

**ROCKIN' IN THE FREE WORLD?**

**POPULAR MUSIC AND CENSORSHIP IN THE UNITED STATES**

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**A Thesis Presented to**

**The Department of Literature, Area Studies and European Languages**

**The University of Oslo**

**In Partial Fulfillment of the Requirements**

**for the Master of Arts degree**

**Spring Term 2007**

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## INTRODUCTION

The censorship debate, which is part of the cultural civil war that has divided the United States for centuries, seems to be polarized around two opposing views. Liberals have stressed the right to free expression, be it artistic, political, sexual, or religious. Restrictions on expression is perceived as undermining every American's constitutional right, and censorship is usually seen as an intolerant and oppressive way of denying an individual this right, no matter how controversial that individual's expression might be to some. Conservatives, on the other hand, have normally emphasized traditional morality and values, and tend to see censorship as a necessary evil in order to assure a sense of 'responsibility' in artistic or other expressions. Expressions perceived as offensive and obscene are thus traditionally seen as fair to restrict. Of course, this is not a clear-cut division – there are many grey areas in between – but in my research for this paper I have found this to be the general gist of the censorship polarity.

Liberty from oppression lay at the center of the democratic ideas that became the United States. The Declaration of Independence of 1776 informed the British Crown that the colonies intended to separate from the British Empire, and stated that all men are created equal and should enjoy certain inalienable rights such as life, liberty, and the pursuit of happiness (Grant 2506). These ideas were enshrined in the Constitution of the United States in 1787 and ratified the year after. In order to secure a number of essential civil rights, the first Congress proposed ten constitutional amendments, The Bill of Rights, which became law in 1791 (2506). The Constitution and its attached Bill of Rights became the legal framework of the United States, and the primary guideline for the functions of local, state, and federal

government. The Bill of Rights' First Amendment specifically addresses Americans' freedom of speech:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances (2506).

An important implication of this document is that it protects citizens' free speech in relation to the government, not in relation to other citizens. As James Paul and Murray Schwartz proposed in their study on federal censorship, reprinted by Susan-Mary Grant in *Censorship: A World Encyclopedia*, the Founding Fathers probably had in mind "laws which had been used by the Crown to harass political and social dissidents [in] 18<sup>th</sup> century America [...]" (2506). Another important implication of the First Amendment is that it does not address what kind of speech is protected, because, as will become evident, not all speech falls under the protection of this amendment.

Under the constitutional definition of censorship only direct government restriction of, or interference with, the content of speech and ideas qualifies as censorship. Such instances have been relatively few and far between, and the courts have generally approached them on an individual basis, attempting to balance the conflicting claims to protect liberties. However, restrictions on free speech in the United States have often risen from the special desires of interest-group movements. Such groups act as self-appointed moral guardians who stand watch over the political and ethical health of other people, and have often been successful in silencing and restricting speech they themselves find objectionable and offensive.

Governmental restrictions on speech are often a result of the pressures exerted by such interest-groups and their crusades against the rights of people to freely express themselves. This form of cultural censorship, as well as formal governmental censorship, will be the focus of this paper. This, I believe, is necessary in order to fully understand the complexities of

censorship, and how and why these intricacies emerge. For the sake of this paper, then, my definition of censorship will be any social or governmental activity which deliberately sets out to deny, exclude, suppress, or restrict any form of speech or expression from the public stream of communication. Artistic expression may touch on different subjects, from politics to sexuality to religion to drugs to violence, or a combination of some or all of the above. It may also manifest itself in different forms such as literature, paintings, performances, movies, or music. This paper will concentrate on popular music, which is music accessible to a wide audience, distributed through the mass media as a commercial product, and is widely considered as having started with rock ‘n’ roll in the mid-1950s. I will therefore focus on rock ‘n’ roll and its subsequent subgenres from that decade until today. The artistic expression of popular music artists will be defined as the message an artist wants to communicate (political, sexual, religious, etc.), as well as the means this artist uses to get his/her message across (including lyrics, rhythm, image, and performance).

Communication and control seem to be inextricable. Throughout western history, many creative ideas and expressions (artistic, philosophical, political, and scientific) have been the subject of censorship. The censors have overwhelmingly been the Church and then later on governments (Green vii). However, since the creation of the United States and the development of the concept of democracy, there has been a radical shift in who acts as the censor and why. It now tends to be private moralists who set out to control the speech and behavior of the masses – not to protect those in power at the top, but rather to protect the presumably weak and gullible at the bottom from what the censors believe is harmful (viii). Still, these interest groups are often rooted in religious and government-connected segments of society. The underlying idea here is that everybody eventually will adopt the censor’s morals and values. This, of course, contradicts the spirit of democracy, in which all ideas and

expressions should be equally heard. According to Susan-Mary Grant in *Censorship: A World Encyclopedia*, especially after the American Civil War “[p]rivate pressure groups devoted to the moral well-being of the nation proliferated, waging war on all forms of ‘immorality’, including gambling, drinking, desecration of the Sabbath, swearing, and pornography” (2509). At this time the United States also experienced an increasing explosion in the field of mass communication and media, which is probably an important reason for the rise of moral pressure groups. This is also the time when the concept of freedom of speech in the First Amendment crystallized, for some, into freedom of acceptable speech only. I will now briefly look at the most important decisions the U.S. government has taken in relation to the definition of obscenity, which has become a key concept in the censorship of artistic expression.

In response to concerns that soldiers had received and been corrupted by ‘dirty’ material during the Civil War, Congress found itself dealing for the first time with the issue of obscenity. Congress in 1865 passed a law prohibiting the sending of obscene materials through the mail (Demac 39). The definition of obscenity was based on a similar case in Great Britain in which the Chief Justice, with the unfortunate name of Cockburn, concluded that any material which depraves and corrupts those whose minds are open to immoral influences should be deemed obscene (Hurwitz lxi). As Leon Hurwitz points out in *Historical Dictionary of Censorship in the United States*, this definition was absurd, because if, say, one paragraph in a book was considered obscene, it would render the whole book open to censorship - even though this one paragraph was integral to the story, and thus integral to the artistic expression of the writer (lix). This cryptic definition was in effect well into the 1930s.

Moral and social reformer Anthony Comstock, leader of the Society for the Suppression of Vice, successfully campaigned for Congress in 1873 to pass a law tightening its grip on what should be considered obscene (Demac 39). The Comstock Act was based on Comstock's motto: "Morals, Not Art or Literature!" (40). Not only did he target 'obscene' publications, but also medical instruments used for abortions (Grant 2509). Comstock is said to be responsible for the prosecution of 3500 individuals and the destruction of 160 tons of literature in his 40-year career (Jones *Moral* 1627). Here we see how the line between a special-interest group's pressures and the government's action gets blurred. Comstock had developed the most powerful non-governmental censorship group up until that time, and his dubious guidelines for art and literature were in effect until 1934, when a ban on James Joyce's *Ulysses* was overturned. In a landmark decision, Federal Judge Woolsey stated that he could not find anything that he considered to be "dirt for dirt's sake" (Demac 40). This standard now required that the entire publication be evaluated in terms of its dominant effect on average people – an important victory for the integrity of artistic speech and expression.

Still, the definition of what should be considered obscene was far from resolved. In *Roth vs U.S.* in 1957 the Supreme Court laid down regulations in this area by explicitly declaring that obscenity did not fall under the protection of the First Amendment. Obscene expression, the Court ruled, was material that is "utterly without redeeming social value" (Hurwitz lxi). This vague standard was refined in 1973 in *Miller vs California*. Marvin Miller, a publisher of pornographic material, was convicted of violating the law by distributing unsolicited obscene material through the mail (Demac 43-44). The Supreme Court decided on three criteria a publication should be judged on in order to be defined as obscene. These criteria are also known as the Miller Standard, and are still in effect today:

The basic guidelines must be: (a) whether the average person, applying contemporary community standards, would find that the work, taken as a

whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value (Kaminski 2516).

Even though the Miller Standard represents an advance on the previous guidelines, it is obvious that subjectivity still plays an essential part in interpreting this Standard. What could possibly be an objective definition of ‘average person’, or ‘community standards’, or ‘prurient interest’, or ‘patently offensive’, or ‘lacking serious literary, artistic, political, or scientific value’?

Again, in 1978, the Supreme Court was faced with the definition of obscenity. In 1975 a radio station in New York City owned by Pacifina Foundation (a non-profit volunteer-based organization) aired a stand-up act by comedian George Carlin during daytime, which had been recorded during one of his routines at a nightclub (Nuzum 184). The monologue “Filthy Words” addressed the government’s ban on certain words that were considered filthy and could therefore be censored (shit, piss, fuck, cunt, cocksucker, motherfucker, and tits). The comedy routine repeated the different words in a variety of colloquialisms in order to show their many uses. The airing of the monologue during daytime landed Pacifina in court because of one complaint to the Federal Communications Commission (FCC) from a father who simply argued that his son (who was 15 at the time) had been able to listen to the monologue (Kaminski 2516). The Supreme Court ruled that the monologue was not, by definition of the Miller Standard, legally obscene; however, it could be considered ‘indecent’, and such material should therefore only be broadcast when children supposedly are not able to hear it (Blecha 104). Indecency was defined as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities” (Dorf findlaw.com). ‘Indecent’ material was now approved of only between 10:00 p.m. and 06:00

a.m. (i.e. outside prime-time), whereas 'obscene' material could not be broadcast at any time. As if the definition of obscenity was not enough to handle, the government now provided itself with another concept, indecency, to struggle with.

These decisions have so far been constitutionally unchallenged. What has usually happened is that the definitions of the terms have been interpreted and accentuated in different ways. As described above, the Miller Standard for defining obscenity (and now the nuance of indecency) is a vague and often misleading precedence. As will become evident in this paper, these standards have more often than not been a cause of confusion rather than acting as clarifying guidelines. Comparably, The First Amendment has also in some ways had more symbolic meaning than it has been a direct guideline. The belief that Americans live under a pure democracy is somewhat skewed. However, compared to many other nations, the U.S. obviously enjoys a form of democracy that is absent throughout many parts of the world today. Still, as many of the American writers and critics I have read researching this paper point out, contemporary Western Europe is closer to the ideal when it comes to freedom of speech. The reason for this is mainly the relaxed laws Western Europe has when it comes to especially obscenity. The point is that the more restrictions on certain kinds of expressions people have imposed upon them, the more they seem to be encouraged and willing to actively push the limit.

