

JOHN FISCHETTI

Regulation or Strangulation?

THERE IS A STORY by John Lardner in The Best Humor Annual* called How They Played the World Series of 1955. In it Mr. Lardner envisions a not-too-distant day when the Yankees and the Dodgers, owned and sponsored respectively by Murphy's Date Syrup and Atomic Anchovies, battle for the championship in Studio B, on the former site of Ebbets Field.

The games, played indoors with a dead ball, are attended by a small audience which has been enticed to the studio by gifts of convertibles and other expensive presents. But the working press covers the series, via TV from the Stork Club. The commissioner and his official party see it from the Copacabana, and the general public from the comfort of their own living rooms or the corner saloon.

**We pause here for a commercial announcement: The Best Humor Annual is the top skimming of the most amusing pieces published in books, magazines and newspapers from May, 1950, to May, 1951. We are happy to say that Collier's, with six selections, provided more material than any other source. The book, edited by Louis Untermeyer and Ralph E. Shikes and published by Henry Holt, is worth keeping in mind as you start thinking about special Christmas gifts for special friends.*

It was, and is, a pretty funny story. But now it frightens us a little, since the Department of Justice brought suit against the National Football League on the charge that restriction of radio and TV coverage of its games constitutes a monopoly. For if the government gets its case heard and wins it, we shall have to face up to the possibility that Mr. Lardner's amusing fancy may be pretty close to fact. The boys in the Antitrust Division of Justice have their eyes on more than pro football. And in the event that the league's restrictions are held to be in restraint of trade, they have indicated they'll go after college football, professional baseball and boxing, and other athletic events.

The government's quarrel, of course, is with the practice of "blacking out" broadcasts and telecasts, particularly the latter, in the city where a game is being played, and in the adjacent territory. And the gist of the complaint, as explained by Assistant Attorney General H. Graham Morison, has this department in a state of beautiful bewilderment.

"If any sport sells a ticket," Mr. Morison said, "it is offering a commodity on the market. The public should be able to buy what it wants

free of any monopoly and free of any restraint. This is not so now. We feel that the American people are entitled to have free of monopoly the right to see or hear what they want."

We haven't yet been able to figure out whether Mr. Morison is talking about what the public buys or what it sees for free. We can understand that a ticket to a sports event is a commodity on the market. But we can't see how restricting radio or TV coverage interferes with the public's ability to buy that commodity.

What Mr. Morison seems to be saying is that a club owner or sports promoter has an obligation to take steps which would keep the customers away from the box office in droves. He is asking that the owner or promoter go into competition with himself. He is seeking to penalize the owner or promoter by stimulating the customer's reluctance to pay for something when he can get it for nothing. Of course the sponsor pays for the broadcast rights. But it is seldom that the fees equal the total of a sold-out house.

Mr. Morison is also threatening the destruction of the minor-league baseball system, which trains the DiMaggios and Fellers and Musials of the future, as well as the elimination of intercollegiate football in many smaller schools. As regards baseball, a case in point is the story of the Newark and Jersey City teams in the International League. They were once valuable franchises. Then came radio, and later television, from nearby New York. The result was that the ball teams of those two populous cities died from pernicious anemia of the box office.

