25. The Music Industry Fight Against Rock 'n' Roll

DICK CLARK'S TEEN-POP EMPIRE AND THE PAYOLA SCANDAL

The 1950s ended on a bum note for rock 'n' roll: Chuck Berry was on the verge of being convicted for having transported a minor across state lines; Elvis was in the army; Little Richard had left popular music for the ministry; Jerry Lee Lewis had effectively been blacklisted for having married his 13-year-old cousin; and Buddy Holly, Richie Valens, and the Big Bopper (all of whom had scored major hits during 1957–58) had died in a plane crash. As early as 1956, defenders of pop music's old guard, represented by ASCAP officials and songwriter-performers associated with ASCAP, mounted an attack on rock 'n' roll by linking it to the rise of BMI and accusing BMI of manipulating public taste owing to its undue influence in the broadcast media. Several rounds of public hearings resulted.[1] The repeatedly asserted link between BMI and radio stations was specious: all broadcasters at that time had licenses from both BMI and ASCAP that required them to pay a fee for using music affiliated with those organizations, and even radio stations that owned stock in BMI did not receive dividends. No, the battle's focus truly lay in a conjunction of aesthetics and politics.[2] The old guard were defending their business interests, as well as their taste in music. The analyses of BMI's power, while inaccurate, could have been applied quite fairly to the position of ASCAP before BMI-affiliated music began making inroads in the pop music mainstream during the late 1940s.[3]

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1. For a summary and analysis of these hearings, see Trent Hill, "The Enemy Within: Censorship in Rock Music in the 1950s," *South Atlantic Quarterly* 90, no. 4 (Fall 1991) 1: 675–708. The hearings lasted from 1956 into 1958. For accounts in the press, see "Rock 'n' Roll Laid to B. M. I. Control: Billy Rose Tells House Unit That 'Electronic Curtain' Furthers 'Monstrosities,'" *New York Times*, September 19, 1956, 75; Val Adams, "Networks Held Biased on Music: Senate Unit Hears Charges that They Promote Products of Their Own Affiliates," *New York Times*, March 12, 1958, 63; Val Adams, "Hanson Decries Hillbilly Music: Tells Senate Unit Hearing Tunes Heard on Air Are 'Madison Ave.' Version," *New York Times*, March 14, 1958, 51.

2. See Reebee Garofalo, *Rockin' Out: Popular Music in the USA* (Boston: Allyn and Bacon, 1997), 172; and Russell Sanjek, "The War on Rock," *Downbeat Music '72 Yearbook* (Chicago: Maher, 1972).

3. See Richard A. Peterson and David G. Berger, "Cycles in Symbol Production: The Case of Popular Music," in *On Record: Rock, Pop, and the Written Word* (New York: Pantheon Books, 1990), 140–59.

The payola hearings (which grew out of congressional hearings on crooked practices on television quiz shows) represented yet another official intervention into the business and media practices associated with early rock 'n' roll. In media accounts of payola, one is struck by how politicians were so quick to believe that the popularity of rock 'n' roll was due to either a conspiracy with BMI or payola; in other words, they thought that the music was so horrible that there had to be some form of external coercion involved for people to want to listen to it.

A new form of rock 'n' roll emerged that was designed to please both politicians and teenagers. The main variety of this new rock 'n' roll, "teen pop," was promoted by a nationally syndicated television show, *American Bandstand*, hosted by Dick Clark, a figure at once youthful and nonthreatening. Teen pop adopted older techniques of pop music production, incorporating aspects of rock 'n' roll while reinstating the separate roles of songwriter, instrumentalist, and singer that had been collapsed by artists like Chuck Berry and Little Richard. *American Bandstand* largely featured the stars of teen pop, known as "teen idols": good-looking young people from the Philadelphia area (where *American Bandstand* originated) singing music with a vague resemblance to rock 'n' roll.

