

In the Networks We Trust? Broadcasters, Congress, and Control Over Television Journalism

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journals.sagepub.com/home/tvn**Oscar Winberg**¹ 

Abstract

In the summer of 1971, broadcasters in the United States rallied to defeat a contempt citation in the House of Representatives. Congressman Harley O. Staggers recommended holding Dr. Frank Stanton of CBS in contempt over his refusal to comply with a subpoena for unaired materials related to the production of the CBS News broadcast *The Selling of the Pentagon*. This moment is often remembered as a landmark victory for the freedom of the press. Yet behind the success were conservative local broadcasters across the country who defended neither CBS News nor journalistic principles but rather their own business interests. Revisiting the confrontation makes clear that attempts to regulate and control television constitute a political process rife with competing, and at times contradictory, interests, highlighting tension between the local and national and between business and journalism as central themes in television history.

Keywords

television news, The Selling of the Pentagon, CBS News, Frank Stanton, broadcasting regulation, Harley O. Staggers

Introduction

“In my opinion,” Representative Harley O. Staggers (D-WV), the Chairman of the House Commerce Committee, told Dr. Frank Stanton, the president of Columbia Broadcasting System (CBS), on June 24, 1971, “you are now in contempt” (House

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Report 1971). This was a never-before-seen confrontation between two great powers: Congress and television. Months earlier, on February 23, the network aired a *CBS Reports* special news broadcast, *The Selling of the Pentagon*, looking at the public relations efforts of the Department of Defense amid the war in Vietnam and the Cold War against communism (CBS 1971). It sparked immediate controversy as members of Congress and the administration decried perceived imbalance and unfairness. In Congress, Staggers took it upon himself to challenge CBS News over the broadcast, first by demanding the network provide the Commerce Committee with all related film, transcripts, and outtakes, then by issuing a subpoena for the material, and finally by citing Stanton for contempt of Congress for refusing to comply with the subpoena. While the Committee recommended the citation, the full House – for the first time ever – declined to support it. Rebuking one of their own to save the elder statesman of broadcasting from a jail cell, the House of Representatives quashed the citation by voting to recommit it. “The networks now control this Congress,” a disappointed and humiliated Staggers concluded after the vote (Broadcasting 1971m).

Contemporary newspapers hailed the vote as the First Amendment “reaffirmed” (New York Times 1971), the trade press celebrated it as an “apparent First Amendment victory” (Broadcasting 1971m), and television news executives concluded that the affair “may well be the most important” First Amendment issue of the century (Broadcasting 1971f). Yet this remarkable congressional attempt to assert control over television journalism has largely been forgotten. When remembered at all, it is by former broadcasting executives celebrating Stanton as “perhaps the most distinguished man in all broadcasting” (Leonard 1987, 166) and praising his “passionate and courageous commitment to a free press” (Cronkite 1997, x). Scholarship on the broadcast often places Stanton’s “heroic [. . .] stand” (Brinkley 2012, 461) at the center of the narrative (Jowett 1983; Raphael 2005; Smith 1973; Willis 1987). Making Stanton the face of the case was deliberate (Bedell Smith 2002, 475), but the “milestone in the continuing fight for broadcast freedoms” (Small 1972, 20) was not won by Stanton alone. Rather, the citation was defeated through a collaborative effort between the national network and the local affiliates across the country. Turning the focus from the actual broadcast and the network to the affiliates improves our understanding of the conflict as a key confrontation over control of television. Since federal regulations limited network ownership to no more than five stations, CBS, NBC, and ABC all depended on affiliation agreements with stations serving local or regional communities to provide nationwide coverage. While the networks were far more powerful than any individual station, that very power depended on the national reach that the affiliate stations provided (Bagdikian 1971, 71). Thus, “every one of our affiliated stations,” Richard Salant, president of CBS News, recognized, were their “bosses” (Small 1970, 265).

With House members on both sides of the aisle eager to hurt network news over various perceived slights and biases over the years (for more on distrust of television news see Bauer 2026; Brownell 2023; Gitlin 1980; Goodwin 2022; Greenberg 2008; Hendershot 2022; Hemmer 2016; Perlman 2016), local affiliates who shared that same mistrust and disdain of the networks campaigned to defeat the contempt citation. For

them, the fight was not over issues of free press but rather of free enterprise as they, like so often before, defended the broadcasting industry from increased congressional control.

