Chapter 7: The New Muckrakers

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"Thou shalt covet thy neighbor's car and his radio and his silverware and his refrigerator and everything that is his."

—The Ten Commandments of Advertising, Ballyhoo [1]

The American Medical Association's continuous, relentless, excoriating critique of quackery formed a bridge between the patent medicine muckraking of the Progressive period and the guinea pig" exposure of the Great Depression. In charge of this important task for the AMA was a shy and dedicated man.

Arthur J. Cramp had joined the AMA staff as an editorial assistant during the same year that the Pure Food and Drugs Act had been passed by Congress. Then a man of 34, he had shortly before received his M.D. degree from the Wisconsin College of Physicians and Surgeons. Born in England, Cramp came to America in his late teens and taught science in Milwaukee high schools. A sense of personal mission sent him to medical school. His daughter ill, Cramp had called a man to treat her who turned out to be a quack. The young girl died. Thus was born in Cramp an implacable hatred of quackery and a desire to train himself to know the true from the false in the realm of medical care. Practicing medicine proved not congenial to Cramp's personality, and he welcomed the offer of a position on the journal staff. It provided him the opportunity to devote his entire career to fighting medical quackery [2].

When Cramp came, the AMA was already deeply involved in combatting fake "ethical specialties" promoted to physicians. In 1905 the Council on Pharmacy and Chemistry had been set up to determine which proprietary products were worthy of being granted permission to advertise in the Journal and which were not. The next year, mainly to run analyses for this project, a Chemical Laboratory was set up. The results of these investigations, good and bad, were printed in the Journal and issued as pamphlets.

Into Dr. Cramp's careful editorial hand fell the task of preparing this material for the press. Soon, as the bulk of work grew, this became his key task. The Propaganda Department was created with Cramp as director [3].

The line had never been hard and fast between "pharmaceutical humbugs" promoted to physicians and proprietaries peddled to the general public. In being concerned with one, the AMA could not avoid the other. The Association was, after all, the major national organization possessing the expert skills needed to differentiate valid from specious medication. It was inevitable that Cramp's department broaden the audience for its propaganda to include laymen being fleeced by quacks.

Public interest in patent medicines at this time was already high. Cramp fanned the flames by reprinting as a small book Samuel Hopkins Adams' recent Collier's series on "The Great American Fraud." By 1913 a fourth edition was exhausted and a fifth in press. The Propaganda Department issued other best-selling documents. From exposés written for the Journal, Cramp assembled blue-backed pamphlets on various quackish themes—like "Cancer Fakes" and "Medical Institutes"—and dispensed them cheaply far and wide. The pamphlets in their turn were pulled together into green-bound books. Working with remarkable diligence, Cramp issued the first in 1911, a 500-page volume, Nostrum and Quackery, which gave case histories of scores of nostrums, throwing light, as Cramp said, "into the innermost recesses—the holy of holies of quackery." Within a year, the printing was sold out, and a second edition issued, larger by 200 pages than the first. In 1921 Cramp assembled his new material into a second volume, over 800 closely printed pages long. The work was, indeed, as Cramp believed, "a veritable 'Who's Who in Quackdom.'" [4]

In the variety of his appeals to those who needed knowledge, Cramp sought to emulate his adversaries. He devised posters for exhibit at fairs and schools, with bold headings proclaiming "TESTIMONIALS ARE WORTHLESS" or naming "QUACK EPILEPSY CURES." He worked out several series of lantern slides for loan to any interested party, some merely pictorial to accompany lectures, others including slides with explanatory text. Whenever he could possibly spare the time, Cramp himself went forth from Chicago to deliver lectures. With his carefully prepared and lucid manuscripts, his crisp delivery, his irony and bitter wit, the doctor made a telling presentation. But Cramp preferred the written to the spoken word, and expressed his anti-quackery convictions more effectively in writing. He wrote incessantly, not only for the Journal, but for many medical and lay magazines [5].