In *Historical Dictionary of Censorship in the United States*, Leon Hurwitz identifies four basic categories into which most governmental censorship activities fall, namely political censorship, community censorship, constitutional censorship, and moral censorship (xiv). Political censorship has been used when the governmental objective is to maintain a national political unity and suppress dissident opinions that do not fall within what is perceived to be

acceptable patriotic speech (xiv). During the Cold War in the 1950s, the fear of Communism prompted the McCarthy government to blacklist and sometimes even convict artists who expressed leftist, 'un-American' opinions and lyrics. The Vietnam War era also brought many attempts by the government to censor anti-war sentiments; however, by this time the Supreme Court in most cases stepped in and did not allow dissident opinions to be punished (xxvii). In the case of community censorship, governmental authorities attempt to regulate or suppress free expression on the grounds that these ideas will lead to a disruption in the social fabric, incite riots and violence, or will prevent the orderly maintenance of public services (xxxii). Many concerts by controversial artists (e.g., Marilyn Manson) have been stopped because of these concerns. Constitutional censorship occurs when free speech collides with someone else's constitutional rights, such as the right to protect children from what should be acceptable to adults only (xxxvii). Many critics of censorship believe that conservative moralists use these three previous categories as a cover to suppress speech that the moralists disagree with in general, in other words, the final category of moral censorship. Moral censorship occurs because the content of the expression is considered offensive, indecent, lewd, or obscene (xlv). This, of course, is where the difficult definition of what should be considered 'obscene' becomes relevant. As my research will show, moral censorship is the category under which most of music censorship can be subsumed.

What some might consider offensive expression is often necessary for an artist to get his/her message across. Consider these examples: How effective would Bob Dylan's message of pro-Civil Rights be if he had not been able to question conservative political structures? How effective would Ice-T's message of police brutality in urban black neighborhoods be without offending the police? How effective would Prince's or Madonna's explorations of sexuality be without being able to use sexual connotations? How effective would Marilyn

Manson's opposition to organized religion be without offending the religious? How would Kurt Cobain's expressions of depression, angst, and self-loathing come across without alluding to, well, depression, angst, and self-loathing? If censorship had effective consequences only, I would not have been able to research this thesis, because all the censored material would have been unavailable to me. As will become apparent, the consequences of censorship are not this simple.

This paper seeks to identify the general patterns of censorship of popular music in the United States from the 1950s until today. I will look at who the censors tend to be, and the methods used in order to silence artistic expressions. Furthermore, I will identify the general themes that tend to get censored, and the reasons why. I will also look at the consequences of music censorship. I will seek to identify these patterns by looking at successful and failed attempts at censoring popular music.

## CHAPTER 1: THE DAWN OF A NEW ERA

### MUSIC AND IDENTITY – THE 1950s

Throughout the history of civilization music has been an integral part of culture. Music has been used to instill religious and moral feelings, to create a sense of community, and to stimulate both intellectual and sensual experiences. The earliest music seems to have been part of a tribe's self-image and self-definition, and was integral to rituals (Jones *Music* 1653). In ancient China, music regulated both cosmic harmony and public morals; in ancient Greece music was deeply embedded in civic, artistic, and religious life; in ancient Hebrew religion music played a prominent and highly ceremonial part, as it did in Christianity (1653-4). However, in the 19<sup>th</sup> and 20<sup>th</sup> centuries music increasingly started to challenge the prevailing religious and political orthodoxies, which subsequently ushered in a widened practice of music censorship. For example, in 1805 Beethoven's *Fidelio* could be performed in Vienna only after the references to a political prisoner unjustly imprisoned by a tyrant had been removed (Goldstein 1655). In 18<sup>th</sup>-century Italy operas were frequently censored, and it was even forbidden to mention such words as 'tyrant', 'liberty', 'revolution', and 'treason' (1656). British and Irish authorities often banned protest songs because of their politically charged content (Jones *Music* 1660). In the United States at the same time, the slaves' vibrant musical culture was targeted. Traditional African drumming transported to the New World was frequently banned by slave owners (1659). The slaves' culture, however, refused to be silenced, and by the 19<sup>th</sup>-century 'negro spirituals' (songs merging the words of European Protestant hymns with African rhythms) were mostly tolerated because of their religious themes (1659). This culture is also what spawned jazz and blues, and eventually rock and rap, all of which have stirred enormous controversy and extended attempts at censorship. My point

here is that music is an incredibly powerful art form, just like literature, theatre, and movies are. Music is not only important as entertainment. If music was not a powerful resource in social and political struggles, it would not be so fiercely subjected to censorship, control, and restrictions. Music is not only aural stimulation, it can also effectively communicate emotional and literal messages of social, religious, and political unity and critique. This is where some people get nervous.

A piece of music is open to subjective interpretations depending on historical and social settings. An individual can perceive the same piece of music differently under different circumstances. For example, I am sure John Lennon's "Imagine" affected many Americans differently on September 11<sup>th</sup> 2001 from what it had just one day before. One of the reasons I claim this is obviously the lyrical content in light of the terrorist attacks. However, another reason is that "Imagine" was one of many songs that were blacklisted on a number of American radio stations in the aftermath of 9/11 because of its allegedly 'offensive' content (Blecha 176). An individual can also perceive the same piece of music differently from another individual. This is probably why there are musical sub-cultures such as hippies, punks, and death metal fans. Some people love the music of, say, Ozzy Osbourne, whereas others despise it. Even though they all aurally perceive the same music, they cognitively read different things into it. For example, Bruce Springsteen's song "Born in the USA" has been interpreted anywhere from a patriotic praise of America to a severe criticism of it. Ronald Reagan used the song in his 1984 presidential campaign as an accompaniment to his patriotic politics, despite the song's critical portrayal of American politics (Boucher cnn.com). In fact, when the album *Born in the USA* was released in 1984, the cover had some creative critics up in arms. The cover shows Springsteen facing an American flag with his back to the camera. Some people called for boycotts of Springsteen's music because, if one twisted one's mind

enough, it might look like Springsteen was urinating on the flag (Nuzum 246). I, for one, have never made this connection until I read about the boycott researching this paper, and I have owned this album for over 20 years. This goes to show how different people's perceptions and interpretations can be.

Identification is a key concept in understanding the power of music. According to *Random House Webster's College Dictionary*, to identify is to "associate one's feelings, interests, or actions" with any given entity such as a social group or a piece of art (668). As John Connell and Chris Gibson point out in *Sound Tracks*, "for music products, as cultural objects, value is reliant on a sense of connectedness between consumers and producers" (28). A piece of music is appreciated and valued by an individual if that individual connects and identifies with that piece of music. To many people this appreciation and identification become an integral part of their life. Music can have a function of uniting people and stimulating feelings of belonging to a certain community. This, I believe, is especially true of youth cultures. According to Roy Shuker in *Understanding Popular Music*, "[m]embers of youth subcultures [...] utilize symbolic elements to construct an identity outside the restraints of class and education, an identity which places them squarely outside of conservative mainstream society" (238). Furthermore, "[t]he significance of subcultures for their participants is that they offer a solution [...] to structural dislocations through the establishment of an 'achieved identity' – the selection of certain elements of style outside of those associated with the ascribed identity offered by work, home, or school" (238). I believe youth, and people in general, tend to be drawn to a certain kind of music because they identify with it. People rarely just randomly pick a musical style or band and decide to model themselves after it. Music speaks to people, and the people will respond if they like it. If they do not like it, most people will turn it off and not listen to it. However, some people do not

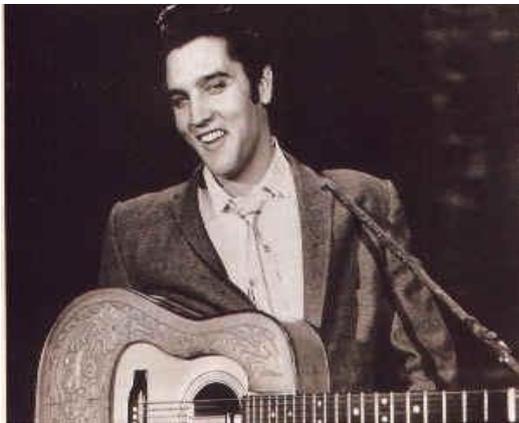
stop there. Some will go out of their way to make sure that nobody else listens to it either. What these people seem to forget is that what they do not like, many others might appreciate. Only recognizing that there is aggression in, say, Marilyn Manson's music does not include the comprehension that some people might actually find an outlet for aggression in that very same music. An individual who is attracted to Marilyn Manson is probably more likely to identify with the music's aggression because of prior experiences rather than being demonically drawn into it without wanting to. Silencing and censoring music because one does not like it or disagrees with its expression is not a very democratic way to approach the disagreement.

Jazz and blues are today respected and honored art forms. However, at the beginning of the 20<sup>th</sup> century when these music forms were developing, a raw form of racism and skepticism ran through the many negative critiques of these musical styles. 'Proper' citizens regarded jazz and blues as "a dirty and debased back-alley abomination fit only for the street hustlers, gamblers, reefer den habitués, and ne'er-do-wells who frequented seedy dives down in the red light districts" (Blecha 17). These styles were seen as an appreciation of the primitive and the vulgar. This supposedly filthy and suggestive music was believed to drag unsuspecting and wholesome white American youth down to "jungle standards" (18). For example, in 1928 Duke Ellington's "The Mooche" was censored due to obscenity. The lyrics were considered so offensive that they were even blamed for the rise in the number of rapes in the U.S. (Nuzum 150). Duke Ellington was also on a list of artists banned by NBC in 1940, along with the likes of Cole Porter and Billie Holiday. Songs like "Dirty Lady" and "I'm a Virgin, but I'm on the Verge" were deemed too offensive and obscene to receive airplay (212). These times set the stage for what was to come.

The 1950s ushered in the era of rock 'n' roll, which for the next several decades up until today would captivate youth and simultaneously serve as a rich target for censorship. Rock historians usually point to "Rocket 88" by the Ike Turner Band released in 1951 as the first rock 'n' roll record (Leopold cnn.com). However, Bill Haley's "Rock Around the Clock" was the first rock song to hit number one on the Billboard charts, and laid the groundwork for the cultural and musical revolution of rock. The song was used as the theme for the film *The Blackboard Jungle*, a vivid depiction of urban juvenile delinquency to which rock 'n' roll was linked. Teens often started dancing in the aisles, and in some places there were even riots (cnn.com). The song was a phenomenon. Within months, a string of rock hits flooded the charts. Chuck Berry and Little Richard, amongst others, had major hits. Still, it was Caucasian Elvis Presley who became the king of all rock acts. Black music exemplified in a white person was, to some, at least more acceptable than black music exemplified by black musicians.