Certainly, network executives and broadcast journalists were looking for, as Harry Reasoner remarked on the July 1, 1971, broadcast of the *ABC Evening News*, “a firm and permanent decision that broadcast journalists are a part of the free press” (Vanderbilt Television News Archive; Barrett 1971, 46). In 1971, broadcasters still did not enjoy the same First Amendment rights that the Constitution granted the printed press. The Supreme Court, in *National Broadcasting Co. v. United States* (1943), had recognized that the scarcity of the airwaves required government regulation of broadcasting and, in *Red Lion Broadcasting Co. v. Federal Communications Commission* (1969), had concluded that the First Amendment rights of the viewers and listeners outweighed the rights of the broadcasters (Powe 2018). Yet, while the Supreme Court’s landmark decision that same Summer in the Pentagon Papers case, *New York Times Co. v. United States*, provided newspapers with firmness and permanence, recommitting the contempt citation in the House gave only temporary ad hoc relief without an option to seek a precedential decision from the judiciary.

Instead, the lobbying work of broadcasters made clear that the industry would fight attempts to meddle in their business. Revisiting the confrontation highlights that attempts to regulate and control television constitute a political process rife with competing, and at times contradictory, interests, highlighting tension between the local and national and between business and journalism as central themes in television history.

Controversy

The Selling of the Pentagon, produced by Peter Davis and narrated by Roger Mudd, was an hour-long *CBS Reports* investigation of the public relations efforts of the Defense Department, concentrating on Pentagon events for the public, propaganda films, and use of the press and broadcasting news media to influence public opinion regarding the war in Vietnam and anti-communism. The stated purpose of the February 23, 1971, broadcast was to “examine the range and variety of the Pentagon’s public affairs activities” (see transcript of the broadcast in Barrett 1971, 152). The broadcast followed war games, hand-to-hand combat exhibits, and firepower displays for the public; it studied the use of anti-communist propaganda films produced and distributed by the Department of Defense; and it examined Pentagon efforts to control and even distort news coverage of the situation in Southeast Asia. “On this broadcast,” Mudd concluded at the end of the hour, “we have seen violence made glamorous, expensive weapons advertised as if they were automobiles, biased opinions presented as straight facts” (Barrett 1971, 171).

With the war in Vietnam dividing both Congress and the public, network news executives recognized even before airing it that the latest *CBS Reports* offering would, in Bill Leonard’s words, “raise almighty hell” (Leonard 1987, 164). Late Tuesday evening, at ten o’clock on the East Coast, the network aired it without any real promotion or fanfare. While most people preferred entertainment (*Marcus Welby, M.D.* on

ABC or a movie on NBC) some 10 million people tuned in to CBS that evening. Before the broadcast was even over, around 500 calls were made to the network in New York, with at least half outraged over perceived liberal bias in the criticism of the defense department. Some of the phone calls even threatened violence against Mudd and CBS (Barrett 1971, 35). The reviews, however, welcomed the broadcast as a “proverbial fresh breeze in electronic journalism” (Gould 1971, 83) and a “near-perfect example of television journalistic force” (Barrett 1971, 35). But in Congress, Representative F. Edward Hébert (D-LA), chairman of the Armed Services Committee, assailed it as “the most misleading, damaging attack on our people [in uniform]” (Broadcasting 1971a). Hébert – who had *not* seen the actual broadcast – did not hesitate to threaten to refuse government advertising dollars from flowing to the networks (New York Times, February 26, 1971, 67).

Charging the broadcast with “rearranging” and “distort[ing]” interviews, Hébert in a letter to Dean Burch, chairman of Federal Communications Commission, urged the commission to investigate if the “the rearrangement and deletion of passages of a purportedly bona fide news interview is a permissible practice under the laws governing broadcasting” (Broadcasting 1971n, 46). Burch, however, was hesitant to openly meddle in questions of journalistic judgment (Broadcasting 1971o, 7). In late April, the commission concluded that any attempt to dictate journalistic judgment would “involve the commission deeply and improperly in the journalistic functions of broadcasters” (Broadcasting 1971p, 18). The FCC, in other words, was out.

