



Making Waves

Pirate Radio
and Popular Music

Tracing the beginning of pirate radio is difficult, because during radio's early years it was the sensational that was (and still is) reported—rum-runners, spies, and so on. Mentions of pirate broadcasts of a less-than-thrilling nature are rarely found. Also, until formation of the FRC (Federal Radio Commission), the U.S. government did not formally regulate broadcasting and spectrum allocation. Current FCC (Federal Commerce Commission) regulations prohibit unlicensed broadcasting from a transmitter with power greater than 100 milliwatts. Under normal circumstances a transmitter broadcasting at one-tenth of a watt could reach no further than a block or two. By comparison, commercial AM stations operate with at least 1,000 watts, and some, like Chicago's WLS-AM, broadcast with 50,000 watts.

There are several common terms used to describe illegal broadcasting: clandestine, pirate, secret, esoteric, and espionage. All pirate radio is primarily characterized by the fact that it is aired by unlicensed broadcasters. However, pirate radio, as I wish to define it here, is a radio broadcast offered by unlicensed broad-

casters as an alternative to licensed, commercial radio programming.

One of the earliest mentions of a pirate radio station is in the January 22, 1951, issue of *Time*. It reports that a station was heard by the FCC somewhere in central Ohio using the call letters WKGR (it is common for pirate stations to assume fictitious call letters). The frequency was 650 KHz, toward the low end of the standard AM band. The programming consisted of music, news, amateur talent shows, and several advertisements for businesses in the Marysville, Ohio, area. An FCC agent traveled to Marysville, where he found that WKGR was a well-known business. He had little difficulty finding the station and there discovered the station's owners and operators—five men, ages 14 to 28. They had bought an Army surplus transmitter and one, an amateur radio operator, modified it so that it could broadcast over a 12-mile radius. The operators "thought all you had to do to start a business in the U.S. was start it," according to the article. "Mostly because of the youth of the staff, FCC decided not to take legal action. Marysville business managers at first rallied behind the boys, but seemed to lose interest on learning that it would take \$20,000 to buy the equipment necessary to meet FCC requirements for a broadcasting license." One of the station's operators is quoted as saying, "Gee, if we had known we were operating outside the law, we wouldn't have done it." ("Outside the law," 55, 56)

Pirate Radio in the U.K.

The best-documented examples of pirate radio come from England, where pirate radio thrives. Though most people associate British pirate radio with the well-known ship-based transmissions of Radio Caroline, one can trace the roots of pirate broadcasting there to programming from Radio Normandy and Radio Luxembourg. These stations broadcasted English-language programs toward Britain and were often sponsored by British advertisers. As Mike Barron points out in his book *Independent Radio*:

the Licence of the British Broadcasting Corporation prevented it from broadcasting advertisements....Meanwhile in Europe, radio was growing very fast, and a number of private companies were operating very

powerful transmitters.... most of the stations on the continent were financed or sponsored by advertising....Radio Toulouse commenced broadcasts in English in 1929 of programmes sponsored by British gramophone companies....By the end of 1932 there were twenty-one British firms sponsoring foreign broadcasts.... in 1935 British firms were spending £400,000 per year. This later increased to £1,700,000 in 1938. (Independent Radio, 12-14)

Advertisers and advertising provided the impetus for these broadcasts, which included comedy programs, classical music, and educational programming.

Inasmuch as these programs were carried by licensed broadcasters they cannot be thought of as pirate broadcasts. They did, however, provide a model for the British offshore radio pirates who became prominent in the early 1960s.

One of the first—and now infamous—pirates, Radio Caroline, began operation in April, 1964, on a ship anchored in international waters off the English east coast ("Of skulls & crossbones," p. 33). A week later Radio Atlanta, also a shipboard operation, dropped anchor, followed by another, Radio Veronica.