Equally striking as the official, public response to rock 'n' roll were the disparate fates of Alan Freed and Dick Clark. The Jewish Freed rose to success by playing black popular music to white kids and by promoting concerts at which both performers and audiences were integrated. The clean-cut, all-American Clark's signature show, *American Bandstand*, featured a virtually all-white audience and was cautious about integration on the air.[4] Freed's career was effectively ended by the scandal; Clark hosted *American Bandstand* until 1989 and continued to make appearances on television, most notably as the host for *New Year's Rockin' Eve*, until his death on April 18, 2012.[5]

The following article from *Life* describes the payola hearings of late 1959–early 1960 and focuses on Clark. This article reproduces many of the criticisms and stereotypes found in early media reports on rock 'n' roll, even suggesting in the opening paragraph that a teenager murdered his mother because she refused to let him watch *American Bandstand*. More evenhanded than some other mainstream reports of the time, however, the article gives space to the views of fans of the show in order to explain why they like it. And while the familiar condescending tone is present, most of the comments critical of rock 'n' roll are ascribed to the members of the Senate committee. Along the way, a history and explanation of payola is presented and contrasted with the specifics of Clark's business operation so as to anticipate his ultimate exoneration.

4. That this was recognized by African American viewers is substantiated by the article from the African American newspaper *New York Age*, reprinted in this chapter.

5. For a thorough history of *American Bandstand*, see John A. Jackson, *American Bandstand: Dick Clark and the Making of a Rock 'n' Roll Empire* (New York: Oxford University Press, 1997).

Music Biz Goes Round and Round: It Comes Out Clarkola

Peter Bunzel

Back in September 1958 a roly-poly Tulsa boy named Billy Jay Killion came home from high school and wanted to watch Dick Clark's television program, *American Bandstand*. His mother, who didn't particularly care for rock 'n' roll music, was all set to watch a different program, so she told Billy "No." He seethed the whole night long. Then in the morning Billy took out a rifle and shot his mother dead.

Millions of American teen-agers feel just as strongly about Dick Clark, though no others have vented their feelings so violently. Last week their loyalty was put to the supreme test, for Clark was up before Congress to answer for mayhem of another kind. For six months the Harris Committee had been investigating payola in music and broadcasting, and had developed a greedy image of the whole industry. A long succession of disk jockeys admitted taking payments from music companies. But the one man the committee had always been gunning for was Dick Clark, the biggest disk jockey of all and a symbol, in giant screen, of the whole questionable business.

"I have never," Clark told the committee, "agreed to play a record in return for payment in cash or any other consideration." This statement seemed more and more astonishing to the committee as Clark went on to admit that in the last three years he had parlayed his position into a whopping personal fortune of $576,590. "Plugola," "royola" and "Clarkola," the committeemen variously called it.

But their skepticism did not alter Clark's mien as he sat on the stand giving off the same air of proper respectability he does on TV. He wore a blue suit, button-down shirt and black loafers. Every strand of his hair was neatly lacquered into place. His voice had the bland, dulcet tone of the TV announcer that he is.

A Most Important Commercial

His tone was appropriate, for 30-year-old Richard Wagstaff Clark was delivering the most important commercial of his life. He is out to sell his highly select adult audience the same moralistic image of himself that he has convincingly sold to the nation's teen-agers. It was an image he had peddled not only on the air but in a book of adolescent etiquette called *Your Happiest Years*. In this work he made a strong pitch for neatness and good manners, pausing briefly for little homilies: "Don't make the mistake of thinking those TV cameras are branches of the United States mint. Contrary to popular opinion, dollar bills don't come out of them like bread from a bakery oven."

Source: "Music Biz Goes Round and Round: It Comes Out Clarkola," © Time & Life Pictures/Peter Bunzel.