Vice President Spiro T. Agnew, however, was eager to join the fray. Criticizing, and even intimidating, the media in the first year of the Nixon administration in 1969 had turned the VP into a political star on the right (Hemmer 2016, 218–21). So, when Agnew, offering his support of Hébert, decried the broadcast as “disreputable” in a news conference and as a “subtle but vicious broadside against the nation’s defense establishment,” people took notice (Broadcasting 1971b). And many followed his lead. Agnew’s comments resulted in a clear increase in letters to the network (Barrett 1971, 39). While some of the public and private criticism focused on specific editing decisions (see Raphael 2005 for a conversation on the editing issues), the campaign against *The Selling of the Pentagon* can, and should, be understood as the culmination of a decade of growing anger over television news.

Since television in the early 1960s emerged as the main source of news, by 1963 polls showed that it had surpassed newspapers as the primary source of news (Greenberg 2012, 191), politicians had viewed it with a mix of awe and suspicion. By the end of the decade, coverage of the civil rights movement (Bodroghkozy 2012; Goodwin 2022; Greenberg 2008), televised images of police violence at the Democratic National Convention in Chicago in 1968 (Hendershot 2022), Vice President Agnew’s televised assault on the television networks in 1969 (Bauer 2026; Porter 1976), and the increasing news scrutiny toward the war in Vietnam and coverage of the anti-war movement at home (Gitlin 1980; Hallin 1989) made television news a key political battleground.

Yet the problem, many politicians concluded, was not the local news back home that boosted their profile and provided them with a platform to reach their constituents

but rather the national news headquartered in New York. When Agnew rebuked television news in a televised address in Des Moines, Iowa, in November 1969, he was careful to limit his criticism to the networks in New York, not the affiliates around the country (Porter 1976, 255–62). In Congress, senators and representatives lauded local stations while voicing their strong support for the vice president’s assault on the networks (Winberg 2020). Agnew, insiders recognized, successfully “widen[ed] the chasm of mutual distrust” between networks and affiliates that long pre-dated both the vice president’s criticism and even the American involvement in the war in Vietnam (Brown 1971, 229).

Executives at the highest echelons of CBS, NBC, and ABC spoke about a political campaign to turn affiliates against them (Sherrill 1971a; *Broadcasting* 1971g; Barrett 1971, 43). And it was working. At affiliate meetings support for Agnew seemed to exceed support for the networks (Barrett 1970, 34). “Let Agnew [. . .] point the finger at the networks,” one affiliate concluded, “not at me” (*Broadcasting* 1971d). This was the political moment into which *The Selling of the Pentagon* was broadcast.

With controversy mounting after the initial broadcast, CBS executives decided to air *The Selling of the Pentagon* again in prime time on March 23, 1971. This was highly unusual (Barrett 1971, 41). But CBS stood firm in their support of the broadcast and wanted to air it again “so the public can make its own judgment on it” (*Broadcasting* 1971n, 46). The re-broadcast came with an addendum that included criticism from Vice President Agnew, Representative Hébert, and Secretary of Defense Melvin Laird as well as a response by Richard Salant of CBS News. “The validity of the broadcast,” Salant concluded, “remains unscathed” (*Broadcasting* 1971c). The critics, however, disagreed. After the second broadcast, Agnew suggested they should have been given editorial control over their own remarks (Barrett 1971, 41–42) and denounced Salant’s response as “a confession and avoidance” (*Broadcasting* 1971c). In Congress, Hébert charged that CBS “replies to the charges of inaccuracies with more inaccuracies, replies to the charges of misrepresentation with additional misrepresentation, replies to the charges of lack of objectivity by demonstrating objectivity on their part is a myth” (*Broadcasting* 1971c).

Some of the most respected CBS affiliates across the country sided with the conservative critics. The day after the rebroadcast, Charles Crutchfield, head of WBTV (the CBS affiliate in Charlotte, North Carolina), sent a wire to the White House criticizing his own network for failing, in his view, to give government representatives ample time to air their grievances and offering additional time on WBTV instead (Crutchfield Papers). Crutchfield forwarded the wire to Richard Salant, as well as members of the affiliates advisory board, the affiliates elected by their peers to represent all of the roughly 200 CBS affiliates vis-à-vis the network. “When you are condemning us with telegrams to government officials,” an evidently peeved Salant shot back on March 26, “doesn’t our relationship impel you to check and state the full facts” (Crutchfield Papers). Crutchfield stood firm in a same-day reply, even though he conceded that Salant was “technically correct” regarding the facts (Crutchfield Papers). Three days later, on March 29, a more conciliatory Salant concluded “maybe we aren’t so far apart on the facts after all” (Crutchfield Papers). Appreciating the detente, Crutchfield on

April 2 acknowledged the pressure on Salant yet remained steadfast in his criticism about “opinion parading as facts” (Crutchfield Papers). Affiliates, it was clear, were as riled as some politicians and would not necessarily be siding with the networks in a confrontation.