The U.K. pirates operate their stations for profit, broadcast virtually around the clock, and solicit advertising from large, corporate sponsors. Moreover, the U.K. station owners are usually in some way financially affiliated with music publishing firms or record companies. A U.K. pirate radio station that was in operation recently, Laser 558, was owned and operated by Music Media International, an independent music promotion firm based in New York (*Rebel Radio*). *Business Week* reports that Allan Crawford, managing director of Radio Atlanta, "heads a group of pop music publishing and recording companies," and "had been 14 years with New York's Southern Music Publishing Co., Inc" ("Radio 'pirates' try abducting audience," p. 50) The same article reports that Radio Caroline head Ronan O'Rahilly was co-owner of a London R&B club called the Scene. He was also manager of pop singer Georgie Fame. O'Rahilly found that if he started his own record company he would have trouble getting records played by licensed broadcasters who all had affiliations with large

record companies (*When Pirates Ruled the Waves*). According to a report in *Newsweek*, O'Rahilly raised \$750,000 to start Radio Caroline ("Caroline calling," p. 88). O'Rahilly's primary interest was certainly financial, as attested to by his statement that "Youth was busting out all over. There was a lot of money to be made... Fortunately these ventures required hardly any money at all" (*When Pirates Ruled the Waves*, p. 2). Radio Caroline did quite well even in its first weeks of operation. Barron reported:

One of London's biggest advertising agencies was said to be planning to advertise with the pirate ships through its Dutch and French companies. On the advertising front it was Caroline which hit the jackpot the day following the Postmaster-General's rumoured decision (to make advertising on pirate broadcasts illegal). On May 13th (1964) £30,000 of advertising poured in. (Independent Radio, 10-12)

Radio Caroline charged £90 for 30 seconds of advertising.

The British government, immediately aware of the pirates and the consequences for broadcast regulation, took steps to have these vessels' registry taken away (Caroline was registered in Panama) and threatened listeners with prosecution under the Wireless Telegraphy Act of 1949. By 1966, however, U.K. pirate radio had become very big business indeed, taking on the trappings of *Dallas* or *Dynasty*, complete with murders and lawsuits ("Bittersweet Caroline," p. 34). O'Rahilly didn't pay the captain of his vessel, who, in best seafaring tradition, refused to abandon ship and locked himself in his cabin with a rifle. The captain eventually hijacked the ship, and O'Rahilly was forced to go out and hire a new one (see *When Pirates Ruled the Waves*).

Ostensibly, the English pirates began broadcasting because of the lack of pop music on the BBC. Radio Caroline was reported to have an audience of about just over eight million listeners (*When Pirates Ruled the Waves*). Realizing the size of the pop audience, the BBC began its own pop music service in 1967. In October of that year, Parliament passed the Marine Broadcasting Offences Act, outlawing the stations' operation as well as outlawing advertising on them.¹ By 1971 the pirates were at war with themselves, sabotaging each other's transmitters and bombing each other's

ships ("The warring pirates," p. 41). Radio Caroline ceased operation for most of the 1970s and early 1980s, but resumed broadcasting in August, 1983 ("Rocking the boat," p. 88).

During the 1970s commercial broadcasting restrictions were relaxed in the U.K., but did not completely end pirate activity. Independent radio still did not provide adequate programming for some sectors, and smaller pirate radio operations catered to very specific audiences. As Dick Hebdige describes:

...pirate radio stations played a major role in (the) blurring of the (black and white) musics. Independent local radio had been set up in 1973 and by the early 1980s, forty-six licensed stations were operating in the U.K.. But neither these nor BBC's Radio One devoted much air-time to black music.... Around 1983, offshore pirate radio stations like Radio Laser and Radio Caroline began transmitting more black music in stereo from ships anchored in the North Sea. But the real breakthrough in radio piracy occurred when cheap portable transmitters came on the market. By the mid-1980s you could buy an (illegal) 50-watt radio transmitter for around £200 or build one yourself for less. Soul and reggae enthusiasts began to plug the gap in the airwaves playing solid funk, soul and dub. All they needed was a good quality cassette recorder, a transmitter and a high roof.... It's estimated that a signal from a 40-watt transmitter broadcasting from the roof of a fifteen-storey tower block can reach a 40-mile radius. Tower blocks throughout Britain's cities sprouted aerials overnight. (Cut 'n' Mix, 154-156)

Pirate radio stations still continue to broadcast throughout Britain, and some pirate television stations have come (and gone) as well.