The younger generation saw rock 'n' roll as a welcome breath of fresh air, whereas their more rigidly conservative parents saw it as a destructive element that could incite rebellion, juvenile delinquency, and unwanted explorations of sexuality. Perhaps one of the most famous incidents of censoring a performer's expression happened in 1956 and 1957. Elvis Presley had been booked for three appearances on the *Ed Sullivan Show* due to popular demand (Guralnick 311). The first performance took place in September of 1956. As Peter Guralnick describes in his biography of Elvis, *Last Train To Memphis*, "every shoulder shrug, every clearing of his throat and probing of his mouth with his tongue, evoked screams and uncontrolled paroxysms of emotion" (337-8). When Elvis went into his signature dancing – a sort of pelvis-thrusting – the cameras suspiciously pulled away from him. From the start of Elvis' career in the early 50s, his style of dancing was part of his expression (earning him the nickname 'Elvis the Pelvis'), which many critics found to be obscene. Many reviews of Elvis'

performance in the days that followed noted this “censor[ing of] his movements” (338). For the other two appearances, in October 1956 and January 1957, Elvis is only shown from the waist up. Apparently, the network censors instructed the cameramen to only film Elvis from the waist up in order not to show his vulgar and lewd dancing (352). They were afraid that some of their viewers would be offended. In fact, Ed Sullivan had initially refused to book Elvis for his show, claiming that Elvis was not his cup of tea (301). However, the ratings went through the roof (338).



Elvis Presley on Sullivan – waist up.

Ever since rock ‘n’ roll first arrived on the scene in the 1950s, it has attracted scorn and contempt for its threatening articulations of sexuality, race, politics, and rebellion. The fact that it became such a hugely popular phenomenon amongst adolescents scared many people who did not understand this fascination. By the mid-50s the genre had become the focal point of all of society’s fears of sexuality and promiscuity, race mixing, juvenile delinquency, and general moral decline. The fact that this African-inspired music had crossed over from the wrong side of the tracks and into the mainstream, including the homes of white youth, was perceived as dangerous by many conservative people. In 1954 one of Alabama’s White Citizens Councils distributed a handbill claiming that “rock ‘n’ roll will pull the white man down to the level of the negro” (Blecha 25). The same epithets that had been applied to

jazz and blues, such as ‘Negro music’ and ‘jungle music’, were now transferred onto this new genre. These slurs obviously tried to equate rock with primitivism. The fear and anxiety elicited by this new youth culture quickly inspired ardent and passionate attempts at censorship by self-appointed moral guardians across the nation. Banning artists and/or songs from radio broadcasts and forbidding artists to perform in certain venues and cities became the most common modes of censorship at the time. In 1954 Memphis radio giant WDIA, a prominent and influential black-oriented outlet, produced a list of forty songs that were banned from the station because they were perceived as being obscene (93). For example, the rather innocent Bill Haley song “Dim, Dim the Lights (I Want Some Atmosphere)” was too much for the censors (94). Furthermore, suggestive titles such as “Honey Love” by The Drifters and “Annie had a Baby” by Hank Ballard and The Midnighters were also included on the list (Nuzum 216). Amazingly, even though the radio station found these songs offensive enough to censor from the airplay list, the programmers nevertheless found it in their interest to proudly identify the songs by title on the air. The station frequently ran announcements stating: “WDIA, your goodwill station, in the interest of good citizenship, for the protection of morals and our American way of life, does not consider this record, [name of song], fit for broadcast on WDIA. We are sure all you listeners will agree with us.” (Martin & Segrave 18).

Some of the early rock megastars, including Elvis Presley, Little Richard, Gene Vincent, and Jerry Lee Lewis all presented sexy images that went along with their music and lyrics. “Woman Love” by Gene Vincent, which includes the offensive line ‘...lovin’ and a fuggin’ and a kissin’...’ was banned by numerous radio stations across the U.S. in 1956; in fact, singing one of his ‘racy’ songs, he was dragged off stage and jailed by Arizona police, and was arrested and convicted for breaking lewdness and obscenity laws after a performance in Virginia that same year (Blecha 96). Several radio stations across the nation, including

influential markets such as KMPC in Los Angeles and WSPT in Minneapolis, decided to axe Elvis Presley's music in 1957, claiming it was too offensive to air (Nuzum 221). That same year local celebrity and Nashville radio DJ Great Scott not only banned Elvis' music from the radio, he even organized burning six hundred of Elvis' albums in a city park in order to vent his disgust with the offensive music (220-1). Objections to Elvis' lewd image also followed him on tour across the U.S. While playing in Florida, he was "advised" by local police that his show would be monitored, and he would be arrested if he "didn't refrain from doing his usual 'vulgar performance'" (Blecha 95). In California, Elvis' management was allegedly told he better "clean up the show – *or else*" (95). In 1957 even The Everly Brothers' "Wake Up Little Susie", a song about dating teens who wake up to discover they have fallen asleep at the drive-in movie, managed to get banned on Boston radio stations (Garofalo 140). The notoriously strict Boston radio market even inspired the term 'Banned in Boston', which other radio stations would use in order to show how cutting-edge they were for airing songs censored in the Boston radio market (Blecha 91).

When Jerry Lee Lewis released "Whole Lotta Shakin' Goin' On" in 1957, several stations banned the song because of its risqué content. However, some stations banned it on grounds that they thought Lewis was black (Nuzum 103-4). Some critics today have claimed that Little Richard, concerned about the ramifications of being a black teen idol for white kids, created a cartoon-like and outrageous performance style so that parents would think of him more as a harmless and benign performing clown (152). It is important to remember here how racially infected the 1950s were. Many black performers were banned from playing certain cities, especially in the South. When they were allowed, it was usually at their own risk. For example, in Birmingham, Alabama in 1956, Nat King Cole was brutally beaten with his microphone stand in front of a mostly white crowd by the White Citizen Council (Blecha

25). The thugs later justified their actions by claiming that rock 'n' roll is the music of Negroes, and that it brings out the animalism and vulgarity in people (25). Interestingly, these thugs were right on both accounts. Rock is the product of African influences. Furthermore, rock did seem to bring out animalism and vulgarism in people; namely in the thugs themselves!

Rock alluded to sexuality and raunchiness in a way that was believed by white middle-class America only to appeal to lower-class derelicts and black people. However, seeing that this music now appealed to their own precious and innocent youth, this was too much for many people. Not only was the lyrical content objectionable, but the music's rhythm and the dancing it inspired were also viewed as savage and primitive. These racially motivated perceptions not only suggested the primitive nature of black culture, but it also indicated the fear of letting it infiltrate the wholesomeness and purity of white culture. In fact, the pulsating beat of rock 'n' roll itself was enough to associate it with sex and rebellion. In 1959 Link Wray's pulsating classic "Rumble" was censored from radio stations across the country (Jones *Music* 1661-2). What makes this incident worth mentioning is the fact that "Rumble" is an instrumental tune. Still, it managed to get banned from the radio because of its thumping rhythms that apparently might give the listeners the wrong ideas. The fact that rock became a dominant musical and cultural force was seen to pose a threat to the conservative and traditionalist establishment. The music not only reflected, but also acknowledged the desires and more liberal views of the upcoming generation – be it race relations, gender roles, sexuality, or simply not taking everything so (literally) god-damned seriously. The strictly coded guidelines of the establishment now came under attack from the establishment's own offspring. The repressive attitudes that were held so dear by the conservative middle-class white America, were now being challenged by their own children.

An important aspect of American culture in the 1950s was McCarthyism – the paranoia stemming from fears and suspicions of Communist infiltration into American society (Garry 131). This ‘Red Scare’ resulted in one of the most bitter witch hunts and censorship crusades America has seen in modern times. It touched most areas of society, including the music industry. During the 1950s folk singer (and front man of The Weavers) Pete Seeger was accused of having Communist affiliations and soon had the FBI tailing him (Blecha 149). Seeger was, due to his leftist political beliefs and lyrics, made to appear before the House Committee on Un-American Activities, whose intention it was to expose activities of political extremists (Newey 2525). Seeger and his band were put on a blacklist of entertainers who were considered too radical and controversial to broadcast, which virtually led to the disappearance of his music from radio, television, and live performances. He was finally dropped by his label Decca Records (149).



Pete Seeger appears before the House Committee on Un-American Activities in 1955.

In fact, some critics actually believed that rock ‘n’ roll itself was a ruse to infiltrate Communism into the minds of American youth. In *Christ, Communists, and Rock ‘n’ Roll* Johnny Marr quotes David Noebel, a staunch anti-rock fundamentalist, whose book *Rhythm, Riots and Revolution* from 1966 tried to prove that rock was a Communist plot:

[Noebel] accuses the Soviets of using “an elaborately calculated scientific technique aimed at rendering a generation of American youth neurotic through nerve-jamming, mental deterioration, and retardation.” The method is the widespread broadcasting of music with a steady, primitive beat synchronized with the body’s natural rhythms, which literally hypnotizes the unsuspecting listener. Rock ‘n’ Roll, with a voodoo-inspired “jungle beat”, fits the bill. Noebel writes: “The Beatles, or The Mindbenders, for example, need only mass-hypnotize thousands of American youth, condition their emotions through the beat of the ‘music’ and then have someone give the word for riot and revolt [...] If the scientific program is not exposed, degenerated Americans will indeed raise the Communist flag over their own nation.” (wtnu.org).

According to Marr, Noebel ‘proves’ the power of rock by showing parallels between Communist brainwashing techniques in Korea and Pavlov’s work with conditioned reflexes. The ultimate ‘proof’ is that rock is banned in the USSR (wtnu.org). Obviously this is not a very scientific view of rock music, but it does reflect an underlying fear of rock’s potential power.

According to David Gauntlett in *Censorship: A World Encyclopedia*, the term ‘moral panic’ refers to “the process in which public condemnation of a particular item or category of cultural products, or forms of behavior, escalates to the point where authorities find themselves under considerable pressure to prohibit the article or activity in question” (1625). Gauntlett further elaborates by reciting Stanley Cohen, who originally introduced the concept in a 1972 study, in which he describes moral panic as a situation in which

a condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by

editors, bishops, politicians, and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then [either] disappears, or [it] becomes more visible (1625).

Even though the moral panic concept was introduced in relation to movies and movie censorship, I believe it is also applicable to music and music censorship. Even though it does not necessarily give an explanatory insight into censorship, it certainly puts it into an interesting perspective. Rock 'n' roll did emerge as a condition that came to define a threat to existing social values, as did its musicians and the impulses in the rock audience. At stake were the wholesome traditional values of the dominating white middle class. Rock's nature was certainly presented in a stylized and stereotypical fashion by the mass media. For better or worse, rock was either presented (by those who opposed it) as the moral decline of Western civilization, or (by those who embraced it) as an integral part of the progress of music and youth culture. The censorial barriers were definitely operated and controlled by the self-appointed moral elite and not by the public who wanted to listen to rock music. Attempts at denying a group of people access to art based on one's own strict moral codes are certainly a way of coping with a perceived problem. However, these attempts are usually unsuccessful in the long run, which brings me to the last of Cohen's points: As vehemently as the early censors of rock 'n' roll tried to silence it or denounce it into oblivion, it still refused to disappear. Even though the genre was viewed as a passing fad (even by many passionate listeners), it has come to stand as one of the most important Western cultural art forms and an inspirational source for millions of appreciative listeners across different generations. The same way the genre has been able to keep people interested and affected enough to bother, so too has it constantly been able to enrage the people who object to it. Additionally, the offended do not seem to accept the fact that others still appreciate it. Moral panic, I believe, is a result of people feeling there is generally too little censorship – not necessarily for themselves, but for *other* people.