With strong connections in their local communities, the affiliates were keenly aware of congressional concern over what Ward L. Quaal, president of WGN Continental Broadcasting Company (which owned stations in Chicago, Denver, and Duluth), called “the irresponsibility of network news reporting” in an April 4 letter to Crutchfield (Crutchfield Papers). After all, it was the affiliates, not the networks, that were licensed by the Federal Communications Commission (Small 1970, 263–67). At the National Association of Broadcasters convention in Chicago in late March, network executives attempted to calm the nerves of affiliates. “I had to make sure that the troops were behind me as far as the CBS affiliates were concerned,” Stanton later acknowledged (Dunham 1997, 148). Concern about “balance” and *The Selling of the Pentagon* were the main themes of a March 28 CBS affiliate board meeting yet public reports claimed the discussion was “calm and low-key” (Broadcasting 1971d). According to an interoffice memo penned by Crutchfield on April 1, however, there was “considerable disagreement” between the affiliates and the network (Crutchfield Papers). The affiliates, of which Crutchfield, in a March 30 letter to Stanton, admitted to being “one of the most talkative,” called for more “balance” in network news while the network executives defended the balance and fairness of CBS News (Crutchfield Papers).

Fellow affiliates recognized, and praised, Crutchfield’s leadership in challenging the network over *The Selling of the Pentagon*. In a March 25, 1971, letter Thad Sandstrom, head of WIBW (the CBS affiliate in Topeka, Kansas), applauded Crutchfield’s intention to provide government critics with airtime to bash CBS News, expressed an interest in airing such a program, and stated his belief that many other affiliates shared this interest (Crutchfield Papers). There were also whispers in the hallways at the National Association of Broadcasters conference of a campaign by a CBS affiliate, apparently Crutchfield, to convince fellow affiliates to leave the network in open revolt over *The Selling of the Pentagon* (Barrett 1971, 43, Barrett 1973, 64). Even Representative Hébert celebrated the “valuable service” of Crutchfield in “taking issue with CBS on this particular program” in an April 20 letter (Crutchfield Papers). The divide-and-conquer strategies of the critics of television news were working as the uneasy relationship between network and affiliates seemed to be breaking down under pressure. And then, the calculus changed.

Congress

Following the initial public controversy, the conflict reached a second act as Congress took action. On April 7, six weeks after the initial broadcast, Harley O. Staggers, the chairman of the investigations subcommittee of the House Interstate and Foreign Commerce Committee, issued a subpoena for a wide range of material related to *The Selling of the Pentagon* (Broadcasting 1971e). It was an open attempt to assert control

over broadcasting journalism. Staggers himself remarked that the power of the networks “sends chills up and down the spine of many men in this country” and claimed that they “can ruin every President, and every member of Congress” (Barrett 1971, 45). Other member of Congress understood the confrontation as an opportunity to “embarrass” and “humiliate” the network by discrediting broadcasting journalism (Dunham 1997, 133).

The subpoena demanded that CBS produce copies and transcripts of the broadcast as well as “outtakes, workprints, sound tape recordings, written scripts, transcripts whether or not used” (Broadcasting 1971e). Stanton refused to provide such outtakes. That material constituted the work product of television journalism akin to a print journalist’s notebooks (Leonard 1987, 165). “The fact that television and radio stations are licensed by the government,” Stanton remarked, “does not deprive the broadcast press of First Amendment protection” (Broadcasting 1971e). The battle lines over control of television journalism were now drawn.

The subpoena, and Stanton’s refusal to comply with it, changed the focus of the confrontation from one specific broadcast to a more fundamental question of congressional control over broadcasting journalism. While the courts still did not recognize full First Amendment rights for broadcasters, the executives and reporters of CBS News certainly viewed themselves as representatives of a free press. Honoring the subpoena would constitute a tacit endorsement of the idea that Congress was allowed to abridge the freedom of the broadcasting press. And holding Stanton in contempt would vindicate the view that broadcasters were not full members of the press and thus invite new legislation to assert control and regulate television. This was a direct threat toward the business model of the industry. “New front opening in TV news wars,” the headline in *Broadcasting* declared (April 12, 1971, 22).