Pirate Radio in the U.S.

In contrast to the U.K. pirates, U.S. pirate radio stations operate on shoestring budgets, broadcast irregularly, rarely (if ever) attempt to turn a profit, do not solicit advertising, and keep a very low profile. U.S. pirates, like their U.K. counterparts, do rely on rock and roll for most of their programming. A report on Radio Free Ithaca, WRFI, in the *A*E newsletter* is an example of the motives of many U.S. pirates (though it is unusual in its scope of operation).

WRFI began broadcasting in November 1980, its programming consisting of a mix of music, comedy and public service announcements. The *A*E newsletter* estimated its audience at between 500 to 1500 listeners each evening. The station was started by a 30-year-old electrical engineering research assistant from Cornell University, who, on the air, called himself the Night Doctor. According to the article, the engineer was disappointed with local commercial and college radio, and he thought that progressive radio of the kind common in the 1960s and 1970s would offer the community diversity and quality (raising questions about public/community radio in the U.S.). After purchasing an old transmitter from a college station, the engineer enlisted the help of more than 20 people to build a station on par with many commercial operations. WRFI broadcast at 88.5 MHz, the low end of the FM spectrum, and in stereo at that. The studio contained nearly 1000 records, many tape recordings, and sophisticated electronic equipment.²

In March, 1981, WRFI began regular broadcasts every evening. Each night at 10 pm it broadcast the BBC World Service News program, recorded from a shortwave receiver. The station placed advertisements, including a post office box address, in local papers to attract listeners. One of the ads was spotted by a journalist for the *Ithaca Times*, who wrote a story on the station. An engineer for a local cable TV company soon complained to an FBI agent, who relayed the complaint to the FCC. Using direction-finding radio equipment, FCC agents located the station. The station was shut down, and the Night Doctor was fined \$750.

On January 21, 1987, a Fresno, California, pirate station was raided by the FCC and shut down.³ The operation, called Zoom Black Magic, aimed its programming mixture of music and politics at Fresno's black population. Reacting to the FCC's action, Walter Dunn, Jr., one of the station's operators, said, "This is a blatant attempt to keep blacks out of broadcasting in this area. It's virtually impossible for a black man to get an FM radio station unless he can raise \$1 million. Listen to the programming in this valley. There is a void. Black people are starving for music." Although Dunn was cited by the FCC in 1985 for illegal broadcast-

ing, he switched from the standard FM band to 108 MHz, at the very top of the FM dial. The FCC cited that frequency's proximity to aircraft communications frequencies as its main reason for shutting down Zoom Black Magic.

According to Kirk Baxter, president of A*E, the FCC has an attitude of "selective enforcement." "That is, it acts on complaints and interference, but generally does not seek out pirate broadcasters. Still, there is 'enough of a scare factor by the FCC that few people are getting on the air,'" Baxter said. But the scare factor seems to be due more to the stiff penalties (up to a \$10,000 fine and five years in jail) than to evidence that a lot of people are getting caught.

One of the reasons for pirate radio's continuing existence is the popularity of amateur radio as a hobby in America. Many pirate station operators were amateur radio enthusiasts who, for one reason or another, decided to go beyond the scope of the hobby (and FCC rules governing it).

Baxter estimates that from 50 to 100 pirate stations are operating in the U.S., varying from studio-quality broadcasts to low-fi sound. According to the FCC, "one of these (pirate stations) pops up somewhere every week or so" (*Clandestine Radio Broadcasting*, p. 5). The audience for pirates is more difficult to estimate — Arbitron does not include them as a market segment. There could be anywhere from ten to twenty to several thousand listening to a single broadcast, depending on power of the transmitter and location (urban versus rural). Some pirates operate in the standard FM and AM bands, though others use shortwave frequencies. Broadcasts are usually not regular (to avoid FCC investigation), and take place most often at night or in the very early morning. Broadcasts most often include pop music, comedy, or are seasonal (around Halloween or Christmas). The transmitters are not hard to come by, available at amateur radio flea markets for as little as \$25 to \$50. Depending on how much equipment one wants to add however, the cost can escalate tremendously.

