

## ON THE AIR

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### Abuse & Censorship

When does free speech cease to be a right and become an abuse? This is the thorny question that has been pestering American broadcasters for the past several weeks. Last week, it seemed to be coming to a head.

The anti-Semitic tone of the Rev. Charles E. Coughlin's Sunday "sermons" and the diatribes against organized religion broadcast by Judge Joseph F. Rutherford, leader of Jehovah's Witnesses, combined to put radio men on the hot seat. Stations allowing such speeches were deluged with protests. But when some of them demanded advance copies of controversial talks and, failing to get them, closed their microphones to the speakers, an equally loud outcry arose against "censorship."

Into this perplexing situation finally stepped Neville Miller, president of the National Association of Broadcasters. To him, it seemed plain that broadcasters should decide when free speech was too free:

"There is no obligation to broadcast a speech which plays upon religious bigotry, which stirs up religious or racial prejudice or hatred . . . The responsibility for the contents of programs rests upon the broadcaster . . . He is well within his rights to . . . refuse to broadcast a speech plainly calculated or likely to stir up religious prejudice and strife."

Others were quick to take exception. Senator Burton K. Wheeler, Montana Democrat, argued that "if a radio station can censor in one particular, it can do so in all particulars." As the argument raged, the legal umpire of such radio conflicts—the Federal Communications Commission—kept discreetly mum, apparently finding the fundamental issue of free speech versus censorship too hot to handle. The only hint of its attitude came from FCC Chairman Frank R. McNinch, who lambasted unnamed preachers of religious hatred.

Radio men thought, however, that the Commission would have to take a stand sooner or later. Licenses of stations which banned Coughlin and Rutherford talks and of those which permitted them will eventually come up for renewal. When that happens, the FCC may be forced to lay down a definite policy on what is fit for the air, what is not, and who shall have the final say.