With the business interests of broadcasters threatened, the industry closed ranks. “If CBS’s rights go down the drain,” Vincent T. Wasilewski, president of the National Association of Broadcasters, concluded, “the rights of all news media go along with them, including the rights of every radio and television station” (Broadcasting 1971h). The other networks and affiliates recognized the seriousness of the situation. When ABC executives met with affiliates in May, Elton Rule, the president of ABC Television, called for a united front against “the worst kind of censorship.” The affiliates responded with a resolution condemning congressional efforts to review untelevised outtakes, notes, and sources (Broadcasting 1971g). A week later at NBC’s affiliate meeting, Julian Goodman, president of NBC, warned of efforts to “control us” while an affiliate’s call for the stations to stand behind the networks was met with thunderous applause (Broadcasting 1971h). A Georgia station director even organized fellow broadcasters volunteering to serve “one full day of [Stanton’s] jail sentence” if he was incarcerated for contempt of Congress (Broadcasting 1971i).

Even Charles Crutchfield changed his tune following the issuance of the subpoena. While still insisting that “certain segments” of *The Selling of the Pentagon* were “unfair,” he sent a wire on April 12 to Robert Wood, head of CBS Television, expressing complete agreement with Stanton’s position of refusing to hand over outtakes and any other unaired material (Crutchfield Papers). Many of the affiliates distrusted the journalists

and news executives at the networks but at the same time appreciated the success and profits CBS enjoyed under Stanton's long leadership (Brown 1971, 216). Now, the ideals of both the free press and free enterprise were under attack and Crutchfield went from being the foremost critic among the affiliates to the most valued ally in defense of CBS News.

Within weeks of the issuance of the subpoena, the affiliates advisory board chaired by Ves R. Box (head of KDFW-TV, the CBS affiliate in Dallas) wrote Staggers, urging him to reconsider his demands. The April 22 letter refused to defend *The Selling of the Pentagon*, acknowledging it "has been controversial," but warned that congressional action would have an "adverse effect on our industry, on the individual stations which comprise it, and on our effort to keep the American people informed" (Crutchfield Papers). The affiliates, it should be noted, were "the ones that carry the, in effect, promotional, self-promotional, statements and announcements and so on from the local Congressmen" (Foote 1971, 129). Recognizing the strong connections between local broadcasters and members of Congress, an April 22 advisory board memo called for contacting each affiliate in their district and asking them to contact their representatives regarding the matter (Crutchfield Papers). After all, Stanton later observed, "they had ties to their Congressmen and their Senators, the like of which no one else had (Dunham 1997, 148)."

Station owners and managers tended to be wealthy businessmen enjoying respect and connections among the community. The average affiliate, journalist David Halberstam concluded, "is likely to share the political attitudes of a car salesman, have little roots in journalism, little sense of the tradition of the free press" (Halberstam 2000, 600). And yet, it was these affiliates that came together in defense of broadcast journalism, or rather the broadcast industry, when it became clear that Stanton would stand up against congressional control that risked the bottom line of network and affiliate alike. The power of television, as well as decades of investment in public relations, meant that CBS, like all the networks, had good friends on Capitol Hill. But that very power also convinced many in Congress "that there had to be means of checking it" (Small 1970, 277). And to win the confrontation over *The Selling of the Pentagon*, CBS needed not only the votes of their allies, but also their adversaries.

Contempt

When Stanton formally refused to honor the subpoena on June 24, 1971, Washington was already in something resembling turmoil. Two weeks earlier, *The New York Times* began publication of the Pentagon Papers (the top-secret Defense Department study of the history of the U.S. involvement in Vietnam from 1945 to 1968 leaked to the press by analyst Daniel Ellsberg) only to be blocked by an injunction sought by the Nixon administration. On June 29, the Staggers' investigations subcommittee unanimously voted to recommend Stanton's contempt citation, and the following day the Supreme Court handed down a ruling in *New York Times Co. v. United States* which affirmed the right of the press to publish the Pentagon Papers material (Ungar 1972). The next day, the full Commerce Committee forwarded the citation to the full House (Broadcasting

1971i) with a vote of 25 for and thirteen against. While most in Congress seemed to approve or even celebrate the Supreme Court decision, Stanton worried that it would further antagonize representatives bitter at the news media (Dunham 1997, 150). “Straws in wind all point to House vote solidly in favor of contempt citation,” Broadcasting (1971k) reported and pointed to “cold feeling toward broadcasters” and a tradition of backing its chairmen.