Cramp's correspondence was enormous. Doctors wrote in asking about nostrums which they found their patients using. Scarcely an investigation was launched by a regulatory agency but that an inquiry went to Cramp to see what information the AMA already had on hand. As early as 1910 Cramp's office contained over 12,000 cards in a "Fake File," listing products, firms, and names of
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raking and pseudo-reform to serve their own selfish purposes.” Such charges of greed Cramp continually refuted. If financial profit
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household remedies] up . . . and call a physician for every little ailment for which you do not need him . . .?” The answer was that
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Cramp's work was his life, and in it he was a perfectionist. He pursued quackery, wrote George Simmons, the Journal editor, who
"feel like a damn fool" and subjected him "to the ridicule of the profession.” [10]
Carl Von Noorden, Cramp wrote a letter of protest. To find himself classed with "such giants of the profession,” he said, made him
Dignified, even austere, by nature, he made friends slowly and always retained a sense of reserve. A dedicated man,
ornithology. Dignified, even austere, by nature, he made friends slowly and always retained a sense of reserve. A dedicated man,
slight in build, with ruddy cheeks, clear blue eyes, a clipped mustache, and an imperial. A fastidious man, he was always
possible to go in humbugging the bald and still keep out of jail.” There was humor, indignation, and still something more in
Cramp's piece on Scholder—an air of incredulity. On his desk Cramp kept a copy of Alice in Wonderland. Before writing up a
case, he always took the book and read a chapter. It put him in the mood, he said, for the job he had to do [9].
Data in hand, Cramp sat down and laughed Professor Scholder out of business. It was not a jolly laugh, Cramp's account of
hoaxing a hoaxter, for indignation lay just beneath the humor. "Seriously, though,” the doctor wrote, "one wonders just how far it is
possible to go in humbugging the bald and still keep out of jail.” There was humor, indignation, and still something more in
Scholder advertising besought the public to give . . . “A microscopic examination,” Scholder replied, "discloses that the roots are in a seriously undernourished condition. You are in grave danger of
continuous and increasing loss of your hair, but it can still be saved by prompt treatment.” The professor would be glad to
undertake the case, and promised to “positively restore your hair and scalp to normal, healthy condition.” [8]
Dr. Cramp and the American Medical Association fought not only the most unscrupulous of quacks. They opposed virtually all
proprietary preparations with secret formulas advertised to laymen for self-dosage. That the formula for a general consumption
medicine should be nobody's business but the manufacturer's, Cramp wrote, was "mid-Victorian nonsense." Secrecy permitted
the promoter to fool the public by making his impossible claims. "In the case of general merchandise," Cramp admitted, "there may
be some excuse for these attempts to create in the minds of the public a desire for certain things it would not, otherwise, want.
Some economic argument may conceivably be built up in defense of the proposition that the public should be impelled, through
plausible and persuasive advertising, to purchase more pianos, more motor cars, more hats or more clothes than it really can
afford or has use for. No such excuse can be put forward in the case of medicaments. No man has a moral right so to advertise as
to make well persons think they are sick and sick persons think they are very sick. Such advertising is an offense against the
public health.” [12]
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not qualified to judge whether he got well because of a proprietor's product or in spite of it. This point was what invalidated the
claim that extensive sales over many years proved the efficacy of a patent medicine. It also negated the relevance of any
testimonial, however sincere the testator [13].
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were the physician's motive, Cramp said, patent medicines would receive the medical profession's blessing. Nostrums ruined
Physicians were not entirely against self-dosage. Cramp made clear that he did not expect the ordinary citizen to run to his doctor with every little ailment. For a limited sphere of minor health problems, home remedies were perfectly natural and proper. Legitimate medicines of this type should, Cramp believed, meet certain standards: they must contain no dangerous or habit-forming drugs, must not be recommended for diseases too serious for self-treatment, and must be truthfully advertised, so the buyer would not be tempted to exaggerate an ailment and dose himself unnecessarily. Remedies meeting these specifications were to be found among the simpler products on every druggist's shelf—nonsecret recipes listed in the *Pharmacopeia or National Formulary* and hence standardized in strength by force of law. "When the public is properly informed," Cramp wrote, "so that it knows what preparations to call for in order to treat its simpler ailments, advertising of secret remedies will be entirely unnecessary." [15]

Whether the key role in so educating the public lay with a scientific society like the AMA or with an agency of government like the Public Health Service, Cramp was not quite sure. In the 1920's the AMA did determine that it had a larger obligation to furnish laymen with health information than it had up to that time fulfilled. The result was a new popular journal, christened *Hygeia*, which began publication in April 1923. Its editor was Morris Fishbein, an articulate physician who had come to the AMA in 1913 to assist Simmons in editing the *Journal* and who took over its editorship when Simmons retired in 1924. Unlike Cramp, Fishbein was a primary figure in the AMA's power structure, and he was just as ardent a foe of quackery as Cramp himself. Dr. Fishbein encouraged Cramp, whose department was now called the Bureau of Investigation, to employ *Hygeia* as a new and more effective avenue for reaching public awareness with his anti-quackery messages. During the first year Cramp wrote a four-part series, lavishly illustrated, analyzing the nostrum evil. Hardly an issue went by thereafter without a new and trenchant attack from his pen on some facet of patent medicine promotion [16].

The organ of the major proprietary manufacturers gave *Hygeia* a sarcastic greeting. "Beside such a magazine as 'Physical Culture,'" jibed *Standard Remedies*, "this publication is as lively as the U.S. Crop Report for 1893." The AMA's new publishing venture would "fall flat as a tapeworm." [17] The prediction proved as inaccurate as the appraisal.

Bernarr Macfadden's *Physical Culture* was one of Morris Fishbein's targets, condemned for both its reading and advertising columns. Fishbein aimed at a score of others, using his quick and clever pen to ridicule such widely assorted "medical follies" as chiropractic, antivivisectionism, rejuvenation, and muscle-building. One target he willingly shared with Cramp and numerous other foes of quackery: the Electronic Reactions of Albert Abrams." [18]

Abrams "easily ranked," in Cramp's phrase, "as the dean of twentieth century charlatans." [19] Claiming to have received a medical degree from Heidelberg at a very early age, Abrams became in the 1890s a professor of pathology at the Cooper Medical College in San Francisco. Performing legitimate research and publishing scientific articles, Abrams also wrote precious literary essays on medical topics. Among his themes was the hazard of quackery. "The physician," Abrams wrote on one occasion, "is only allowed to think he knows it all, but the quack, ungoverned by conscience, is permitted to know he knows it all; and with a fertile mental field for humbuggery, truth can never successfully compete with untruth." [20]

What some people cannot lick, they join. When Abrams joined the ranks of quackery is hard to say, and perhaps he never knew he had. While a medical school professor, he seems not to have been perfectly scrupulous. His course in physical diagnosis was a thin and shoddy affair, but he let students know he also gave an evening course on his own, much meatier in subject matter, for which he charged $200 a head. This and similar tawdry actions eventually cost him his professorship. Abrams' first clear deviation in print from medical orthodoxy came in 1909 and 1910 when he published books on a new theory of healing called spondylotherapy. He could diagnose disease, he said, and cure it too, by a steady, rapid percussing or hammering of the spine. A review in the AMA *Journal* was critical, but Abrams twisted the wording to make it favorable and used it in his advertising. He began to give lectures, both in San Francisco and on tour, explaining his new theories for a fee to cranks and quacks and gullible M.D.'s.