Censorious attacks on rock 'n' roll did not only come from outside of the recording industry. Rock initially got its distribution from independent record labels trying to cash in on what they perceived as a growing musical trend. In 1957, forty of the seventy records to make the top ten were produced by independent labels (Garofalo 141). The incredible demand of this genre made it lucrative for the major labels who obviously also smelled money. The reason I am mentioning this is because it is important to keep in mind that economics was an essential part of breaking rock into the mainstream of white America. Arguably, the major recording companies could not care less that they were integral to breaking down racial, gender, sexual, and cultural barriers in general. Record companies back then were – as they are today – corporations making money from the sale of music. Why would a major label sign groundbreaking acts such as, say, Elvis Presley or Marilyn Manson, unless there already was a market demand and, thus, money to be made? Signing these artists would have been too risky otherwise. As the major companies started signing rock acts in the 50s, so too did the concept of prior-restraint censorship blossom in the field of the direct distribution of rock 'n' roll.

Prior-restraint, according to Bernard Williams, is when a work is inspected prior to release, and is refused release, or only allowed release after changes have been made in order to meet the standards of the record company (139). These inspections have usually been executed in order to secure a song or album's marketability for a major record company. In 1956 Little Richard was forced by his record company to change the lyrics to his new single "Tutti Frutti", which originally went '...Tutti Frutti, good booty, if it don't fit, don't force it, you can grease it, make it easy...' (Blecha 94). Even a pornographer from the 21<sup>st</sup> century might blush at these lyrics. The lyrics were eventually watered down to an average rock song.

Still, it shows the performers' attempts at rebellion and constant willingness to push the limits. I have found in my research that prior-restraint rapidly decreased, especially after the 1960s. This is probably because the record companies soon realized that controversy is a priceless marketing tool.

## CHAPTER 2: THE TIMES THEY ARE A-CHANGIN'

### COUNTERCULTURE – THE 1960s & EARLY 1970s

The 1960s was a period of great upheaval, social turmoil, and tremendous change in the United States. The political commotion was accentuated by the assassinations of such prominent figures as John F. Kennedy, Robert F. Kennedy, Martin Luther King, Jr., and Malcolm X. Culturally, the traditional and conservative patterns of the white middle class that had started to crack in the 1950s now fissured and started to crumble. The Civil Rights Movement gained tremendous support not only from minorities, but from white middle class youth as well. The breakdown of the past generation's sexual conventions spawned a liberal sexual revolution. Spirituality inspired from Eastern religious thinking challenged the rigid traditions of conservative Christianity. Drugs such as cannabis and psychedelics became widespread recreational alternatives to alcohol. The frustration of the Vietnam War bred such intense and increasingly prominent protests that it became a mass-movement. The rise of an increasingly alternative youth culture (also among affluent youth) worried and disturbed the older generation. Music was there all along to capture the spirit of the times, and, of course, so were the people who tried to silence it in the hope that this would all disappear.

The *Ed Sullivan Show* was still a popular and influential television program throughout the 1960s. According to Clinton Heylin in his biography on Bob Dylan, *Behind the Shades*, Dylan had been invited to play the show in 1963 (115). Dylan had decided to play the song "Talkin' John Birch Society Blues", which satirized the extreme right-wing, anti-Communist John Birch Society, comparing its policies to those of Hitler (... 'Well, I

investigated all the books in the library, ninety percent of ‘em gotta be burned away’...). Just hours before the taping of the show was about to begin, Dylan was told by the network censors that he would not be able to perform the song because of its controversial content. According to Heylin, “Dylan was deeply angry, demanding to know, ‘What *is* this? What do you *mean* I can’t come out with this song?’” (115). When asked by the network to perform something else, “he apparently replied, ‘No, this is what I want to do. If I can’t play my song, I’d rather not appear on the show.’” (116). Dylan then left the studio. As Heylin points out in the biography, “this act of blatant censorship probably did Dylan more good, by portraying him as a rebel and counterculture hero, than if he had appeared on the show and performed a single tune [...]” (116). The incident was heavily publicized in the media the following days. By censoring the song, the network not only gained negative press, but the content of the song was subsequently scrutinized and arguably given much more attention than if it had not been censored. Ironically, the song is about anti-censorship and pro-tolerance.

Two more incidents from the *Ed Sullivan Show* are worth mentioning, both of which have gone into rock history. In 1967 The Rolling Stones had been invited to promote their new single “Let’s Spend the Night Together” (Inglis 177). Not surprisingly, this song had already been censored from several American radio stations because of its suggestive sexual content, despite its high position on the charts (Nuzum 228). According to Ian Inglis, “[A]t the afternoon rehearsal, the group was told by [the Sullivan people] that Sullivan would not permit such a blatantly sexual song to be sung to a family audience”, and the band was told to change the lyric from “Let’s spend the *night* together” to “Let’s spend some *time* together” (177). The Rolling Stones performed, but instead of singing ‘time’, Mick Jagger sang an incomprehensible ‘mmm’ (177). The other incident was a more brazenly obvious objection to censorship. It also occurred in 1967. The Doors had been asked to perform their breakthrough

song “Light My Fire”. According to Jerry Hopkins and Danny Sugerman in their biography on Jim Morrison, *No One Gets Out Alive*, the network censors told the band in the green room that they had the “tiniest of problems”, namely that the censors objected to the word ‘higher’ in the lyrics which they believed alluded to drug-taking (139). Jim Morrison apparently was well aware of the Bob Dylan and Rolling Stones incidents in addition to the fact that Pete Seeger had been edited out of another CBS show because of his political stance just one week earlier (139). During rehearsals Morrison came up with a different word, but during the live broadcast he looked straight into the camera and emphasized ‘HIGHER!’ (139). The network was furious after the performance, and the band never performed there again. However, the band went on to become one of the biggest and most influential bands of their time, as did The Rolling Stones. What is interesting to keep in mind is the fact that these bands (along with numerous others in similar situations) gained *more* free attention via the people whose intention it was to give them *less* attention. Had Jagger been able to sing ‘night’, and had Morrison been able to sing ‘higher’ without any fuzz or prior objections, it is fair to assume that these performances would not have been as publicized as they were. This is also true of the Dylan non-performance. By being censored, these artists got tremendous media coverage in a way they clearly would not have had if the songs had been performed without all the extra brouhaha. Finally, an interesting distinction between these three performances is the way the musicians responded to the censorship. Dylan decided to walk out and not perform. The Rolling Stones performed and went along with the censorship, at least to a certain extent. The Doors also performed, yet completely ignored the censorship. Still, the common denominator is that all these examples proved censorship hardly ever, in the long run, achieves its intentions. Also, it showed how three different themes were targeted, namely politics, sex, and drugs, respectively.

Another incident in the 1960s which has taken on legendary status is when it was reported that John Lennon had said that The Beatles were bigger than Jesus. This has been so imprecisely quoted by many sources that it is necessary to clarify the context of what Lennon actually said. According to the acclaimed *The Complete Beatles Chronicle* by Mark Lewishon, Lennon had been asked by London's *Evening Standard* in 1966 about religion in general. Lennon at the time was in the phase of discovering Eastern mysticism, and when asked to comment on the religion he had grown up with, Lennon said: "Christianity will go. It will vanish and shrink. I needn't argue with that. I'm right and I will be proved right. We're more popular than Jesus now" (212). He went on to criticize how the Church tended to alienate people, and how he thought that the Church should do something about it in order to still be influential. In other words, he just pointed out how ridiculously huge The Beatles had become. At this time, The Beatles had invaded pretty much every home across the American continent, including many of the strict conservative homes. Even hits such as "I Wanna Hold Your Hand" and "All My Loving" were by some people seen as outrageously sexual. Apparently, then, it was not a good idea for Lennon to philosophize around the theme of organized religion in America. Especially the Bible Belt in the Southern States exploded. The Beatles received death threats. In Birmingham, Alabama's major radio station WAQY not only banned The Beatles' songs and broke their albums live on the air, the station even scheduled 'Beatle Bonfires' which urged young listeners to join in and burn all of their Beatles' albums (Blecha 43). Within weeks, several radio stations had joined in the festivities. Even the Grand Dragon of the Ku Klux Klan in South Carolina took time out of his busy schedule to condemn the evil and objectionable comments made by Lennon, deeming them atheistic (44). Lennon was forced to apologize in order to calm the situation. However, three years after this incident Lennon again got into trouble because of religious themes, when his

song “Ballad of John and Yoko” was banned from mainstream radio airplay because of references to Christ and the Crucifixion (Nuzum 232).



Proudly we stand:

Burning The Beatles albums in the South.