With the vote fast approaching, a special meeting of the affiliates advisory board was held in Chicago on July 7. The network again made clear that this was not a confrontation over one CBS News broadcast, but over the rights of all broadcasters. On his way home the following day, Crutchfield decided on another round of pressure and sent a wire to all affiliates in his district urging them again to reach out to their Representatives in the House and to ask “competitive stations in [their] area” to do the same (Crutchfield Papers). Subsequently, broadcasters across his affiliate district reported back to him their contacts with members of Congress (Crutchfield Papers).

Crutchfield, however, never abandoned his charge of network news as biased. He harbored private hope that the controversy would force CBS News to change even as he worked to defeat the contempt citation. It was, in fact, a central tenet of his defense of CBS News and Stanton. In a July 8 letter to Representative L. Richardson Preyer (D-NC), he expressed hope that the confrontation “will scare the hell out of the radio, newspaper, and television people (particularly the networks) and convince them that they simply must be more objective and fairer in their reporting” (Crutchfield Papers). On the same day, he wrote Representative James T. Broyhill (R-NC), “hopefully, between us, this will give us the leverage we need to get the press back on the track and give us more objectivity” (Crutchfield Papers). This argument, that CBS News was indeed bad, but government control of CBS News even worse, was then echoed in Congress.

“No member of this House of Representatives has been more critical of the methods of the broadcast media than I have,” Broyhill declared on the floor of the House on the day of the final vote on July 13 as he rallied his colleagues to join him in defense of CBS News (Congressional Record 1971). The most prominent Republican against the contempt citation on the Commerce Committee, Broyhill had conservative bona fides beyond reproach and strong connections to conservative broadcasters in North Carolina. Before the final vote, he enlisted James J. Kilpatrick, the segregationist former editor of the *Richmond News Leader*, nationally syndicated conservative columnist, and vocal critic of television news coverage of the civil rights movement, to convince conservatives in Congress that government control of news was anathema (Broyhill Papers). Having worked closely with Crutchfield, a fellow North Carolina conservative and friend, Broyhill recognized the need to allow his side to voice their disdain for network news before voting to save Stanton. Instead of speaking for the ten minutes allotted by Stagers, Broyhill kept his remarks brief and yielded his remaining time to conservative and Republican allies who echoed him in decrying network distortions, bias, and lack of responsibility. “CBS has maligned the South, colored the news, handled the coverage of the war in a biased manner, played up the bad and played down the good,” Jack Edwards (R-AL) announced, but concluded

government control of the news media would be worse than the sins of CBS (Congressional Record 1971, 24 727). Conservative broadcasters such as Crutchfield articulated the very same message in their criticism of the network news. Assailing (network) broadcast journalism was a potent move to protect the business interests of broadcasters in the short term, even as it risked eroding public confidence in the free press in the long term.

And it worked. In a stunning rebuke of Staggers, the full House voted 226 against 181 to recommit his motion, with 131 Democrats and ninety-five Republicans voting for the motion versus 105 Democrats and seventy-six Republicans against. Before the vote, Staggers lamented the intense lobbying of broadcasters and mentioned members being contacted twelve times or more in a week. "If this Congress is going to be intimidated by one of the giant corporations of America, and give up to them, then our Nation will never be able to exist as a free nation, a nation of free men," he warned (Congressional Record 1971, 24 752). In defeat, bitter members complained about the pressure. "I must have personally talked to between 60 and 80 Republicans who ran to me and asked what the hell was going on," William L. Springer (R-IL) remarked, noting "they all had been contacted, most of them several times, by TV and radio station people" (Sherrill 1971b). Another House member observed that he was contacted by a lobbyist and by representatives from his local television station, radio station, newspaper, and broadcasting association. "It wasn't very subtle" (Sherrill 1971b). The pressure from the broadcasting lobby, according to Staggers' observations, made even colleagues who shared his sentiments back down (Lydon 1971). Both *Time* and *Newsweek* agreed and suggested the vote would have looked very different with a secret ballot (Small 1972, 373). Condemning the pressure campaign, a resentful Staggers asked if it was time to change the inscription above the speaker's chair to "In the Networks We Trust" (Small 1972, 372).