Several years later, "apparently having percussed the back to the fullest extent of what it would yield monetarily," as Dr. Fishbein put it, "Dr. Albert Abrams turned the patient over and began to percuss the abdomen." [21] His new system, however, was much more complex than spondylotherapy, and it was gadget-oriented. Electricity had always provided a tremendous storehouse of power for quackery. Now America was beginning to thrill at the wonder of radio. "The spirit of the age is radio," Abrams wrote, "and we can use radio in diagnosis." [22] Abrams developed a series of machines, linked together, that permitted him to harness the marvelous new force. Into the first contraption, the dynamizer, be put a piece of paper containing a few drops of the ailing person's blood, removed no matter when nor where, but only while the patient was facing west. From the dynamizer a wire ran to the rheostatic dynamizer, from that to the vibratory rate rheostat, from that to the measuring rheostat. And from that a wire also extended, ending in an electrode. The use of this Rube Goldberg sequence for diagnosis required the participation of a healthy third party whom Abrams called the "subject." When the moment for diagnosis came, Abrams, operating in dim light, stripped the subject to the waist, faced him westward, and affixed the electrode to his forehead. Then the doctor tapped the subject's abdomen, determining by the various areas of resonance and dullness what diseases plagued the patient, however distant, whose dried blood lay quietly four machines back up the line. Such was the method of determining what their discoverer was pleased to call the "Electronic Reactions of Abrams."

ERA was superbly sensitive. Not only would Abrams' chain of devices detect syphilis, tuberculosis, and cancer, but the precise location of these diseases within the body. The sex of the patient could be determined, and, if female, whether or not pregnant. More remarkable still, even religion could be detected. In the September 1922 issue of his journal, *Physico-Clinical Medicine*, Abrams printed a chart showing abdominal areas of dullness for Catholic, Seventh Day Adventist, Theosophist, Jew, Protestant,
ERA was harnessed not only for detection but also for cure. This involved one more machine, the oscilloclast, capable of producing vibrations in consonance with the vibratory rates of all known diseases. Applied to a sufferer, and set by its operator to produce the proper rate, the machine stepped up the force of vibrations somehow so as to shatter and destroy the ailment. Abrams sold his diagnostic devices, but would only lease the oscilloclast. The fee was fancy, and the lessee agreed by contract never to open the apparatus, which was hermetically sealed.

In fact, the insides were a weird jumble of ohmmeters, rheostats, condensers, and other parts, wired together without any sense at all. "They are the kind of device," said the physicist Robert Millikan, "a ten-year-old boy would build to fool an eight-year-old." [24] One of Cramp's West Coast friends, the physician Walter Alvarez, tracked down the electrician who was making the oscilloclasists. Shamefacedly he admitted the feeling that he was "prostituting" himself. But the pay was irresistible [25]. Abrams must be coining money, the electrician said, at the rate of many thousands a week.

No question about it, money was flowing in. Practitioners from all over the nation had assembled at Abrams' San Francisco laboratories to sit at the master's feet, and he went forth on propaganda tours. A beachhead had been established in England with the recruitment of a past president of the British Medical Association to ardent discipleship. In a paternity case, the judge had accepted Abrams' report, based on electronic vibrations in the blood, that pinned on a protesting man the fatherhood of a baby [26]. But widespread national interest in Abrams and his claims awaited a 1922 article by Upton Sinclair, who made ERA one of a long succession of fads to which he gave his outspoken allegiance. "His name," wrote the editor of Scientific American, "carried a brilliant and convincing story to the masses, who quite overlooked the fact that Sinclair's name meant no more in medical research than Jack Dempsey's would mean on a thesis dealing with the fourth dimension, or Babe Ruth's on the mathematical theory of invariance." [27]

Cramp and Fishbein had followed Abrams' dubious pathways from the start. The upsurge of public interest following Sinclair's avowal of support made Abrams for a time the main task of Cramp's department [28]. Reluctantly, for he admired the outspoken reformer in many ways, Cramp engaged Sinclair in a public debate in print over Abrams' validity. "Mr. Sinclair says that he has spent time in Dr. Abrams' clinic," Cramp wrote, "and is wonderfully impressed with Dr. Abrams' achievements. So is the small boy impressed with the marvelous facility with which the magician extracts the white rabbit from the silk hat. Mr. Sinclair is convinced that Albert Abrams has discovered the great secret of the diagnosis and cure of all the major diseases. The small boy is equally convinced that the prestidigitator has solved the mystery of producing snow white bunnies from airy nothings." More in sorrow than in anger, Cramp concluded that Sinclair's "naivety may be childlike, but it is not scientific," and hoped that in time the author would abandon ERA as he had given up earlier panaceas that had once caught his fancy [29].

Besides his own writing, Cramp furnished raw data for other critics taking aim at Abrams, among them Paul DeKruif and H. L. Mencken. "I met this wizard casually in San Francisco," Mencken wrote to Dr. Fishbein, "the usual pince nez and torpedo beard . . . [and] something quackish in his scheme." Cramp suggested the name of Dr. Alvarez as a member of the blue-ribbon panel created by Scientific American to assess Abrams and gave much help to the committee's chair-, man, Austin Lescarboura, the magazine's editor and an expert in electricity and radio. The twelve long articles which resulted, one a month for a whole year, seemed to Cramp like giving Abrams more exposure than was his due, but Cramp concurred heartily with the concluding judgments. ERA had no objective existence, the committee found, occurring only in the minds of Abrams' practitioners. "At best," the scheme "is an illusion. At worst, it is a colossal fraud." Recent trends in electricity and radio had "given rise to all sorts of occultism in medicine .... a renaissance of the black magic of medieval times." ERA was just the most dramatic example [30].