It does not take much imagination to assume that conservative parents and the conservative community in general opposed the liberal tendencies they saw spring up beneath them. As mentioned in the previous chapter, the sound and rhythm of rock was enough for people to react negatively and propose drastic measures. The 1963 classic “Louie, Louie” by The Kingsmen, whose mumbled lyrics are at times indecipherable, first gained major attention in the Boston vicinity. Because the song had been banned by some stations due to its incomprehensible lyrics, school kids in the area apparently started discussing what the lyrics actually said. Some parents picked up on this, complained to authorities, and the lyrics incredibly ended up as a two-year investigation by the FBI (Blecha 98). The Kingsmen were interviewed, as was the original author of the song, and several record executives (99). The

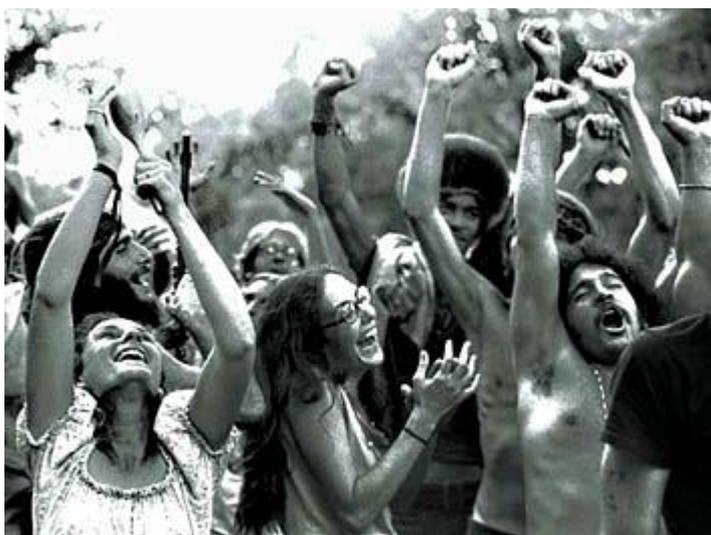
FBI's internal files give an insight into these investigations. According to these files, some of the possible lyrics might be: "Grab her way down low", "Tonight at ten I lay her again", "On my chair I'll lay her there", and "Fuck you girl, oh, all the way" (*Louie* foia.fbi.gov). A final document concludes that the FBI was "unable to interpret any of the wording in the record, and, therefore, could not make a decision concerning the matter" (foia.fbi.gov). After I read this, I got a copy of the song in order to try to make out the words for this study, but after listening to the song a few times, I had to admit defeat. It is impossible to comprehend some of the words. Launching a federal investigation into the matter, especially on the basis that some people might vaguely have deciphered an offensive reference somewhere in that muddy sound, seems like a futile attempt and waste of money. It is an example of how the cumulative pressure of one group (in this case worried conservative parents of Boston-area school kids) can lead to ridiculous legal measures. With all this promotion, it is no surprise that "Louie, Louie" went on to become a monster hit for the Kingsmen.

As the music became more experimental and interesting in the psychedelic 60s, so too did the lyrical content. More explicit sexual references were widely used in many of the songs. Not surprisingly, this openness was not received well by conservative America. The Who's "Pictures Of Lily" was banned from many radio stations across the country in 1965 due to a reference to masturbation, and The Rolling Stones' "(I Can't Get No) Satisfaction" was also censored from many play-lists that same year due to its suggestive sexual content (Nuzum 225). "Gloria" by Them (with vocalist Van Morrison) was similarly a hit in 1965; however the lyrics include the suggestive line '...she comes in my room...' This was deemed unacceptable by amongst others Chicago's major radio station WLS, who simply had a local band do a cover of the song without the offending line (Blecha 101). This way the station could play the song without 'offending' anybody. In 1967 The Standells released a song

called “Try It” which includes sexual innuendos. A local radio DJ in California liked the song so much that he wanted to play it in spite of the lyrics, so he simply bleeped out the objectionable words (101). Apparently, the novelty of those bleeps was what attracted listeners, and the controversy helped to make it a number one hit (101). This practice of bleeping out objectionable words has become a widespread practice which is in use even today as a means of getting so-called offensive records played. However, The Standells’ success is one more example of how censoring can attract more attention than it actually diverts. This is what can be called the ‘forbidden fruit’ effect (Perlmutter 2582). Denying an individual access to something tends to have the effect of increasing its desirability. Censorship draws attention to the material out of curiosity of what it is you are not supposed to hear. Censorship also has a tendency to breed controversy, which only adds to the attention.

Many musicians were also censored from performing. In 1965 following a performance by the notorious Rolling Stones, Cleveland’s Mayor Locher banned all rock concerts in the city (Martin & Segrave 133). Alluding to the band’s rebellious reputation, Locher said: “Such groups do not add to the community’s culture or entertainment” (133). The fact that tens of thousands of fans in Cleveland certainly saw ‘such groups’ as an addition to their community’s culture and entertainment was not considered. The politically left-leaning band The Fugs’ anti-conservative lyrics often spawned telephoned bomb threats before their appearances, which in turn led to performance bans from major venues such as Carnegie Hall (Blecha 153). This again shows how some people can get musical expressions censored from other people who actually want to hear it, in this particular case via bomb scares. After Jim Morrison was arrested onstage in Connecticut in 1968 for making lewd gestures and profane remarks, the mayor of Philadelphia (where The Doors were to perform a few days later) used a city ordinance from 1879 which gave the mayor the right to cancel any

performance that may be “immoral in nature or unpleasant and harmful to the community” (Martin & Segrave 124). The rise in popularity of large music festivals, usually promoting peace and love, also worried some groups. For example, in 1969 the Catholic Diocese of Seattle ran a two-page advertisement in a major Seattle newspaper calling for the criminal prosecution of rock musicians and bans against “rock festivals and their drug-sex-rock-squalor culture.” (Bronson 42). As described earlier, community censorship is censorship deemed necessary for public safety and order. However, in many cases moral censorship often comes disguised as community censorship. Because some people do not agree with a certain musical expression, performances are banned or shut down in order to ‘keep the peace’. For example, a 1966 James Brown concert in Kansas City was shut down midway because of what the police considered “lewd dancing” (Nuzum 154). As a consequence of the shutdown, the audience rioted and threw rocks at the police, one woman was stabbed, and several people were arrested (227). On other occasions the authorities can be blunter, such as in the city of Houston, Texas, where Janis Joplin was banned from performing simply for “her attitude in general” (Holt 1666).



Anti-war: Counterculture in the late 1960s.

Certain songs were also censored because they were perceived as being able to incite riots and unrest. Martha and The Vandellas' "Dancing in the Streets" from 1964 was pulled from many radio stations because it was considered to promote rioting (Yearwood 2523). In 1968 Mayor Daley of Chicago ordered local radio stations not to play The Rolling Stones' new single "Street Fighting Man" during the Democratic National Convention because he feared that the song would fuel anticipated unrest during the politically charged event (Holt 1666). Riots ensued anyway, and during the ban the single generated record sales and shot to number one in the Chicago area (1666). In May 1970 four students were gunned down by the Ohio National Guard during an anti-Vietnam War demonstration at Kent State University (McDonough 345). Within days Neil Young had written the song "Ohio" which captured the fear and anger felt by youth across the country, and the song was rush-recorded and released by Crosby, Stills, Nash, and Young (346). The song was ordered by Ohio's Governor Rhodes to be censored from radio airplay in Ohio for fear that the song would incite further riots (Perlmutter 2579). The song flew up the charts, surpassing the band's other hits (McDonough 346). It is interesting to note that "Ohio", whose theme criticizes violence, was censored because of its perceived ability to incite violence.

The Vietnam War weighed heavily on the country's conscience at the end of the 60s and into the new decade. Popular music was able to express the frustration that many people felt about the issue. Many songs criticized American politics and were frequently considered un-patriotic by more conservative Americans. In 1968 The Doors' "Unknown Solider" was banned from most mainstream radio airplay because of its obvious anti-war theme (Hopkins & Sugerman 183). Still, the song went Top 40 and soon became a battle cry for the anti-war movement (183). Jefferson Airplane was another radical band, whose anti-establishment and anti-war sentiments actually earned them their own file with the FBI due to their rising

popularity among young soldiers (Blecha 156). In 1969 their new album *Volunteers* was held back from release by their record company, who cited overt drug references as the reason for the delayed release (156). However, it is widely believed that, due to the FBI breathing down the company's back, it was the album's unconcealed anti-war and political themes that were the real reasons for the holdback (Nuzum 232). Jefferson Airplane refused to change any of their lyrics, and the demand of the public led the record company to finally release the album. Of course, many of the songs were censored from airplay, yet the album was a success (Blecha 156). Country Joe and The Fish was another band whose sarcastic anti-Vietnam War classic "I Feel Like I'm Fixin' To Die Rag" (... 'be the first on your block to have your boy come home in a box' ...) was widely censored due to its political theme (157). In fact, Country Joe was fined five hundred dollars in 1970 for singing anti-war protest songs at a concert (Nuzum 234).

Drug references were also a major theme in many of the songs from this era. The examples are numerous: "Purple Haze" by Jimi Hendrix, "Eight Miles High" by The Byrds, "Lucy in the Sky with Diamonds" by The Beatles, "Mary Jane" by Janis Joplin, "Rainy Day Women No. 12 & 35" by Bob Dylan, "White Rabbit" by Jefferson Airplane, and "Waiting For The Man" by The Velvet Underground. However, even though many of the drug-reference songs were censored from some of the more conservative radio stations and television shows (as The Doors on Sullivan), most stations did not censor this theme as heavily as sexual innuendos. The reason for this is the obscenity law mentioned in my Introduction, which targeted sexually suggestive material. "Eight Miles High", for instance, could be explained away as being about a plane trip. At the turn of the decade, the counterculture had become so popular with youth that it had almost become part of the mainstream. This included the culture's experimentation with drugs, as well as the music that

described it, which by now had become ubiquitous. As the 1970s came along, the hangover was about to kick in.

In October 1970 President Nixon told radio broadcasters that rock music lyrics should be screened for content, and suggested that music with any drug references should be banned (Holt 1666). Vice President Agnew even went so far as to suggest that rock music was a “brainwashing tool used to convince American youth to use drugs” (Nuzum 142). Congressional investigations into the matter led the Federal Communications Commission (FCC) in 1971 to send every radio station a memo stating that they were to censor music that glorified or promoted drugs (142). It was the duty and responsibility of each individual licensee to decide whether or not a song condoned drugs. If this music was not censored, the station would risk having its license revoked (Holt 1667). Major complaints from the broadcast industry, which emphasized that it was impossible to objectively decide if a lyric included a drug reference, led the FCC to send out an additional memo with examples as guidelines (Nuzum 143). The list included some not so surprising choices such as “Lucy in the Sky with Diamonds”, “Eight Miles High”, and “White Rabbit”; however, it also included for instance “Puff the Magic Dragon” by Peter, Paul, and Mary, and “A Whiter Shade of Pale” by Procol Harum (144). “Puff the Magic Dragon”, a child-like poem about a mythical dragon and mystical islands, is not necessarily a lyric (especially set to that particular music) which would conjure up drug connotations, except maybe if the listener actually is very stoned to begin with. However, because it landed on the FCC’s list, the song has now taken on a cult reputation of being a drug song. This example clearly shows the problem of so-called objective interpretation. Where one individual might find one meaning, another may find something completely different. A group of broadcasters appealed the decision all the

way to the Supreme Court, but lost the case in 1973 when the court ruled in favor of the FCC (Holt 1667).

The rest of the 1970s was mostly colored by the obscenity definition cases mentioned in my Introduction, and can best be described as a period of calm before the storm. The battle over music censorship did not really intensify any further until the 1980s came around. However, the glam-rock period in the early and mid 70s is worth mentioning. This style offended some people because of the androgynous image adopted by performers such as David Bowie and Lou Reed. For example, the album cover for Bowie's "The Man Who Sold The World" had to be changed upon release in the United States. The original European cover showed Bowie on a couch wearing a dress, but in the U.S. this was deemed indecent and replaced with a cartoon drawing of a cowboy (Sandford 75). Also, towards the latter part of the 70s, the disco era (with songs such as "Shake Your Booty") was criticized by many people because of its emphasis on sex and hedonism. Still, the backlash did not set in until the next decade. By then the censorship battles not only intensified, they would be taken to new heights.

