
BIBLIOGRAPHY OF RECENT BOOKS IN COMMUNICATIONS LAW

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The following is a selective bibliography of recent books in the field of communications law. All were published in late 1993 or 1994. Accompanying each item is an annotation describing the contents and focus of the work. Bibliographies and other useful information in appendices are noted.

FREEDOM OF PRESS AND SPEECH

Baker, C. Edwin. *Advertising and a Democratic Press*. Princeton, NJ: Princeton University Press, 1994. 203 p.

Hardly mincing words, Baker declares in the first sentence of his preface that "advertising seriously distorts and diminishes the mass media's contribution to a free and democratic society." Chapters One and Two examine advertising's effect on diminishing competition within the newspaper industry and its effect on journalistic content. Chapter Three provides the economic analysis on which Baker's conclusions are based. Chapters Four and Five present the author's policy suggestions and his defense of their consistency with First Amendment jurisprudence. Extensive endnotes are included.

Bezanson, Randall P. *Taxes on Knowledge in America: Exactions on the Press from Colonial Times to the Present*. Philadelphia, PA: University of Pennsylvania Press, 1994. 319 p.

The author traces the history of "knowledge taxes" which he defines as taxation of the various media "for the dissemination of news, including newspapers, magazines, pamphlets, and the like, as well as their newly emerging technological equivalents." Chapters One through Five concern knowledge taxes in England, Colonial, and nineteenth century America. Taxation in the United

States is discussed at all levels—federal, state, and municipal. Chapter Seven focuses on taxation of the new media technologies of the twentieth-century, including broadcast, cable, telecommunications, and computers. The impact of postal rates is discussed in detail in chapter Eight. A selected bibliography and table of cases is appended.

Easton, Susan M. *The Problem of Pornography: Regulation and the Right to Free Speech*. London and New York: Routledge, 1994. 197 p.

Susan Easton, a London barrister, writes a wide-ranging examination of the many and complex issues raised by pornography and the legal restraints on its production and distribution. Ms. Easton examines the philosophical, empirical, and legal issues raised by the liberal defense of pornography and the current feminist critique in both the United States and Great Britain. Specifically, chapter Twelve analyzes the regulation of pornography in British law; chapter Eleven discusses issues raised by the Minneapolis and Indianapolis ordinances. Endnotes and an excellent bibliography are included.

Freedom of Information Act Guide & Privacy Act Overview. Washington, DC: U.S. Department of Justice, Office of Information and Privacy, 1993. 537 p.

This edition of the annual *Guide* is designated as the September 1993 edition. The *Guide* is a comprehensive handbook to both the Freedom of Information Act and the Privacy Act. Prepared by the Justice Department's Office of Information and Privacy, it covers all aspects of both Acts, including legislative history, congressional documents, agency policy interpretations, and judicial decisions. A bibliography of "Basic FOIA References" is included. The full text of each Act is reprinted.

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brary, Columbus School of Law, The Catholic University of America.

McWhirter, Darien A. *Freedom of Speech, Press, and Assembly*. Phoenix, AZ: Oryx Press, 1994. 191 p.

This volume is part of the publisher's *Exploring the Constitution* series. This volume—and the series as a whole—focuses on a general audience with special concern for college and high school students. Each chapter addresses a particular aspect of speech freedom—commercial speech, obscenity, political speech, etc. Chapter Seven specifically addresses press freedom. A discussion of the issues and their legal and historical context are presented. Selections from landmark Supreme Court opinions are included in each chapter. While the court opinions are very short, they do provide a taste of the primary authorities in which First Amendment freedoms are defined. Each chapter ends with a series of discussion questions for potential classroom use. Appendixes include a legal glossary, the full text of the U.S. Constitution, and a short bibliography.

MASS MEDIA

Aldridge, Meryl and Nicholas Hewitt, editors. *Controlling Broadcasting: Access Policy and Practice in North America and Europe*. London: Manchester University Press, 1994. 264 p.

This collection of essays is volume 13 of the *Fulbright Papers Colloquia*. Part One of the collection provides a theoretical analysis of economic and institutional issues of access policy in the United States and Britain. Parts Two and Three provide case studies on access policy based on the Gulf War, terrorism in Northern Ireland, and police reporting in Canada. Part Four focuses specifically on access issues in North America and Britain. Part Five treats individual European countries and the EEC. An extensive bibliography is provided.

Braun, Mark J. *AM Stereo and the FCC: Case Study of a Marketplace Shibboleth*. Norwood, NJ: Ablex Publishing Corp. 1994. 206 p.