While this series was in midstream, Dr. Abrams, a man of 60, died of pneumonia, leaving an estate valued at $2,000,000. He left also hundreds of machines around the land, in the hands of practitioners able to diagnose syphilis not only in the blood of human patients, but also (unknowingly) in the blood of guinea pigs, chickens, and sheep. And he left a hard corps of disciples, dedicated to his name and system, organized as the American Association for Medico-Physical Research [32]. Albright Abrams was but one of hundreds of medical messiahs whose message of hope Arthur Cramp brought into question, always with Morris Fishbein's unflagging support. During Cramp's tenure as director of the Bureau of Investigation, despite numerous threats, only two libel suits were actually brought to trial, and only one was lost. In 1914 articles in the Journal called Wine of Cardui, made by the Chattanooga Medicine Company, "a vicious fraud." Its alcoholic content high, the Journal charged, the remedy contained no ingredient capable of lifting up a fallen womb. The article also contained disparaging comments about the brothers who made Wine of Cardui, one of them, John A. Patten, a leading layman nationally in the Methodist Church. The company counterfeited with two suits, a personal suit by Patten for $200,000, which lapsed during the course of trial when Patten died, and a partnership suit for $100,000. After 13 tempestuous weeks of testimony, the jury gave a verdict against the AMA. Damages, however, were not $100,000, but just a single cent, and the Chattanooga Medicine Company had to pay its own court costs. Despite the defeat and the staggering $125,000 in expenses incidental to the trial, the AMA was satisfied. "Technically guilty; morally justified!" the Journal reported the verdict. "To the Association a moral triumph; to the 'Patent medicine' interests a Pyrrhic victory." [32]

Through the 1920's and into the thirties, Cramp continued to set his clever traps for nostrum promoters and to reach for Alice when it came time to write up the fantastic results. Pamphlets mailed out based on Cramp's investigations passed the 2,000,000 mark. By 1930 more than enough data were on hand to warrant a third volume of Nostrum and Quackery, but the depression did not permit the AMA to get it out. In 1934, while attending the Association convention, Cramp suffered a heart attack, retiring to
Florida the next year. There, far away from the scene of his former labors, he finished editing his manuscript. The third green-bound volume was published in 1936. [33]

Cramp, in his swan song, acknowledged that the situation with respect to self-medication, largely because of federal action, was improved as compared with the time when he had arrived at the AMA. But a "Utopian period" was not close at hand. "In the field of medicine human credibility learns little from experience." And in some ways, especially relating to advertising, things were, if less blatant, more tricky than before. "In this line of 'patent medicines' as in other lines," Cramp wrote, "the direct falsehood has given place to the falsehood by implication [34]."

As long before as 1920, Cramp had detected a significant transition through which most advertising was passing. The emphasis was not so much on "offering copy," which presented a product quite straightforwardly for a reader to buy or not be had need of it, but upon "selling copy," the creation of desires where no craving had existed. Patent medicine pioneers had long sold the fear of suffering and death, the hope of well-being and health. During the early 20th century, all advertising was learning "scientifically" what the nostrum promoter had learned empirically, that the most effective appeal was to the emotions. At the very same time that the advertising self-regulators were striving to stamp out the worst abuses in patent medicine advertising, they were themselves eagerly adopting nostrum advertising's basic approaches. In the same years that advertising agents were urging truth-in-advertising statutes, they were beginning to find answers to questions posed for them by professors of psychology. "How many advertisers," inquired Walter Dill Scott of Northwestern University in 1904, "describe a piano so vividly that the reader can hear it? How many food products are so described that the reader can taste the food? How many advertisements describe a perfume so that the reader can smell it? How many describe an undergarment so that the reader can feel the pleasant contact with his body?"

[35]For Albert Lasker, hard-driving and audacious advertising agent, the new day dawned with vivid force. As part of his appeal to the public in behalf of Palmolive soap, Lasker had been using the slogan, "Keep That School Girl Complexion." One day he saw an ad worked out for a competing soap by J. Walter Thompson, a rival agency. Woodbury was urged for "The Skin You Love to Touch." In an instant Lasker grasped the real thrust of this ad and was both envious and indignant. "You see what Thompson has done," he told his staff. "They have gone us one better and put sex into soap advertising," Lasker snorted. "Sex... SEX!" [36]

Sex was not the only basic emotion to be sold to Americans in the new day. The trend toward stressing primary appeals accelerated and gained respectable treatment during the war, when advertising agents were recruited by the government itself to promote patriotism. George Creel, who did the recruiting, once said that prior to this time most advertising men were viewed with much suspicion, classed with check-suited salesmen and sideshow barkers. They emerged from their wartime duties ready to play in the twenties roles of the highest prestige [37].

Many reasons underlay the "awesome persistence" with which advertising expanded after the war: the needs of emancipated woman, tax policy, the birth of brand-new industries, a disillusionment with the great internationalist crusade leading to a delight in materialistic pleasures. Fundamental were the pro-business orientation of the nation's politics and the needs of the economy. American industry became too productive for the ready and easy absorption of its wares. "The American citizen's first importance to his country is no longer that of a citizen," editorialized Middletown's favorite paper, "but that of a consumer. Consumption is a new necessity." Advertising was called on to make people buy more goods. In doing so, advertising men perfected their technique of approaching potential customers by aiming at their basic emotions. Indeed, during these years, advertising created a business civilization's concept of Utopia, "an Arcady of material prosperity and social ease (and of questionable moral worth)." Liberating "a middle-class people from the tyranny of Puritanism, parsimoniousness, and material asceticism," the advertising of the twenties presented an ideal vision of the healthy, happy American family, securely at home, avoiding pitfalls which would hamper romantic love, and enjoying a superabundant leisure crowded with material pleasures [38].