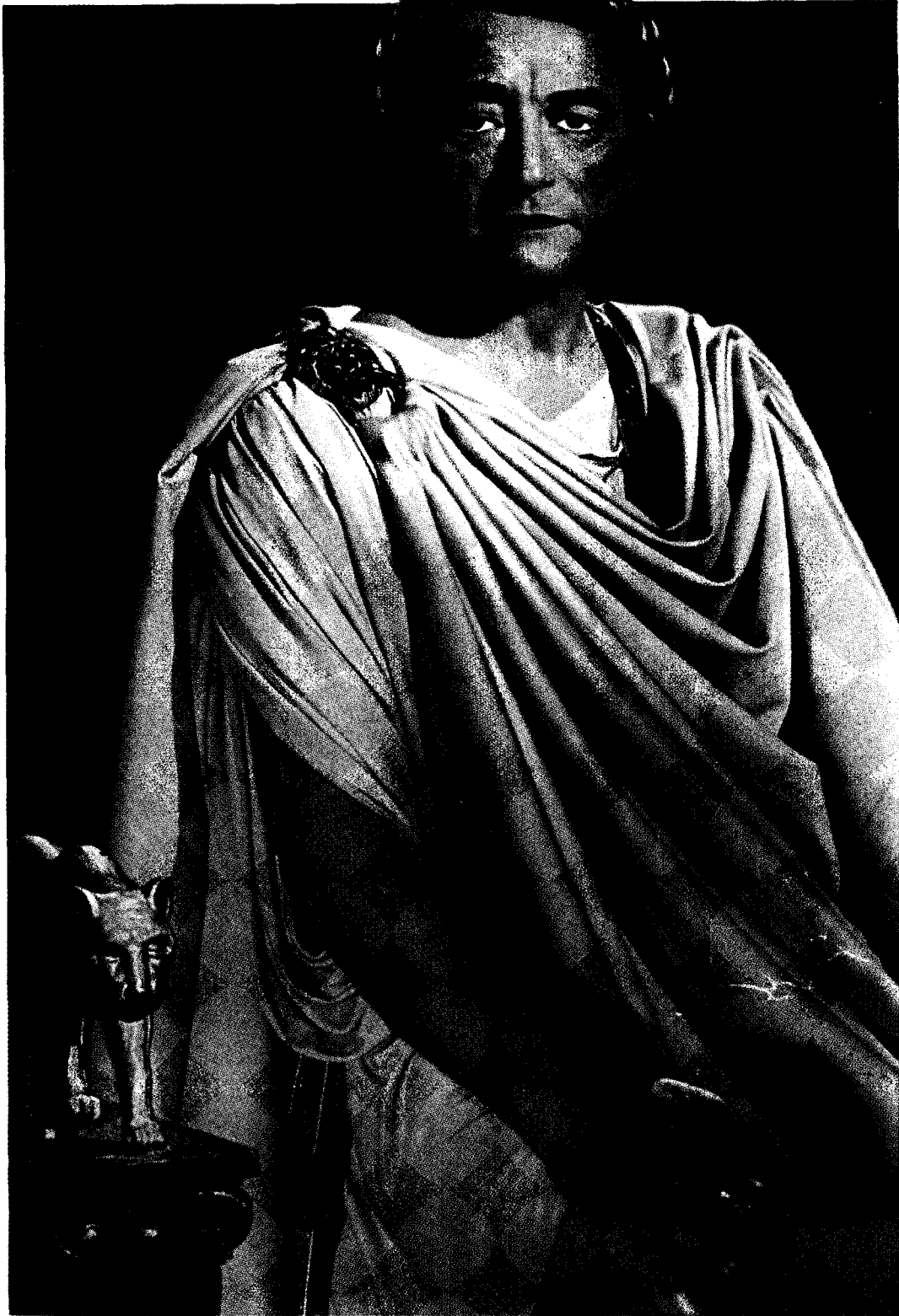
Now, with the advent of network TV, the Justice Department wants to blow up such local situations into a national problem. Very soon there will be few if any communities which can't be reached by countrywide television. More and more people will pass up the local team in favor of big-league video, and there will be no place to shift the money-losing minor-league clubs. And very soon football fans may be saying, "Why sit out in the cold to watch Siwash play Slippery Rock Normal (or the local equivalent) when we can stay home, snug and warm, and see the Pennsylvania-Cornell game?"

If this giveaway philosophy can be forced or sports by court decree, it might later be applied to the theater, publishing, advertising and elsewhere. For once it is legally established that the public has an inherent right to free entertainment, even though the man who provides the entertainment loses his shirt or his competitor is driven out of business, as happened in Newark and Jersey City, a whole new field of possibilities opens up. It might lead to the point where a radio or TV sponsor could be compelled to buy time on a coast-to-coast network for his show, no matter how undesirable such an investment would be from a business standpoint.

It seems to us that the present arrangement which the government is trying to destroy is sensible and workable. There is no dearth of sports events on the air, in spite of a few local blackouts, and there will be wider sports coverage under the existing setup as new TV stations come into operation. But if the sports business is forced into unrestricted radio and television, the evils we have cited are bound to spread. And if government edict should impel sports enterprises to abandon all broadcasting, both radio and TV will be hurt, and the public will be the big loser. So we can't feel that the government will be contributing anything to the general welfare by upsetting this particular applecart.

Collier's for November 17, 1951

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smooth, sociable Schenley!



IN HOLLYWOOD'S FINEST HOMES, Schenley gets star billing. Here Claude Rains enjoys a mellow highball served in the home of screen star Louis Hayward. Both these celebrities prefer smooth, sociable Schenley for an enchanted evening.

★ ★ ★

AFTER FINISHING A PICTURE in Hollywood, or a play on Broadway, Mr. Rains travels to his farm in Pennsylvania. Here he often entertains outdoors, and serves Schenley. "It tastes so good, it must be the finest, my friends and I agree," says Claude Rains.



MILLIONS SAW CLAUDE RAINS AS CAESAR when he played this exciting role on the screen. Caesar took many chances—but *not* Claude Rains! Like all famous stars, Claude Rains is expected to serve the best. "I choose Schenley, of course!" says Mr. Rains. "I like its richer, finer taste. I'm sure you will, too!"

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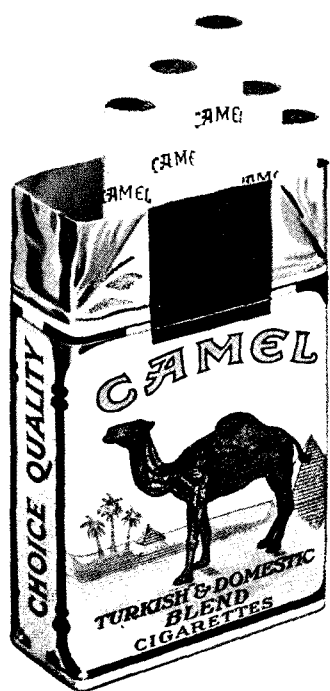
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Ann Sothern

One of America's favorite movie, stage and radio comedienne.

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30-Day Camel mildness
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T for Throat,
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