The following report from the *New York Times* News Service is an account of how many pirates got started:

At 11 o'clock Sunday night, after WNYE signed off, Frank Stevens signed on. "You're listening to 91.5 FM," he said. "Super Q. Long Island's most powerful pirate." He was broadcasting live, 250 watts strong, from the toolshed behind his parents' house.... Around midnight, Ed Michaels and Screaming Scott decided to go into the backyard with a microphone and report the weather.... Scott started screaming "Funnel cloud!...." He has his own pirate station, Rox 103, which he broadcasts from his bedroom. "It's very convenient," Scott said. "You get tired, walk over five feet and lie in bed. Many times I've broadcast lying down." Frank's illegal station is well-equipped. He has about \$15,000 worth of equipment, although it only cost a fraction of that because he (built it) himself.... ("Friendly radio....," p. 4F)

Stevens' reasons for starting his pirate station are typical of most pirate broadcasters:

At 28, Frank is a pirate because he wants to play music he loves and speak his mind.... In winter, he does school closings.... He says the key to success.... he has been at it 10 years without getting caught—is maximum precaution.... he is also careful not to interfere with other stations, he says, or mess up reception in his neighborhood, two of the FCC's biggest complaints.⁵

Most U.S. pirate radio stations begin because the operators are dissatisfied with the current state of radio and want to play "their" music. Discourse among and about pirate radio broadcasting inevitably refers to it as an "alternative" to programming provided by licensed broadcasters. The *Free Radio Handbook*, an underground publication that contains all the necessary technical and legal information to begin operating a pirate station, contains many references to commercial radio as "big-money-controlled media" (*Free Radio Handbook*, p. 3) and to pirate radio as "proving that the efforts of interested individuals are far superior to the products of profiteers and governments" (*Free Radio Handbook*, p. 5). Though it would not be unusual for a leftist discourse to arise from such terms, there is little if any ideological bent to most U.S. pirate radio stations.

Nonetheless, one would still expect that within a structure of "people playing their music" a diverse range of programming would be common. Not so. The case of Radio New York International (RNI) illustrates this point. Taking its cue from the British offshore pirates, RNI launched a radio station aboard a ship anchored off Long Island, NY, in summer 1987. After being caught by the FCC, the pirates received nationwide media exposure, primarily because of the flap surrounding the FCC's handling of the case. In short:

(Allan) Weiner and (DJ) Ian Rothstein were arraigned.... on charges of conspiracy to impede the FCC (a felony) and operating a broadcast station off the shore of the United States (a misdemeanor). Facing maximum prison terms of five years and \$250,000 fines, the two were released on their own recognizance after promising to stop the broadcasts.... In September (1987), however, Federal authorities dropped charges against the pair, explaining that they had achieved their goal in proving that they could shut down such stations operating in international waters.... But that's not the way Margaret Mayo, Weiner and Rothstein's attorney, sees it.... "I don't think they would have been able to prove their case and that they had jurisdiction, so they dropped it. We didn't find any basis in the international treaties or in U.S. Federal Statutes...." says Weiner.... "We used the example of other existing offshore radio stations which are on the air right now, such as Radio Caroline in England...." Weiner.... worked at Radio Caroline in 1985. (*Radio Activity*, p. 135)

The programming on RNI consisted primarily of classic rock and roll, and according to Weiner, some people complained that the music mix was not adventuresome enough. Weiner's response was that the station had not been on the air long enough to establish a good music mix. "We were just trying to play some decent rock and roll," Weiner said. Several weeks after their capture Weiner and Rothstein were given guest VJ slots on MTV, where they played videos by relatively mainstream pop and rock artists. Indeed, RNI provided little, if anything, more than a commercial progressive or college rock station.

Weiner interpreted public response as a call for more such programming. "They want something a little more than just a homogenous hodgepodge of commercial-industrial radio that exists now. I think they want a radio station....that's sincere," Weiner said. And thus the discourse is shifted to a play on authenticity/sincerity of the operator and away from the issue of music.⁶ The question becomes one of intention and not content, just as in rock and roll what counts isn't how well you play but whether or not you play it with feeling.