Clark himself made the mistake he warned his public against, but it turned out fine for him. After all, he was in a unique spot to profit by his error. Most disk jockeys perform on radio. Clark is on TV. Most others are only on local stations. He is on a national network and he reaches some 16 million people with his stock in trade, rock 'n' roll. This form of music is alien to most adults, for whom it has all the soothing charm of a chorus of pneumatic drills. "But we love it," said a teen-age girl from Charleston, W. Va., who attended the Clark hearings. "When I hear a Beethoven symphony, I don't feel anything. When I hear our kind of music, I feel something way down deep, like oatmeal."

Payola as a Compliment

The same adults who disparage rock 'n' roll unwittingly helped get it going. When long-playing records came in, grown-ups stopped buying single records. Manufacturers of singles had to aim their products at teen-age taste and rock 'n' roll became the staple. The singles are easy and cheap to make and 600 record companies are expelling a constant flow. But the big problem is selling them.

First the records get a test run in such "break-out" cities as Cleveland, Boston or Detroit to see which can be sold—or which the public can be conned into buying. A sure way to boost the songs has been to put money on the line to disk jockeys. Many deejays were proud to be bribed, for, in their curious little fraternity, payments became a status symbol. "Payola comes to the top disk jockeys, not the others," said one. "If you are in show business, don't you want to be at the top? Isn't this the greatest compliment?"

A large number of fraternity brothers felt the same way, for the Federal Trade Commission estimates that 250 disk jockeys accepted the compliment. Generally the recipients deny that there is any connection between paying and playing. But remarked Congressman John Moss of the committee, "Some kind of telepathic communication seems to take place. By intellectual osmosis between the disk jockey and the record manufacturer, money is passed and records get played."

Actually the committee should not be so surprised at payola. It is old stuff in the music business. In Victorian England, before he teamed up with William Gilbert, a young composer named Arthur Sullivan dashed off a song called *Thou'rt Passing Hence*. He got it performed in public by giving a share of the royalties to Sir Charles Santley, a leading baritone of the time. Sir Charles was still collecting his payoff when the tune was played at Sullivan's funeral.

In the U.S., in the 1890s, the music publishers paid to have their songs played in beer gardens. Later, top stars like Al Jolson and Eddie Cantor were offered enormously tempting payola deals—and in the '30s maestros of big-name bands got a cut of the royalties for playing new tunes on network radio.

Until the payola scandals broke, disk jockeys had no pangs of conscience about benefiting from a practice with such a tradition. Payola was simply the way they did business and they imagined that everyone else did it that way too. "This seems to be the American way of life," said Boston's Stan Richards, "which is a wonderful way of life. It is primarily built on romance: 'I'll do for you. What will you do for me?'"

What Dick Clark did for music people was to give them a pre-sold market and what they gave him in return was a windfall. He did not rely on conventional cash payola but worked out a far more complex and profitable system. It hinged on his numerous corporate holdings which included financial interests in three record companies, six music publishing houses, a record pressing plant, a record distributing firm and a company which manages singers. The music, the records and the singers involved with these companies gained a special place in Clark's programs, which the committee said gave them systematic preference.

A statistical breakdown showed how his system worked. In a period of 27 months Clark gave far less air time to a top star like Elvis Presley than to a newcomer named Duane Eddy, one of the several singers whom he has helped make into a star. Clark had no stake in Presley. But firms in which he held stock both managed and recorded Eddy. During the same 27 months Clark played only one record by Bing Crosby (the almost mandatory *White Christmas*) and none at all by Frank Sinatra. "You sought to exploit your position as a network personality," said Moss. "By almost any reasonable test records you had an interest in were played more than the ones you didn't." Replied Clark, "I did not consciously favor such records. Maybe I did so without realizing it."

"You Laid It On"

Nor did Clark neglect revenues from copyright ownership. He owned 160 songs, and of these 143 came to him as outright gifts, much as Gilbert's *Thou'rt Passing Hence* came to Santley. "Once you acquired an interest," said Moss, "then you really laid it on."