This book examines the controversial FCC regulatory inquiry into establishing a standard technology for AM stereo broadcasting. The author uses this inquiry, which took place between 1977 and 1982, as a case study of the FCC's decision-making process. Chapters One and Two provide the technical and historical background. Chapters Three and Four chronicle the events of the regulatory process and identify the various factors which influence the way it developed. The last chapter provides the author's

critique of the case. The author provides flowcharts that illustrate both standard FCC procedures and the particular path of the AM stereo case. A thorough bibliography is included.

Carter, T. Barton, Marc A. Franklin and Jay Wright. *The First Amendment and the Fourth Estate*. Sixth edition. Westbury, NY: Foundation Press, 1994. 1006 p.

This is the new sixth edition of this standard textbook on communications law. It has been only three years since the last edition, but many important Supreme Court decisions have been added. In addition, materials on the 1992 Cable Act, children's broadcasting, and media liability for emotional and physical harm are included.

Knowlton, Steven R. and Patrick R. Parsons, editors. *The Journalist's Moral Compass: Basic Principles*. Westport, CT: Praeger, 1994. 246 p.

The Journalist's Moral Compass is an anthology of 24 selections from writers from Plato to Ben Bagdikian, discussing the responsibilities of the journalist. Each selection is prefaced by a brief introduction by the editors to situate the selection which follows. The Society of Professional Journalists Code of Ethics is included. The editors provide suggestions for further reading at the end of the volume.

Lawson, Linda. *Truth in Publishing: Federal Regulation of the Press's Business Practices, 1880-1920*. Carbondale, IL: Southern Illinois University Press, 1993. 229 p.

Lawson's book is an historical examination of the relationship of newspapers and society during the Progressive Era. While most media histories of this period concern the newspapers' role as societal reformer, Lawson focuses on newspapers as a business and on governmental efforts to address business excesses within the industry. The Newspaper Publicity Act, the role of the Post Office, and early Supreme Court decisions upholding newspaper regulation in light of developing First Amendment jurisprudence are discussed in detail. Extensive endnotes and a selected bibliography are included.

Moore, Roy L. *Mass Communications Law and Ethics*. Hillsdale, NJ: Lawrence Erlbaum Assoc., 1994. 610 p.

This text covers the major topics of communications law—commercial speech, prior restraints, libel, privacy, broadcasting, press access, intellectual property, and obscenity. Moore differs from most authors of standard texts in his effort to integrate ethics into

the discussion of each issue rather than treating it as a separate issue. The first three chapters of the book provide a thorough introduction to the legal system and judicial process. The appendices contain the codes of ethics from six major newspaper, broadcasting, and advertising associations.

Solomon, William S. and Robert W. McChesney, editors. *Ruthless Criticism: New Perspectives in U.S. Communication History*. Minneapolis, MN: University of Minnesota Press, 1993. 389 p.

The wide-ranging essays on media history which comprise *Ruthless Criticism* are original to this collection. The "criticism" of the title represents the editors contention that a centralized corporate media is not easily compatible with a pluralistic and democratic society. The essays presented share this basic perspective and represent a critical reassessment of what the editors describe as the "contours of media history." They examine both lesser-studied media such as the black press and suffrage periodicals, and mainstream newspapers and broadcasting.

Taitte, W. Lawson. *The Morality of the Mass Media*. Dallas, TX: University of Texas at Dallas, 1993. 258 p.

This volume contains the text of the six lectures delivered at the fourteenth annual Andrew C. Cecil Lectures on Moral Values in a Free Society held at the University of Texas at Dallas. The presenters are drawn from the ranks of newspaper publishers, journalism professors and other academics focusing on public policy issues in journalism. Individual essays address issues such as the press and privacy, the ethics of political campaign communication, and censorship.

Underwood, Doug. *When MBAs Rule the Newsroom: How the Marketers and Managers are Reshaping Today's Media*. New York, NY: Columbia University Press, 1993. 259 p.

Underwood's book takes an investigative reporter's look at the consequences of the "new market-oriented journalism" on the contemporary newspaper. He examines the impact of computerization, marketing techniques, competition from television, and newspaper think tanks on the contemporary newsroom. Special attention is given to the impact of these changes on the individual professional journalist. The appendices contain statistical tables, endnotes, and a bibliography.

Vigilante, Richard. *Strike: the DAILY NEWS War and the Future of American Labor*. New York,

NY: Simon & Schuster, 1994. 319 p.

Richard Vigilante provides a detailed account of the bitter *New York Daily News* strike of 1990-1991. The last two chapters offer the author's reflections on the issues raised by the strike and the future of labor-management relations in the newspaper industry.

Winn, David B. *European Community and International Media Law*. London: Graham & Trotman/Martinus Nijhoff, 1994. 609 p.