## **CHAPTER 3: STUCK ON YOU**

### **MUSIC STICKERING – THE 1980s**

By the end of the 1970s, heavy metal and punk had become well established genres in the United States, and especially heavy metal became an important influence on the new generation growing up in the early 1980s. Bands like Led Zeppelin and Black Sabbath had revolutionized the genre in the 70s, and more ‘shock’ oriented performers like Kiss and Alice Cooper had brought new dimensions of theatrics into musical expression. Not only had the music become more heavy-sounding (as the genre’s nickname suggests), but a new aspect that had developed was the use of mystic and occult themes in lyrics and presentation. In addition, some lyrics pushed the envelope even further in terms of especially sex. Also, the onset of MTV in 1981 made music a much more visual forum. What is important to remember is that popular music is not always an innocent victim of criticism. It is an active medium with the power to provoke and antagonize. Arguably, this is one of the aspects which makes it so interesting and appealing to especially young people. If something is frowned upon or outright censored, the forbidden fruit-effect mentioned in the previous chapter makes it even more exciting. However, in light of all the theatrics and posing, it is equally important to remember that rock often plays on the tongue-in-cheek, and taking it too seriously may be missing the point. As heavy metal became increasingly popular in the early 80s, it moved from the fringes of culture and into the mainstream. Subsequently, so too did extreme fundamentalist Christian interest groups who believed it was a sign of the apocalypse and, surprise, wanted rock music banned.

The 1980s saw a flood of books by fundamentalist religious groups dedicated to the anti-rock movement. Preachers toured the country and lectured on the rise of devil-worship and sin in music. Most of the ‘educational’ material was based on twisted interpretations of lyrics, and outright scare tactics. In his book *Satan’s Music Exposed* from 1981, Lowell Hart discusses whether rock can be used for Christian purposes, and concludes: “The music that came over from the slave-trade boats doesn’t fit our time” (142). He also believes that rock uses “[...] the same beat that people in primitive cultures use in their demonic rites and dances. If the beat is monotonous enough it can induce a state of hypnosis” (95). Furthermore, “[r]ock appeals to the body’s glands and sensuous nature” (45). Not only does this sound reminiscent of the outright racism from the 1950s described in Chapter One. Rock was then similarly seen by many as something primitive from the jungle that could corrupt the minds of unsuspecting white youth. It also seemed to echo the belief that there is a direct cause-and-effect between music and promiscuity. Jeff Godwin, author of the magnum opus *The Devil’s Disciples* from 1985, called for drastic measures to be taken against rock music. When philosophizing about rock’s appeal to youth, he observed:

The answer lies partially in the beat. The most famous of all rock bands, The Beatles, chose their name precisely because it showcased that word. Most rock tunes are in 4/4 time, four beats to the measure. This coincides exactly with the time signature of the human heartbeat. Thus, rock music hits ALL listeners right in the guts, oozing its way like a ravenous leech into the most basic systems of the human body. Secondly, repetition is the key to the commercial success of any rock tune. ‘Hook lines’ etch themselves into our brains every time we turn on the car radio. Words, choruses, and certain instrumental parts of the songs are repeated over and over again to the point of saturation. In its entirety, the typical rock song can best be described in one word: HYPNOTIC. Rock’s young addicts are actually being hypnotized and brainwashed by the music they adore so much! The message is one of evil, gloating despair dripping with sexual double meanings, or, in some cases, an outright glorification of death, satanic greed, and hate. (8-9).

No scientific evidence is provided to support his claim. In Godwin’s world, rock is Satan’s music: “Satan is the concrete entity manipulating the careers of groups like AC/DC to further the Devil’s own infernal objectives” (58). Another major concern for Godwin is that he

believes rock albums are drenched with subliminal messages by way of ‘back-masking’. ‘Back-masking’ is supposedly a clever ruse employed by musicians to promote Satan, in which they imbed backwards messages sprinkled throughout their songs (77). Godwin uses Led Zeppelin’s “Stairway to Heaven” as an example. Apparently, if you play this song backwards, you will hear: “I SING BECAUSE I LIVE WITH SATAN. THE LORD TURNS ME OFF. THERE’S NO ESCAPING IT. HERE’S TO MY SWEET SATAN. WHOSE POWER IS SATAN. HE WILL GIVE YOU 666. I LIVE FOR SATAN” (77). Most people would dismiss fundamentalists like Godwin as religious kooks. The reason I have given this so much space here is because anti-rock crusaders like Godwin gained a lot of mainstream press in the mid-80s. This is because some of these fundamentalists’ works were actually used to justify one of the defining moments in popular music censorship history that would have tremendous ramifications for musical expression in the future.

It all started in December 1984 when Tipper Gore, wife of then Senator Al Gore, had bought the album *Purple Rain* by Prince for her daughter. While listening to the album, Tipper noticed the lyrics to especially one song called “Darling Nikki”, which includes a reference to masturbation (Cloonan 1818). Apparently she was so stunned and disgusted that such music was available to kids that she decided to investigate what other music was out there. After watching hours of MTV and listening to different albums (mostly heavy metal), she decided to spring into action, and along with nineteen other wives (sixteen of whom were married to congressmen), she decided to start a private citizens’ group called Parents Music Resource Center (PMRC) (Fischer freemuse.org). The PMRC held open meetings in Washington, where they invited anti-rock preachers (like the ones mentioned above) to ‘educate’ people about the evils of rock (Nuzum 19). In 1985 the PMRC wrote a letter to the Recording Industry Association of America (RIAA), accusing the music industry of

promoting records about sex, violence, and drugs to children (Cloonan1818). In the letter, the PMRC also called for an extensive content-based labeling system for sound recordings. An important fact to remember is that at this time Congress was considering a tax on blank audiotape and home recording gear which potentially could generate hundreds of millions of lost dollars annually for the RIAA due to home taping (Garofralo 352). Needless to say, the RIAA was eager to get this tax act passed. Because the PMRC was run by wives with a great deal of influence and power, their demands of a ratings system became national news, even landing on the covers of both *Newsweek* and *Time*, as well as several high-profile television shows (Nuzum 20). The ‘Washington Wives’, as they were nicknamed, compiled a list called ‘The Filthy Fifteen’ which included fifteen bands and artists they believed represented what should be labeled: Prince, Madonna, Judas Priest, WASP, Sheena Easton, Motley Crue, Cyndi Lauper, and Twisted Sister, amongst others (21). The PMRC claimed they did not want censorship, but rather a voluntary labeling system. As one of the lobby group’s founders, Sally Nevius, told Roger Wolmuth in *People Weekly*: “We want the industry to police itself” (48). However, she added: “If they refuse, we’re going to look into legal ways to stop what we feel is a form of contributing to the delinquency of minors” (48). In other words, not so very voluntary after all. In the summer of 1985 it was announced that the US Senate Commerce Committee would hold hearings on the issue, and five members of the committee were husbands of leading members of the PMRC (Cloonan 1818).

In her book *Raising PG Kids in an X-rated Society* from 1987, Tipper Gore writes: “The PMRC held the view that rock music contributes to the growing trend of rape (up 7%) and suicide between the age of 16 and 24 (up 300%) over the past three decades” (20). She then continues:

This change in popular culture co-existed with the breakdown of the nuclear family. When the nuclear family started to decay, there was also a breakdown

in the immunization system to evil. Since children today lack the stable family structure of past generations, they are more vulnerable to role models and authority figures outside established patriarchal institutions. I see the family as a haven of moral stability, while popular music is a poisonous source infecting the youth of the world with messages they cannot handle.” (24).

This was also the gist of the committee hearing that was held in 1985. The PMRC highlighted the ills of American society and sought to put much of the blame on popular music. However, three eclectic key witnesses from the music industry also testified, namely Frank Zappa, John Denver, and Dee Snider of Twisted Sister, all of whom were rigidly opposed to the proposed labeling system (Cloonan 1818). Part of Frank Zappa’s statement read (as quoted in Eric Nuzum’s *Parental Advisory*): “The PMRC proposal is an ill-conceived piece of nonsense which fails to deliver any real benefits to children, infringes the civil liberties of people who are not children, and promises to keep the courts busy for years dealing with the interpretational and enforcement problems inherent in the proposal’s design. In this context, the PMRC demands are the equivalent of treating dandruff with decapitation” (29-30). Furthermore, Zappa quipped: “Bad facts make bad law, and people who write bad laws are more dangerous than songwriters who celebrate sexuality” (30). In John Denver’s testimony, he gave the example of how his song “Rocky Mountain High” had been misinterpreted as a drug song and thus been banned from radio stations in the 1970s, and wondered what assurances he could possibly have that a national panel would make any better judgments (32). Finally, Dee Snider justified the lyrics to the song “Under the Blade”, which the PMRC claimed was about sado-masochism and rape. Snider explained that the lyrics were about fear of surgery, and concluded that the only sado-masochism and rape in the song was in the mind of Ms. Gore. (33). After weeks of behind-the-scenes negotiations between the PMRC and the RIAA, they announced that they had arrived at a compromise. A sticker issued by the record companies which would read ‘Parental Advisory – Explicit Lyrics’ would be carried on the front cover of all releases with explicit references to sex, violence, and drugs (Cloonan 1818).

Interestingly, this agreement was issued two days after the Home Audio Recording Act regarding the taxing of blank tapes received its own hearing (Nuzum 34).

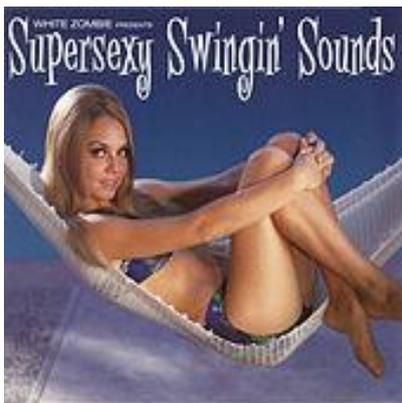
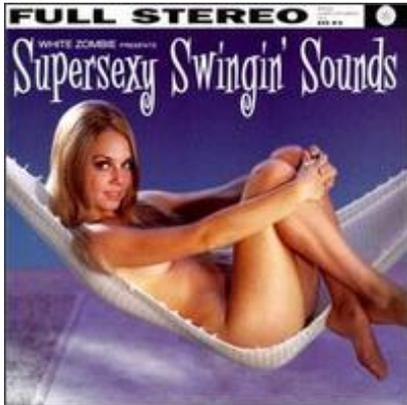


The infamous sticker.