A shining example was a record called *16 Candles*. Before getting the copyright, Clark spun it only four times in 10 weeks, and it got nowhere. Once he owned it, Clark played it 27 times in less than three months and it went up like a rocket. Each time the record was purchased Clark shared in the profits to the merry tune of $12,000. This pattern was duplicated with a song called *Butterfly*—and for his trouble the publisher gave him $7,000.

Many of his deals afforded Clark a special tax break. In May 1957 he invested $125 in the Jamie Record Company, which was then $450 in the red. Once he was a stockholder, Clark found Jamie records very attractive. By plugging them on his show he helped make many of them hits. When he sold out last December for $15,000, Clark had a cool profit of $11,900, and he could declare it all as capital gains. Clark granted the accuracy of these figures but explained, "I followed the ground rules that existed." He was familiar with the rules from another angle. Although he denied *he* had taken payola he admitted, paradoxically, that one of his record companies had passed out payola to get its wares plugged.

Coming back again and again to rock 'n' roll, the committee members strongly implied that Clark had deliberately foisted it on teen-agers. "I don't know of any time in our history when we had comparably bad, uniformly bad music," said Moss. Clark replied, "Popular music has always become popular because of young people. You can't force the public to like anything they don't want. If they don't want it, it won't become a hit."

Clark's soft sell made him an effective, if slippery, witness. At the end Chairman Oren Harris remarked, "You're not the inventor of the system or even its architect. You're a product of it." Then showing as much perspicacity as any 15-year-old, the congressman added, "Obviously you're a fine young man."

This encomium was sweet music to teen-agers who came to the hearing to see their hero in his hour of travail. Seated in the front row were two sisters from West Orange, N.J., whose parents had brought them to Washington to view the sights. To them the loveliest sight of all was Dick Clark.

"I don't care if he took payola," said Karen Katz, 13. "He gets to us as kids. The reason *16 Candles* took off is because we liked it. They say he didn't play enough Bing Crosby. Look, his show isn't for grandmothers. And Frank Sinatra, who needs him?"

The final verdict on Clark rests in part with teen-agers like Karen, but even more with his many sponsors. If they decide that his value as a pitchman has been hurt, then they will drop him like a cracked record. Already the danger signals are up. "We aren't happy about this thing," said the account executive for Hollywood Candy Bars, "and neither are any of the other ad agencies. We want to keep our noses clean."

The American Broadcasting Company is playing it cautious, waiting to see which way the wind will blow. Its stake in Clark is huge, for the network carries both of his shows, and each year they bring $6 million in advertising revenue. At least one disk jockey, a Miami man, says that ABC has already lined him up as Clark's replacement, just in case—and he is waiting for word to catch the next plane north.

But the sponsors had better think twice before dropping Clark. The teen-agers feel an almost fanatical bond with him. An investigator for the committee named James Kelly ran into this fanaticism right in his own family. Kelly's wife has a 15-year-old sister and they used to be great pals. But ever since Kelly started prying into Dick Clark's affairs, the girl has cut him absolutely dead.

The concluding article for this chapter, published in the *New York Age*, an African American newspaper, explores an aspect of *American Bandstand*'s "all-American" appeal ignored by the previous article.

Mr. Clark and Colored Payola

New York Age

With all of the publicity focusing on disc jockey payola, we are concerned about another matter which has never seemed to bother many people. This is the question of Negro participation on the various TV bandstand programs.

If there's one shining star in the constellation of Alan Freed's career, it has been his determined, quiet, but effective war on racial bigotry in the music business. Largely as a result of his efforts, several Negro singing groups are top successes today because of his encouragement and fairness.

At the same time, his "Big Party" has always had Negro kids right in there putting down a tough "slop" with the best of them.

Have you even seen Negro kids on Dick Clark's program? Perhaps, a few times, but the unspoken rule operates—Negro kids simply have been quietly barred from the "American Bandstand."

Somebody should raise the question as to whether there was ever any payola to keep Negro kids off of Dick Clark's American Bandstand TV program.

Further Reading

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Source: "Mr. Clark and Colored Payola" © *New York Age.*

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