Pirate Radio Programming

Given the non-threatening, almost mainstream nature of much pirate programming, it is not surprising that the FCC seems to act only when complaints of interference arise from a pirate station. It has little to fear from the content of the broadcasts.

A survey of pirate station loggings from July, 1986, to January, 1988, reveals that the vast majority of pirate radio programming is rock and roll, far from alternative (see table).

TABLE: Programming of pirate radio by region

	U.S.	Europe
<i>Programming</i>		
Pop/Rock	72%	74%
Political	5%	4%
Other music	11%	18%
Unknown	12%	5%

Source: A*C*E newsletter, July, 1986 through January, 1988.

It could perhaps be expected that the majority of European pirates would broadcast rock and roll, because they are, for all intents and purposes, commercial radio stations. It is more surprising to see that the majority of U.S. pirates broadcast rock and roll. The logging reports indicate that for the most part the music cannot be distinguished from that on commercial radio. For instance, most reports show music by groups such as the Who, Nazareth, Huey

Lewis and the News, and Black Sabbath. Several reports simply state, "top 40 music." Some report comedy and satire (of the Monty Python variety) interspersed with music, but little of the satire is political in nature.

The few loggings of political stations is a surprise, given the volatility of international politics. Perhaps even more surprising is the small number of reports in the "other music" category. Because this category encompasses every form of music other than pop/rock and roll and therefore forms of music that are not regularly heard on licensed radio stations, it is odd that there are not more pirates such as Zoom Black Magic to cater to a disenfranchised audience. It is perhaps even stranger that such an audience is not identified by a commercial station as a potential market. Surely alternative radio approaches exist on college and community radio stations that define their audiences very narrowly. Maybe advertisers do not wish to support alternative programming. Or, more likely, advertisers may be unwilling to support the unprofessional programming found in most pirate broadcasts, and most pirates are unwilling to adhere to FCC rules and, more importantly, to unwritten community standards of good taste. Overall, though the quality of many broadcasts is very high, there is little to dispel the criticism that U.S. pirate radio is just kids playing radio.

Making Waves?

Despite the apparent lack of alternative programming, the fact that pirate stations do exist means that there is possibility for alternatives. Simon Frith, writing about new British media policy and its impact on pirate radio, states:

Alternative pop approaches, in short, will continue to be illegal, and what most strikes me, flicking the dial in search of something different, is how limited the choices are. The great majority of pirate music stations play... "American progressive dance...." the majority use of pop radio is as a means of joining in, not hiding out. ("Stand and deliver," p. 73)

It may also be true that the majority use pop music as a means of joining in (though not necessarily joining the mainstream) and

that radio is not a medium well-suited to hiding out, literally or figuratively speaking. It is not difficult, with a little effort, to tune in pirate broadcasts. The FCC is, for the most part, leaving pirate radio operators alone—perhaps because the expense of tracking them down would be too great (reports of interference save the agency much time and money they would otherwise spend on field work). Though the programming may not be particularly adventuresome, with its comedy spots, phony advertisements and non-professional character it is nonetheless a change from commercial radio—but not different enough to cause trouble for the economic and political structure of broadcasting.

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Notes

1. Marine Broadcasting Offences Act, published in *Wireless World*, October 1967, p. 14
2. "Technicalities," *A*C*E newsletter*, January, 1987, 18–19
3. "Pirate" radio station silenced by agents," *Fresno Bee*, January 21, 1987 and "The magic ran out for bootleg station," *Fresno Bee*, January 25, 1987.
4. Phone interview with Kirk Baxter, October 16, 1986
5. "Friendly radio pirate runs station from shed," p. 4F. The article's author added, "Frank's father says that if agents from the FCC ever show up, he won't say a word, he will just point to the toolshed."
6. For a discussion of authenticity and rock and roll, see Simon Frith, *Sound Effects* (New York: Pantheon Books, 1981) or Steve Jones, "Rock Formation" (Urbana, IL: Ph.D. Dissertation, 1987).

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