely future of newspapers as a kind of print-digital hybrid. Following a “let a hundred flowers bloom” approach, momentum is growing to implement new organizational models, such as hyper-local, nonprofit, municipally owned, cooperatively governed, and worker-run media.

Conclusions

By revisiting the normative principles laid out in the Hutchins Commission, historicizing the debates, situating them in contemporary context, and theorizing recurrent tensions, this study sheds light on an important historical moment in the development of U.S. media. Normative assumptions regarding media are always present; it is incumbent upon communication researchers to flesh out and expose them to the light of public scrutiny. Rendering these often-implicit principles explicit unmask core tensions in the U.S. media system—tensions such as media owners’ freedom from government intrusion on one hand, and a public right of access to diverse viewpoints on the other. To cast these tensions in sharper relief, more

historical and comparative research is needed. The time is ripe for a more expansive history of critical junctures, one that reclaims historical accounts of alternative news models, radical media criticism, and key moments of crisis and reform.

More than 60 years ago the Hutchins Commission faced many of the same challenges we face today during a similar media crisis, and boldly stated the problem for what it was: the result of deeply systemic flaws endemic to commercial media. But then, at a crucial moment, when equally bold solutions were needed, the commission shrunk from its task and fell back on palatable halfway measures, helping ensure that future generations of Americans would be forced to face similar media crises. The American public has inherited the legacy of this failed media reform project that left intact a nominally socially responsible, self-regulated, commercial media system. This postwar settlement would impact much of what Americans would see and hear in their media for decades to come. The time has arrived for a renegotiated social contract. The Hutchins Commission, although ultimately failing, pointed the way. We must learn from their mistakes and move forward with bold new models.

Note

[1] A more detailed analysis of these materials can be found in Pickard (2008).

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