The appeal in advertising, then, was largely to buy those things which fit one into this grand scheme. Not soap and perfume were sold—not explicitly, at any rate—but youth, beauty, sex, romance. Not automobiles, but manly dominance and social prestige. Not a bathroom as "a mere utility," but a spacious shrine of cleanliness and health." [39]

"Appeal to reason in your advertising," a practitioner of the craft told his fellows assembled in convention, "and you appeal to about 4 per cent of the human race." The percentage of non-rational in the total span of advertising was not quite so high as 96. A 1924 survey showed-advertising men sought to make their profession as scientific as statistics would permit—that 72 per cent of the advertising in general magazines took aim at the emotions. "We advertising men must be practical as well as truthful," wrote an agency president. "Advertising will not pay unless it is directed at the grade of intelligence of the reading public. To tell the American people like advertising," he went on. "They like to buy from it. It suits their temperament. It is cordial and optimistic. It gives them a value that goes beyond use. It charm." Yet the illusion was cheering, and soap helped keep the woman clean. "The American people like advertising," he went on. "They like to buy from it. It suits their temperament. It is cordial and optimistic. It gives them a value that goes beyond use. It

To be sure, few, if any, Americans believed that the dream world presented in advertising was a strictly literal place, already achieved in the twenties, or even just around the corner. Even the 96 per cent, if pushed, would grant it was a "never-never land." "Puffing"-legitimate exaggeration—was taken for granted by consumer as well as by court of law. "No sane woman, asserted the president of the American Association of Advertising Agencies, "is going to believe seriously that soap can restore youthful charm." Yet the illusion was cheering, and soap helped keep the woman clean. "The American people like advertising," he went on. "They like to buy from it. It suits their temperament. It is cordial and optimistic. It gives them a value that goes beyond use. It appeals to the instincts and desires of the human heart in suggesting benefits which arouse and keep them alive. It helps us all to carry on." [41]

Such a mystique was especially apt for advertising automobiles and cigarettes, cosmetics and toothpaste. And it worked superbly with proprietary medicines. For health was a fundamental emotional concern, and one easily linked to other moods men lived by.
Americans surpassed citizens of all other nations, foreign observers stated, in their concern for health and physical vigor. This helped explain nostrums and gadgets designed to "charge the body with the bubbling joy of wingfoot manhood." For major proprietors with much at stake, confronting the FDA, the FTC, the AMA, and the NBBB, the old days were happily gone. The old-fashioned cure-all was dead, noted an expert in the marketing of proprietary remedies, and the listing in advertising of a long string of ailments now had a "ludicrous" and "unreasonable" sound. Good markets existed for articles like vitamins, minerals, foods, soft drinks—even coffee roasters—carefully advertised to link them with health. Before the war a cottage cheese called Sanatogen had soared forth on a spectacular career, and Nuxated Iron had elicited high praise from Jack Dempsey and Ty Cobb. The twenties were replete with such products. Pseudo-scientific arguments, statistics, and testimonials abounded. Only in fundamentalist Sunday School papers, observed one commentator, did God still wear a long white beard; in American advertising he wore a pince-nez and an imperial and brandished a test tube. So often was the science of the advertisements distorted and partisan, that even advertising men began to worry. "After all," one of them queried, "is science not a dangerous jade for advertising to flirt with?" [42]

Some proprietors abandoned the old diseases and created new ones, ailments that might bring pain to their victim, but also might threaten him in other ways as well. Listerine had first been marketed in the late 19th century as a proprietary promoted to physicians and was named after Sir Joseph Lister, antiseptic surgery's pioneer. Touted as "the best antiseptic for both internal and external use," it was recommended for treating gonorrhea and for "filling the cavity, during ovariotomy." In 1921 the ebullient Gerald Lambert, son of the founder, decided to vend his product direct to the public in a massive way. Within a few years, the company's sales had spurted phenomenally, and net earnings had multiplied 40-fold. Much of Listerine's success must be credited to "halitosis." This coined word frightened the continent, not because bad breath was a fatal malady but because it was a social disaster. Listerine advertising raised worrisome doubts in each reader's mind with telling slogans like "Even your best friends won't tell you," and "Often a bridesmaid but never a bride." [43]

With the advent of the depression, Listerine's attack on America's complacency became harder hitting still. While sponsoring radio broadcasts of the Metropolitan Opera, the company recaptured an echo of its earliest days: "Wet feet? Cold hands? Fatigued? Gargle with Listerine to ward off colds and sore throat. Sale antiseptic reduces number of germs as much as 99 per cent." In another ad came the warning, "3 out of 4 times it begins as a common cold: PNEUMONIA." But there were other threats besides that of personal illness. "Protect Baby, Mother," urged one appeal. "Don't transmit your cold . . . rinse hands with Listerine before any contact with children." In similar vein: "After their prayers are said, send those youngsters of yours into the bathroom for a good night gargle with Listerine." Economic security was also fair game, jobs are still scarce, so we say to you: If you have one, hold onto it. Keep well; fight colds as never before. Use Listerine." Nor was the threat to romance forgotten. "You 5,000,000 women who want to get married: How's Your Breath Today?" [44]

Halitosis pioneered a whole host of plagues against which proprietary products promised to protect Americans in prosperity and in depression. Assembling the maladies all in one place, as Printer's Ink was bold enough to do in 1934, the list was staggering, a massive threat to health, happiness, and social acceptance. Among the hazards were acid indigestion, athlete's foot, body odor, calendar fear, coffee nerves, dry skin blight, folliculitis, intestinal fatigue, paralyzed pores, sandpaper bands, scalp crust, sneaker smell, and underarm offense."