This book is published as part of the Graham & Trotman's European Business Law & Practice Series. Mr. Winn provides a comprehensive work on all aspects of communications law in the context of EEC directives, international conventions and treaties, and significant court decisions. The authors strive to assist those needing an introduction to the communications law developments in Europe, and to provide guidance to those currently practicing in the area. The book offers over 200 pages of appendices which contain the text of significant European Community directives, international treaties, and tables indicating the status of various countries in regard to major media treaties and agreements.

TELECOMMUNICATIONS

Baumol, William J. and J. Gregory Sidak. *Toward Competition in Local Telephony*. Cambridge, MA: MIT Press, 1994. 169 p.

This volume is jointly published by MIT Press and the American Enterprise Institute and marks the first volume of the series entitled AEI Studies in Telecommunications Deregulation. This monograph provides an economic analysis of the movement from regulation to deregulation in the provision of local telephone services. The authors clearly favor competition, continued government deregulation, and increased reliance on market forces in the local telephone industry. A glossary of terms and a substantial bibliography of references are appended.

Campbell, Dennis and Joy Fisher, editors. *Data Transmission and Privacy*. Boston, MA: Martinus Nijhoff, 1994. 509 p.

Published under the auspices of the Center for International Legal Studies at Salzburg Austria, *Data Transmission and Privacy* is a compilation of articles addressing the current state of electronic privacy in seventeen countries, primarily from Europe and North America. Each article is written by a commu-

nications practitioner or scholar in the featured country. Each article discusses the applicable legislative and regulatory schemes which operate in that country. Most articles contain endnotes or appendices which identify primary sources on which the author's discussion is based.

Mueller, Milton L. *Telephone Companies in Paradise: a Case Study in Telecommunications Deregulation*. New Brunswick, NJ: Transaction Publishers, 1993. 185 p.

A number of books focus on the theoretical effects of telephone deregulation. Mueller's research study provides an empirical basis for such speculation. His book is a case study of the effects of substantial telephone deregulation which was accomplished by the adoption of LB 835 in Nebraska in 1987. Chapter Two provides the classic economic analysis of the effects of telephone deregulation. Chapter Three examines the background and legislative purpose of LB 835. Using neighboring, highly-regulated states as a control group, the author studies the impact of the new legislation on local and long distance phone service, service innovation, investment, and rates of return. Chapter Eight presents the conclusions he draws from the study and how they compare with orthodox regulation theory. A large amount of data, graphics, and bibliographic notes are provided.

The National Information Infrastructure: Agenda for Action. Washington, DC: Information Infrastructure Task Force, 1993. 26 p.

The Information Infrastructure Task Force, under the chairmanship of Secretary of Commerce Ronald Brown, produced this report to articulate the government's leadership role in implementing the National Information Infrastructure. It describes the promise and benefits of NII, the principles of government and private sector cooperation, and the principles and goals of government action. Information on the mission and operation of the Information Infrastructure Task Force itself is provided. A list of NII contact persons within the administration is appended.

Nordenstreng, Kaarle and Herbert I. Schiller, editors. *Beyond National Sovereignty: International Communications in the 1990s*. Norwood, NJ: Ablex Publishing, 1993. 483 p.

Beyond National Sovereignty is part of the pub-

lisher's Communications and Information Science Series. It consists of twenty essays on contemporary issues in international communications "with the concept of national sovereignty serving as a departure point and a continuing, though problematic, theme." Part V contains five essays which address "emerging perspectives" in international communications. Nordenstreng and Schiller also published *National Sovereignty and International Communications* 1979. The authors suggest that comparing the two books might give the reader a glimpse at the changes which have taken place during the 1980s. Each article contains extensive endnotes.

Pecar, Joseph A., Roger J. O'Connor and David A. Garbin. *The McGraw-Hill Telecommunications Factbook*. New York, NY: McGraw-Hill, 1993. 373 p.

The cover of the *Factbook* identifies it as a "readable guide to planning and acquiring products and services." This text provides "a comprehensive introduction and insightful perspectives into modern communications services and their underlying technologies." The authors strive to present this information in a manner comprehensible to non-engineer communications planners and professionals. The guide contains a large number of illustrations and uses jargon only where necessary and after a thorough explanation of its meaning. Part One—chapters One through Seven—addresses the basic concepts, vocabulary, and background necessary to understand the regulatory and technical structures which exist today. Voice, data, and integrated communications services receive substantial treatment. A glossary, list of common acronyms and abbreviations, and a short bibliography complete this useful guide.

Riverson, L. Kwabena. *Telecommunications Development: The Case for Africa*. Lanham, MD: University Press of America, 1993. 115 p.

This book addresses the history, difficulties, and potential of telecommunications development in Africa. It focuses on the development of PANAFTTEL, the Pan-African Telecommunication Network, its infrastructure, and its potential impact on social and economic development throughout Africa. Dr. Riverson's last two chapters detail his conclusions and recommendations. Endnotes follow each chapter.