Even though this may not seem like direct censorship of artistic expression (after all, the artists were just asked to put a warning sticker on the cover of their albums if deemed necessary), the ramifications were immediate. Within months major retail chains including K-Mart, Wal-Mart, Sears, JC Penney, Disc Jockey, and Wax Works refused to stock any music with stickers on, while others, such as Trans World, started checking customers' IDs (Blecha 115). These are all privately owned companies, and can stock whatever they want. However, the problem is that especially K-Mart and Wal-Mart are giant chains that often have monopolized small-town markets by going into a community and engaging in predatorily low pricing, which eventually leaves local stores out of business (Hoffman metroactive.com). This means that these giant chains often are the only outlets of music for a huge area. By not stocking albums with stickers, these chains deliberately make a certain kind of music unavailable for someone who may want to buy it. Consequently, putting a sticker on an artists' album leads to censorship because it indirectly bans this artist's expression from being available to millions of people. As the Public Broadcasting System (PBS) points out, Wal-

Mart has its roots in the Southern Christian heartland and believes that being a ‘family’ store is the key to their mass appeal; therefore, they refuse to carry CDs with cover art or lyrics deemed overtly sexual or dealing with topics such as abortion, homosexuality, or Satanism (*Store pbs.org*). (What is paradoxical is that mega chains like Wal-Mart enforced this policy because they are family-oriented and would not carry material that may bother people. Yet, this policy was implemented while the chain was carrying guns [Hoffman metroactive.com].) As an effect of refusing to stock stickered albums, there were reports that some record companies were not taking on groups whose music was likely to get a sticker (Cloonan 1818). As rock journalist Dave Marsh commented in *Village Voice*: “Anybody who thinks that record companies are going to continue signing and recording bands whose music can’t be sold in major record chains doesn’t understand why record companies exist” (59). Warren Cohen reported in *Rolling Stone* that Wal-Mart has emerged as the nation’s largest record store, selling an estimated one out of every five major label albums; it has so much power that what it chooses to stock can basically determine what becomes a hit (*rollingstone.com*). Most musicians and record companies now felt forced to create a ‘sanitized’ version specifically for the mega-store, or the chain does it itself. For example, Nirvana had to change a song title from “Rape Me” to “Waif Me”, even though the song had nothing to do with rape (*Store pbs.org*). The cover of White Zombie’s album *Supersexy Swingin’ Sounds* was cleaned up by airbrushing a bikini onto a nude model reclining in a hammock even though no ‘naughty’ bits were visible (Hoffman metroactive.com). When pop-artist Sheryl Crow refused to change the lyric line “Watch our children as they kill each other with guns they bought at Wal-Mart discount stores”, a line she believed was integral to the story of the song, the retailer stickered her album and refused to carry it (*pbs.org*). A powerful market organization like Wal-Mart uses the PMRC stickers as a way of blacklisting certain musical expressions they disagree with. The principle is the same as the McCarthy era’s blacklisting of speech considered

objectionable. Whether it is the government or an incredibly influential interest group like Wal-Mart, the objective is to impose conservative values on the public by censoring away and denying access to cultural products that differ from those values. It is denial of choice.



Indecency and decency:

White Zombie's cover of *Supersexy Swingin' Sounds*.

Another problem is that the record industry is dominated by few and large corporations. In 1992 six corporations (EMI, Warner, Polygram, Sony, MCA, and BMG) owned most of the major record labels, and these corporations themselves were owned by larger multinational corporations who also own other media outlets (Cloonan 42). This concentration of ownership makes the companies easy targets for boycotts. If an album should offend enough to unleash a boycott, multiple other products such as movies and magazines owned by the same corporation could automatically become potential targets. In other words,

it is not only the album which will be boycotted, but rather all the products from that company. If an influential chain like Wal-Mart did this, it would have enormous economic ramifications. This may serve as a 'chill factor', which means that the record company (and sometimes the artist) to a certain extent become self-censoring in order not to 'upset' these giant retailers (56). This, of course, infringes on the artist's freedom of expression.

Boycotts in general can have serious consequences. For example, in 1989 Madonna struck a \$10 million concert tour sponsorship deal with Pepsi (Winbush time.com). The music video for "Like a Prayer", which had just come out at the time, portrayed Jesus as black. This enraged some conservative groups who claimed it was blasphemous. Donald Wildmon, a well-known moralist from Mississippi and leader of American Family Association, enlisted his supporters to threaten Pepsi with a boycott if the company did not pull out of the sponsorship deal (time.com). When asked why, Wildmon told Don Winbush in *Time*: "Here is a pop singer who makes a video that's sacrilegious to the core [...] Here is a pop star who goes around in her concerts with sex oozing out, wearing a cross" (time.com). Fearing a major boycott of all its products, Pepsi pulled out of the deal. When asked if he was concerned about being self-righteous, Wildmon said: "The last thing I want to be considered is a super-Christian [...] The last thing I want to do is manipulate somebody" (time.com).

The PMRC contended that the warning label was not censorship, but rather a labeling system to identify contents of albums. However, as Reebee Garofalo reports, by 1990 as many as nineteen states had considered legislation requiring lyric labeling, and some of them, for instance Louisiana, used the appearance of a stickered product in a store as grounds for criminal liability (355). In 1992, the police chief of Guilderland, New York sent a memo to local music stores, warning about selling stickered albums even though it was not illegal in

that state (355). That same year, four record stores in Omaha, Nebraska were charged with violating Nebraska's harmful-to-minors law when the outlets sold albums with stickers to teenagers (355). To say that the PMRC sticker was not meant as censorship in and of itself may be true, but the consequences certainly have shown that they led to it. In 1985, just after the PMRC sticker deal had been struck, city officials in San Antonio, Texas passed an ordinance prohibiting children under the age of fourteen from attending rock concerts at city-owned facilities, and concerts by such heavy metal bands as Kiss, Motley Crue, and AC/DC were even required to carry an obscenity warning in all advertisements (Nuzum 250-1). Mayor Cisneros justified the ordinance to the press by saying that rock concerts are the equivalent of "young people going to the altar to testify for Satan." (251).

As mentioned, some record companies became wary of signing new acts whose albums could potentially get a PMRC sticker. This was true of more pop-oriented acts. However, some heavy metal and rap acts used the sticker as a badge to prove how rebellious and anti-authoritarian they were. Consequently, the sticker worked as a forbidden fruit effect to draw some adolescents to buy records they would not otherwise buy, purely because of their 'naughty' content (Cloonan 1818). Commenting on this marketing ploy in *Village Voice*, Craig Rosen said: "I couldn't imagine a more perfect way of marketing that type of music" (6). Other times, artists would parody the PMRC sticker. On rap artist Ice-T's album *Freedom of Speech*, the sticker read: "X-rated; Parents Strongly Cautioned; Some material may be X-tra hype and inappropriate for squares and suckers" (Nuzum 41). When the cover of rock band Jane's Addiction's album *Ritual de lo Habitual* was censored due to a picture of naked clay sculptures, the band simply put a sticker quoting the First Amendment next to the PMRC sticker (75). Frank Zappa created his own elaborate sticker for his *Thing-Fish* album, which read:

This album contains material which a truly free society would neither fear nor suppress. In some socially retarded areas, religious fanatics and ultra-conservative political organizations violate your First Amendment rights by attempting to censor rock and roll albums. We feel this is un-Constitutional and un-American. As an alternative to their government-supported programs (designed to keep you docile and ignorant), Barking Pumpkin is pleased to provide stimulating digital audio entertainment for those of you who have out-grown the ordinary. The language and concepts contained herein are guaranteed not to cause eternal torment in the place where the guy with the horns and the pointed stick conducts his business. This guarantee is as real as the threats of the fundamentalists who use attacks on rock music in their attempt to transform America into a nation of check-mailing nincompoops (in the name of Jesus Christ). If there is a hell, its fires wait for them, not us (41).

Zappa's album *Jazz from Hell* even managed to get an explicit lyrics sticker in spite of the fact is that the album does not contain one single lyric – it is purely instrumental! (39).

In 1985 a young girl from California bought the new album *Frankenchrist* by San Francisco punk band Dead Kennedys, which included a fold-out poster by renowned Swiss surrealist artist H.R. Ginger called 'Penis Landscape', depicting male and female genitalia (Garofalo 358). The girl's parents were so horrified they called the California Attorney General's office to complain, even though the album had a sticker stating it included an enclosure "some people may find shocking, repulsive, or offensive. Life can sometimes be that way" (Demac 45). In 1986 Jello Biafra, the leader of the band, was arrested for obscenity and distributing harmful material to a minor, as was the record company, the distributor, the wholesaler, and even the owner of the pressing plant (Garofalo 358). Although all defendants were acquitted, the suit bankrupted the small, independent record company and led to the disbanding of The Dead Kennedys (Demac 45). Biafra was quoted by *New York Times* in 1986 stating: "We think this is the first of the trickling-down effect of efforts by the religious right to censor rock artists and other artists" (*Pornography nytimes.com*).

2 Live Crew achieved a great deal of their fame for being the first rap artists to be banned in the late 1980s. An Alabama record store owner was taken to court in 1987 for selling their allegedly obscene first album *Move Somethin'*, but was later acquitted (Holt 1668). However, it was 2 Live Crew's second album, *As Nasty As They Wanna Be*, released in 1989, that gained the most attention. Even though the album carried a PMRC sticker and black bars were put over the bikini-clad girls on the cover, a Broward County, Florida judge deemed the album obscene under state law in 1990 (Fischer freemuse.org). Sheriffs in uniform then went around to area record retailers and delivered letters stating that further sales of the album would result in their arrest (freemuse.org). A Fort Lauderdale record store owner was arrested on obscenity charges for selling the album, and at about the same time 2 Live Crew themselves were arrested for performing songs from the album in a Florida adult-only nightclub (2 Live bookrags.com). The case received national press coverage and more free publicity than the group could have dreamt of. The coverage escalated into a full-blown national debate within the media over free speech and First Amendment protection, and 2 Live Crew unwittingly became poster boys for free expression. The single "Me So Horny", which featured a sample of a prostitute from the movie *Full Metal Jacket* as its chorus, shot up the charts around the country. The obscenity ruling was overturned on appeal in 1993, and Florida's appeal to the United States Supreme Court was not granted (Fischer freemuse.org). As mentioned in my Introduction, one of the criteria in the Miller Standard Test for deeming something obscene is that it has to be measured against 'community standards'. A work that has been judged obscene in Florida may be perfectly legal in, say, Illinois. This was the case of 2 Live Crew. The determination of community standards in a multi-cultural community makes obscenity rulings questionable, and it was this ambiguity that served as the basis for 2 Live Crew's defense (Garofalo 359). Most music reviewers agreed that the quality of the music itself was mediocre. Yet, the album went on to sell double platinum, and many of the

copies were likely sold because of the publicity drawn from the censorship case. After the case was over, the group had one more minor hit with “Banned in the USA” (which sampled Springsteen’s “Born in the USA”), and then faded into oblivion (2 Live bookrags.com).