Depression pressures not only lowered the taste of big-time proprietary advertising. The economic disaster also brought many new small-scale proprietors into the already keener competitive fray. Bankrupts from other lines of business, believing the medicine game easy and lucrative, and, after the repeal of prohibition, unemployed bootleggers, put their therapeutic wares upon the market. Many old and extinct nostrums, as well as outmoded versions of thriving proprietaries, got into trade channels when salvaging houses bought bankrupt stores and sought to unload the goods acquired. Some of the patent medicines sold in this way antedated 1906. [46]

The depression aggravated still another problem of central significance to the ethics of proprietary advertising: the role of radio. One of the boom industries of the twenties, radio's early policy forbade direct advertising over the airwaves, but it was soon to come. In 1924 major medicine proprietors were being told that "direct radio advertising talks at a rate of $100 for 10 minutes is not exactly cheap advertising." The cost rose, but so did the value received, as chain broadcasting, beginning that same year and culminating in NBC (1926) and CBS (1927), assembled for advertisers a national listening audience. In the year the crash came, radio was "moving definitely toward recognition as a major advertising medium." [47]

By then a sordid pioneer of radio promotion had for six years been demonstrating how effective this method of advertising could be. Out in Milford, Kansas, Dr. John R. Brinkley had in 1923 set up KFKB—"Kansas First, Kansas Best"—one of the nation's most powerful stations. In between country music, fundamentalist sermons, and market reports, Brinkley talked into a gold-plated microphone about rejuvenation. Fusing public fascination with glands, a by-product of developments in regular medicine, with folklore traditions about the billy goat, Brinkley actually transplanted the sliced gonads of goats into the scrotums of inadequate males—even permitting each patient to choose, from a herd in the doctor's back yard, his own animal. In mesmeric fashion, Brinkley, facing his microphone, would drone on for elderly men to hear throughout the Midwest, "Don't let your doctor two-dollar you to death . . . come to Dr. Brinkley . . . take advantage of our Compound Operation . . . I can cure you the same as I did Ezra Hopkins of Possum Point, Missouri." [48]
The depression brought an avalanche of criticism of varying kinds and degrees aimed at a business civilization whose recent promises of unending prosperity now seemed to lie in ashes. Especially vulnerable was advertising, which had presented the most glowing version of the New Era’s vision of Utopia. The faults of advertising, not unobserved during prosperity, now, during disillusionment, seemed and, indeed, were worse.

Within the industry new pangs of conscience stirred renewed efforts at self-regulation. “Advertising needs a thorough purging,” admitted one agency official who was especially disturbed by the tactics of the medicine makers. “Now I maintain,” he wrote, “that the man who climbs to wealth by exploiting the fears and foibles of his fellow men, and destroying their peace of mind, is little better than the creature who fattens on the dreadful produce of the battlefield.” A committee of the Affiliated Better Business Bureaus drafted a new code. The Association of National Advertisers and the American Association of Advertising Agencies cooperatively developed a list of ethical principles and established a “Supreme Court” to assume jurisdiction when a violator refused to accept the NBBB’s recommendation that an offensive practice be curtailed. Radio networks tightened advertising censorship. Trade associations in many industries formulated more rigorous taboos. The Proprietary Association created an advertising advisory committee to compile a new code and hired a marketing professor from the University of Wisconsin to scrutinize proposed copy [50].

Conscience alone does not explain these rekindled efforts by the advertising fraternity at reform from within. To a significant degree they were provoked from outside by the harshest criticism to which advertising had ever been subjected. Even during the fat years, some social scientists, like most creative writers, were not enamoured of the materialistic dream world conjured up for consumers in national advertising. In The Tragedy of Waste, published in 1925, the economist Stuart Chase argued that American productive energies were too largely devoted to creating not wealth but “illth,” goods and service not useful for satisfying basic human wants, but harmful, or at least unnecessary. Among them be included not only such things as vice and crime, adulterated goods, and harmful drugs, but also super-luxuries and fashions. Standing as “a sort of godfather” to all forms of illth was advertising. “National advertising for the education of the consumer,” Chase wrote, “if conducted by some impartial and scientific body might conceivably provide a great channel for eliminating wastes in consumption. But nine-tenths and more of advertising is largely competitive wrangling as to the relative merits of two undistinguished and often indistinguishable compounds—soaps, tooth powders, motor cars, tires, snappy suits, breakfast foods, patent medicines, and cigarettes.” [51]

Business and government, in making their purchases, set precise specifications of quality and required suppliers to meet them. Not so the consumer, said Chase, in Your Money’s Worth, which be wrote in collaboration with, F.J. Schlink, a mechanical engineer. Confronted with advertising, the American consumer was “Utterly unorganized, with no defense except a waning quality of common sense”; he pursued “his blundering way; a moth about a candle.” What was needed was organization, so that consumers could be equipped with accurate information about the quality of products based on scientific testing. Was such organization possible? Chase and Schlink answered, “Perhaps.” [52]