Although the contempt citation failed, there was no denying the actual contempt House members felt towards network news. Immediately following the vote in Congress, Broyhill suggested that the networks should take "a serious look at their news program practices after this" (*Winston-Salem Journal*, July 14, 1971, Broyhill Papers). He even speculated about possible legislation to regulate network news. Charles Crutchfield was also eager to remind the powers that be at the network of his views on balance and fairness. While congratulating Frank Stanton in a July 14 letter, he cautioned against celebration. "I have an uneasy feeling in the pit of my stomach that perhaps some people in the CBS News organization failed to get the message yesterday," he remarked, "the message from even the Congressional stalwarts who defended us so articulately, but prefaced their remarks, practically to the man, with such things as 'even though network news is slanted, biased or unfair. . .'" (Crutchfield Papers). Crutchfield, of course, made no mention of the fact that he modelled that language for his allies in Congress. The conservatives who came to the rescue of CBS News in Congress did not want to be understood as friends of CBS News. Instead, they echoed the sentiment of the conservative affiliates and other broadcasting allies who enlisted in the campaign to save the network not out of approval of CBS News but in defense of the business interests of a broadcasting industry built on a tense but

mutually enriching relationship between national networks and local affiliates. In short, it was done in the name of the free press, but in the interest of free enterprise.

Conclusions

It is easy to view *The Selling of the Pentagon* as a proud moment in the history of broadcast journalism. Certainly, Frank Stanton took a principled stand at considerable personal and professional risk. And the industry rallied around him as the statesman of broadcasting. Some in Congress viewed the vote as a referendum on freedom of the press. “The First Amendment,” the liberal icon Emanuel Celler (D-NY) observed in the House, “towers over these proceedings like a colossus” (Small 1972, 371).

Yet, it would be simplistic to understand the broadcast and the conflicts surrounding it only, or even mainly, as a confrontation over the First Amendment. The incident was not the David-and-Goliath story journalists often remember it as, but rather a “power struggle between two Goliaths” (Barron 1971, xiii). Staggers was neither alone, nor unreasonable, in his concern over the power of corporate media behemoths to distort and influence reality. The issue defied traditional partisan or ideological divides. Staggers himself was a man of the middle (Broadcasting 1971j). Liberals as well as conservatives found themselves on both sides of the issue. And, most importantly, many politicians opposing Staggers did so not in defense of *The Selling of the Pentagon*, nor even CBS News, but rather in defense of the business of broadcasting. Behind this defense was the considerable pressure campaigns of broadcasters all around the country. Journalism professor William Porter observed that the confrontation stood out amid other fights over television news in the Nixon era in being “the only one which provoked a widespread fighting response while there was still time for it to matter” (Porter 1976, 113). The reason, it seems clear, was that the crisis endangered the very business of broadcasting.

Furthermore, it would be misleading to view the moment as a victory only for the networks. The developments in the critical days of early July, when representatives apparently abandoned Staggers under pressure from local broadcasters, complicates the conventional focus on the networks. Stanton was, of course, the individual named in the contempt citation. He became a symbol for broadcasting. But the archival record suggests that the key to success was local broadcasters, including many who resented the network news, rather than only the deep pockets of CBS. And the affiliates, including Crutchfield, defended Stanton in a way that legitimized conservative criticism of network news.

Finally, describing the vote as a triumph for broadcast journalism fails to reckon with the legacy of the confrontation. Although Staggers clearly suffered a remarkable defeat, CBS did not win an unconditional victory. Success, an editorial in the *Boston Globe* concluded, would be measured by “whether CBS will be emboldened to give the public more such documentary films” (Small 1972, 22). The result did not seem to encourage CBS News to invest in probing investigative work, and it did not prevent network executives from compromising their integrity and standards under political duress in the coming years (Halberstam 2000; Porter 1976; Schorr 1977). “[CBS] were

eager to do it, proud of it after it was done, and they didn't want to do it again," Peter Davis, the producer of *The Selling of the Pentagon*, later concluded (Raphael 2005, 105).

In both dollars and political capital, the costs of defending Stanton were enough to make even the most principled executive hesitant about poking the bears in Congress. So, while concerns over business interests successfully mobilized broadcasters, it also revealed the real Achilles heel of the industry: the bottom line.

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