In 1929 Schlink offered a more positive answer, when, with Arthur Kallet, he organized Consumers’ Research. After testing, products were described and compared in bulletins issued to paying members, so they could know what they were buying—brand names were given—and thus “defend themselves against the aggressions of advertising and salesmanship.” By mid-1934, 48,000 would-be literate consumers had joined the group. Chase’s critique, delivered during prosperity, sounded more persuasive in the fat years, some social scientists, like most creative writers, were not enamoured of the materialistic dream world conjured up for consumers in national advertising. In The Tragedy of Waste, published in 1925, the economist Stuart Chase argued that American productive energies were too largely devoted to creating not wealth but “illth,” goods and service not useful for satisfying basic human wants, but harmful, or at least unnecessary. Among them be included not only such things as vice and crime, adulterated goods, and harmful drugs, but also super-luxuries and fashions. Standing as “a sort of godfather” to all forms of illth was advertising. “National advertising for the education of the consumer,” Chase wrote, “if conducted by some impartial and scientific body might conceivably provide a great channel for eliminating wastes in consumption. But nine-tenths and more of advertising is largely competitive wrangling as to the relative merits of two undistinguished and often indistinguishable compounds—soaps, tooth powders, motor cars, tires, snappy suits, breakfast foods, patent medicines, and cigarettes.” [51]

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The debate over advertising was keen and bitter between intellectuals in the business camp, who believed in its social utility, and intellectuals in the consumer's movement, who decried its value. Chase's attack was amplified in scope and fervor. Not only was advertising a sterile wrangling over products almost identical. Even worse, the kind of appeals it used degraded American life, exalting material and destroying ethical values, and leading the citizenry by the nose to a drab culture of dead-level conformity. Consumers were cheated, the press was subverted, and the rationality upon which democracy depended was threatened by advertising's avowed stress upon subconscious drives and emotional appeals. Self-regulation by the "Goose Girls" of the association had failed, the critics said, and new gestures in that direction were just another effort to hoodwink the public [54].

The "guinea pig" muckrakers found proprietary products affecting the health a fertile field for dramatic exposure. Most of the basic facts they presented, to be sure, were quite like those of other critics, the American Medical Association, the regulatory agencies, and Health Association, Harry L. Hopkins [49].
Almost no advertising intended to influence the general public," Kallet and Schlink asserted, "is honest in the sense that a decent scientist understands honesty." Nor was anything better to be expected so long as "the profit motive continues to dominate all manufacture and distribution." Codes of ethics were mere eyewash. Should an advertising agency try to abide by them, it soon would lose its clients and go bankrupt [55].

"In the eyes of the law," then, "we are all guinea pigs, and any scoundrel who takes it into his head to enter the drug or food business can experiment on us." The poisons fed to the American public might be expected to shorten normal life expectancy by several decades. For food and drug manufacturers engaged in killing. Their crime required a new name; perhaps an accurate one would be "Statistical homicide." "But whatever we call it, they are responsible for the death of very large numbers of persons—death through premature, old age, disease of stomach, bowels, and kidneys, which weakened organs cannot resist, and death because good medicine or medical care was needed, and a patent medicine for pneumonia or tuberculosis or cancer was taken instead." [56]

Were proprietary medicines safe? "The answer is No—an emphatic No." The consumer should abstain completely from using them. For, in taking nostrums, the ailing person was having, not a doctor, but an advertising copywriter prescribe for his pains. "With a laboratory in his mind and a medical dictionary in his hand, the copy-writer is ideally equipped to help the medicine and food manufacturers hoodwink and poison the public." Big agencies were as bad as small, big periodicals as bad as small, big manufacturers as bad as small [57].

Listerine and similar so-called antiseptics, wrote Kallet and Schlink, were "of trifling worth for the galaxy of purposes" listed in their advertising. The proprietors worried the public mind with "groundless fears." They exaggerated the germ-killing potency of their wares. They did not tell of hazardous germs which were not killed. And they failed to advise that the massacre of bacteria in a test tube was no proof that a proprietary would kill germs in mouth, teeth, gums, or tonsils. Listerine's merits as an antiseptic, said the founders of Consumers' Research, citing the AMA, were "infinitesimal," and, by appropriating his name, Listerine debased "the fame of the great scientific investigator who first established the idea of antisepsis." No antiseptic should be advertised, Kallet and Schlink believed, "without a forthright and standard statement of gemicidal power based on a standard test made by a designated testing agency, official and not for profit." [58]

Other grim examples crowded the pages of 100,000,000 Guinea Pigs, and though these were taken mainly from AMA records and cases before regulatory agencies, this debt did not mean that Kallet and Schlink refrained from turning their critical spotlight in those directions. While complimenting Arthur Cramp for "the able direction" of his bureau, Kallet and Schlink rebuked the AMA for the unreliability of its Journal advertising. They criticized the Post Office Department for settling so many cases without criminal action and characterized the FTC as "unhappily dying of inanition." The strongest castigations, however, were reserved for the Food and Drug Administration [59].

Behind the nostrum vendor, according to the "guinea pig" muckrakers, lay "an incompetent and indifferent and quite cold-blooded Government regime," characterized by "Shiftiness, and a preference for backstairs methods." Granted that the basic law was "feeble and ineffective" as written and that it had been further weakened by court interpretation. Granted that funds for enforcement were incredibly inadequate: the Food and Drug Administration had only 65 inspectors to police 110,000 different products, manpower hardly sufficient to check on Philadelphia alone. There were, indeed, more inspectors than this pitiful handful in the Department of Agriculture's program to control hog cholera and in the effort to enforce plant quarantine along the Mexican border. Granted all this, Food and Drug officials deserved much blame. In the first place, charged Kallet and Schlink, officials had failed to urge new laws to plug the loopholes, to repair the "niggardliness" of appropriations for protecting the public health [60].

FDA administrators were dull, unimaginative, and smug, their critics charged, but their major failing lay in bending the law to favor not the consumer but the manufacturer. This policy underlay their preference for seizure to criminal actions—only one offender had ever received a jail sentence under the law—their announcement of warnings to proprietary manufacturers before launching an enforcement program, their secret negotiations with manufacturers, their avoidance of using publicity as a weapon against quackery. FDA Chief, Walter Campbell, deserved the severest condemnation for his "naive interpretation" of his job. "Could anyone be kinder than Mr. Campbell," Kallet and Schlink inquired, "to the quacks and crooks who are purveying cures and treatments for Bright's disease, cancer, pneumonia, and tuberculosis?" [61]

Neither Campbell nor his boss, the Secretary of Agriculture, in the judgment of the authors of 100,000,000 Guinea Pigs, had the right to decide "that in pursuance of the general ideas and social policies of Messrs. Harding, Coolidge, and Hoover, they may turn the statute from its original punitive purpose protecting the public interest, to the guiding and educational one of bringing the manufacturers into a harmonious understanding with the changed and attenuated purposes of the Federal officials [62].

Thus Messrs. Kallet and Schlink cast regulated and regulators into the same den of iniquity. Such condemnation Food and Drug officials felt to be outrageously unfair, just as they were persuaded—and so were many others—that numerous factual statements made by Consumers' Research were careless and inaccurate. Yet the beleaguered bureaucrats welcomed whatever pressure Kallet, Schlink & Co. might generate that would help secure a remedial law.

"I have been pursuing for years a policy calculated to correct these defects by seeking amendatory legislation," wrote Campbell to
Simon Sobeloff, his ally in the B. & M. trial. "If this muck-raking publication [100,000,000 Guinea Pigs] furthers these ends it will not have been published in vain." [63]

References

1. Cited in E. S. Turner, The Shocking History of Advertising! (N.Y., 1953), 243. Ballyhoo was a magazine which spoofed advertising during the depression.


6. AMA files, especially annual reports for 1910 and 1913 in Reports of Bureau of Investigation folder.


11. "Foreword to N&Q, III.


18. Fishbein's lively articles were assembled into two books, The Medical Follies (N.Y., 1925) and The New Medical Follies (N.Y., 1927). Material from these books with new essays was published as Fads and Quackery in Healing (N.Y., 1932).


20. Cited in Gardner, 205.


22. Cited inside front cover, Jnl. of Electronic Medicine, Jan. 1925. Abrams folder, AMA.


25. Alvarez to Cramp, Nov. 13, 1922, Abrams folder, AMA.


27. 131 (1924), 96.

28. 1922 annual report, "The Propaganda Department," Reports of Bureau of Investigation folder, AMA.

29. The original Cramp-Sinclair correspondence is in one of the Abrams folders, AMA. It is cited in "Albert Abrams, A.M., M.D., LL.D., F.R.M.S.,” 6-8.


31. Ibid., 130 (1924), 159; JAMA, 79 (1922), 2247; N&Q, III, 112. Two years after the master's death, a follower boasted in the group's journal: "Hiccough Germ Tracked to its Lair, . . . .," Jnl. of Electronic Med., Jan. 1926, AMA file.


34. N&Q, iii, vii, xii, 21.


44. Listerine ads from Sat. Eve. Post, Ladies Home Jnl., Farmer's Wife' Physical Culture, Liberty, and Hearst's International-Cosmopolitan for the mid-1930's, from file of Advertisements of medicinal preparations and devices, 1933-37, FDA Records, RG 88, NA.


47. Hower, The History of an Advertising Agency, 132-38; Standard Remedies, 10 (Dec. 1924), 17; Printers Ink: Fifty Years, 379.


50. H. A. Batten, "Wanted: A Pillory," Advertising and Selling, 19 (Aug. 4, 1932), 14, 41; Lee, 333; Hygeia, 13 (1935), 764; Standard Remedies, 21 (June 1934), 12-13; (Aug. 1934), 3-5, 12; (Sep. 1934), 3-6, 13; Y. Herald-Tribune, Aug. 17, 1934; PI, L68 (Aug. 16, 1934), 24-28. For criticism of these efforts see Pease, 74-75, and Lamb, American Chamber of Horrors, 141.


52. Chase and Schlink, Your Money's Worth (N.Y., 1927), 41, 256.

53. A copy of the 28th printing of 100,000,000 Guinea Pigs is dated Feb. 4, 1935, and gives the 1st printing date as Jan. 12, 1933; data on growth of Consumers' Research in M. C. Phillips, Skin Deep: The Truth about Beauty Aids—Safe and Harmful (N.Y., 1934), vii-viii; F. J. Schlink, Eat, Drink and Be Wary (N.Y., 1935); Rachel Lynn Palmer and Sarah K. Greenberg, Facts and Frauds in Woman's Hygiene (N.Y., 1936); Bissell B. Palmer, Paying through the Teeth (N.Y., 1935). There were many other similar books, and the Nation and New Republic published like material.

54. Pease summarizes and analyzes the debate, 87-114, 138-66. The "Goose Girls" phrase is in Rorty, 179.

55. Kallet and Schlink, 100,000,000 Guinea Pigs, 178, 181-83.

56. Ibid., 6, 10, 16.

57. Ibid., 15, 62, 170, 176-78, 180, 183, 297.

58. Ibid., 63-64, 100-14, 194.

59. Ibid., 159, 190-93, 213.

60. Ibid., 4, 195, 206, 212, 232, 255-56.


62. Ibid., 215.


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