Today, 2 Live Crew is far better known for the censorship trial than for their music. As the 1990s came around, rap’s lyrical content not only focused on the raunchy and sexual, but also increasingly moved towards urban political commentary.

Professor Irving Kristol, in an article published by the University of Michigan, argues that pornography and obscenity appeal to and provoke a kind of cultural regression (umich.edu). He believes that the cultural market in contemporary U.S. has become awash in dirty books and movies, and that the cultural condition has not improved as a result of the new freedom. He writes: “If you look at the history of American literature, there is precious little damage you can point to as a consequence of the censorship that prevailed throughout most of that history. I doubt that many works of real literary merit ever were suppressed” (umich.edu). He concludes: “I’ll put it bluntly: If you care for the quality of life in our American democracy, then you have to be for censorship” (umich.edu). Kristol here seems to forget that books such as *Adventures of Huckleberry Finn*, *Leaves of Grass*, and *Catcher in the Rye* all were banned in their time (Grant 2510). Furthermore, the generalization that everything ‘dirty’ is bad, is a moral judgment more than it is an artistic assessment. Even though Kristol in this example speaks specifically about literature, I believe the argumentation is similar to that of music censorship. If a person does not find any merit in an artistic expression, (s)he certainly has the right to dismiss it as tasteless. However, when a person tries to deny access for others who may appreciate that same expression, it becomes an infringement of free speech and freedom of choice.

It should also be mentioned that the 1980s was the decade when MTV and music videos became an integral part of popular music, a situation which has lasted until the present. Not only were music videos an additional way to market music, but they were also a new medium for artists to express themselves visually. However, I have decided not to dwell on this visual medium, firstly because it is too vast a subject to be covered in detail in this thesis, and secondly, because the music and lyrics in the videos fall under the same obscenity laws as described in my Introduction. Suffice to say here, the visual aspect of the videos roughly falls under similar restrictions of depicting 'offensive' material such as nudity, drug use, and excessive violence.

## CHAPTER 4: BLAME IT ON THE RAIN

### CAUSE AND EFFECT – THE 1990s

In 1985, heavy metal artist Ozzy Osbourne was sued by the parents of a nineteen year old Californian Ozzy fan who had committed suicide. The parents especially blamed one song called “Suicide Solution” for their son’s death (Blecha 55). The lyrics, which refer to suicide as ‘the only way out’, may be ambiguous. However, Osbourne claimed that the song was actually an anti-suicide song based on the alcohol-related death of a friend of his, and that it was a warning against drug and alcohol abuse (*Court nytimes.com*). The lawsuit was thrown out of court by a judge who ruled that “the defense had not produced facts that would remove the lyrics from the protection of the First Amendment” (*nytimes.com*). In 1991 Ozzy Osbourne and his record label were again sued, this time by the parents of a fan in Georgia who had committed suicide. Like the plaintiffs in the earlier case, the parents cited the lyrics to “Suicide Solution” as the cause of their son’s death (Fischer *freemuse.org*). The case ended in 1992 when the Supreme Court declined to hear a final appeal on the case, because the appellate court had overturned the finding of a causal link between listening to music and suicide, stating: “[L]iability will only attach when the intention of dissemination was to cause the ensuing injury.” (*freemuse.org*). There are millions of kids who have listened to that same song and those same lyrics without getting the urge to commit suicide. Similarly, a suicide pact involving two Chicago teenage girls got a lot of media coverage in the early 1990s. They were found dead clutching a note that included lyric lines from the Metallica song “Fade to Black” (Garofalo 356). However, this case was never taken to court. Metallica acknowledged the tragedy, and bassist Jason Newsted told Lynn Minton in *Parade Magazine* in 1992: “I wish you could hear all the kids who come up to us and say, ‘If it weren’t for “Fade to Black”

[...] I'd be dead now'. Or, 'You guys helped me through those times, to want to continue my life.' And there are hundreds of those" (12). What Newsted here refers to is what I described in Chapter One as the identification of the listener with the music/lyrics, which becomes an essential basis for why certain individuals connect with a certain kind of music. In other words, people tend to be drawn to the music they identify with. In *Rockin' Out*, Reebee Garofalo quotes a teenager interviewed for a 1987 segment on heavy metal from ABC's news program 20/20: "Heavy metal speaks to the anger and despair of teenagers today the same way the blues used to speak to the despair and anger of black people in the South. Without heavy metal there would probably be more suicides, because metal and certain other forms of rock give teenagers something to believe in that they get no place else" (356).

In 1985 two Nevada youths committed suicide on a church playground after listening to albums by the heavy metal band Judas Priest while smoking marijuana and drinking beer (Rother nytimes.com). In 1990 the band and its record company had to appear in court in order to defend themselves against a lawsuit brought by the parents, who claimed that the two youths had shot their heads off because Judas Priest had put subliminal messages in their songs via backward masking (nytimes.com). Kenneth McKenna, the lawyer for one of the families, stated: "Judas Priest and [record company] CBS pander this stuff to alienated teenagers. The members of the chess club, the math and science majors don't listen to this stuff. It's the dropouts, the drug and alcohol abusers. So our argument is you have a duty to be more cautious when you're dealing with a population susceptible to this stuff" (nytimes.com). Suellen Fulstone, the lawyer for Judas Priest and CBS, argued that the two youths had lived "sad and miserable lives", and that the problems leading to their deaths began "long before any connection with heavy metal music" (nytimes.com). This case also made national news. On September 20, 1990 Anna Quindlen described the two teenagers in *New York Times*:

There is nothing silly about the Judas Priest case, only something infinitely sad. Ray Belknap was 18. His parents split up before he was born. His mother has been married four times. Her last husband beat Ray with a belt and, according to police, once threatened her with a gun while Ray watched. Like Jay Vance, Ray had a police record and had quit high school after two years. Like Jay, he liked guns and beer and used marijuana, hallucinogens, and cocaine. Jay [...] had a comparable coming of age. His mother was 17 when he was born. When he was a child, she beat him often. As he got older, he beat her back. Once, checking himself into a detox center, he was asked: “What is your favorite leisure activity?” He answered: “Doing drugs.” Jay is said to have consumed two six-packs of beer a day. There’s a suicide note if I ever heard one. (nytimes.com).

According to the parents, it was Judas Priest’s fault, and not the revolving fathers, nor the excessive use of drugs or alcohol, nor the lack of stability in their homes. Someone had to be blamed for the parents’ failure of responsibility. Why not music? As the trial went on, a group of heavy metal fans demonstrated outside the court building, carrying banners with slogans such as: “Alcohol, drugs, and a 12-gauge shotgun killed those poor kids, not metal music” (Rother nytimes.com). The judge ruled that neither Judas Priest nor CBS were responsible for the suicides, and dismissed the claim that there is a connection between backward masking and actions (Quindlen nytimes.com). As Bill Curbishley, Judas Priest’s manager, pointed out: “If we were going to [add subliminal messages], I’d be saying: ‘Buy seven copies’, not telling a couple of screwed up kids to kill themselves” (Rother nytimes.com).

Apart from the offense argument, the cause-and-effect argument has been the most prevalent in trying to ban popular music. As seen in Chapter One, rock ‘n’ roll in the 1950s was believed by some traditionalists to be directly linked to sexual promiscuity in teens, as well as the rise in rape and violence. Similar arguments were suggested by the PMRC in the 1980s. Censorship tends to create the illusion that a social problem has disappeared if the speech highlighting that problem has disappeared. If the problem itself cannot be easily remedied, it seems like there is a comfort in eradicating the appearance of the problem instead. This, of course, is hiding a wound with a band aid. Particularly in this media-

saturated society there is a tendency to believe that if a subject is not talked about or depicted in the media, it does not exist. However, when censorship is used to achieve this illusion, it renders a false sense of security. This false security must subsequently be maintained through increased censorship. In other words, it snowballs. What becomes apparent in the suicide lawsuits I have mentioned, is how easy it is to claim that if one specific factor (in this case heavy metal music) had been taken out of the equation, the tragedies would not have occurred. To put it differently, none of the other elements in these young people's lives were believed to have any significant correlation with the desperate measures taken. This, I believe, is a flawed assessment of a complicated whole. Factors such as environment, school, family situation, church, genetics, and stability in general have a more significant influence on an individual than the music (s)he listens to; in fact, I believe this individual seeks out music based on his/her experiences in life. As Martin Cloonan points out in *Banned!*, music has no inherent meaning or effect. Its 'meaning' to an individual listener will be mediated by a number of factors such as age, ethnicity, sexuality, class, and knowledge (25). Furthermore, "[m]usic is not simply received as sound, but through its association with a series of images, identities and associated values, beliefs, and affective desires" (25).

As Martin Barker points out in *Ill Effects*, it would be an error to assume that television, films, or music had no effect whatsoever – it does have *some* influence (36). The problem is the nuance of *what* these influences are. Barker offers a real-life incident that is directly related to TV, but I will cite it here because I feel it is also descriptive of music: "A man takes a gun and shoots his entire family after watching the news. Arrested and tried, he explains his actions on the basis that the world news were so bad there seemed no point going on living anymore" (37). As Barker argues, the fact that this man watched the news was only a minor part of the full explanation. The man's state (depressed, family breakdown) gives a

better insight into his non-normal and unpredictable reaction (37). Millions of other people watched those same newscasts without going on a killing spree. The outcome was unfortunate, but is it enough to ban the news? This would be the equivalent of making driving illegal because some people drive drunk. As Barker states, censorship is the belief that “horrible things will make us horrible – not horrified. Terrifying things will make us terrifying – not terrified. To see something aggressive makes us feel aggressive – not aggressed against.” (38).

Svetlana Mintcheva states in *Censoring Culture* that “[w]ith poverty, homelessness, lack of health care, and the diminishing quality of public education threatening children’s well-being, it is striking that so much political energy should be harnessed shielding children from the sight of a bare breast , [or] the sound of a four-letter word [...]” (165). She further points out that initiatives presumably designed to protect children not only frequently violate the rights of adults, but they also have the potential to actually harm children: “Government-funded ‘abstinence-only’ sex education, for instance, both urges abstinence and bans teachers from distributing information about contraception or safe sex. Unfortunately, sexual ignorance insures against neither STDs nor teen pregnancies; both occur at far higher rates in the United States than in European countries with comprehensive sex education programs” (169-70). She concludes that rather than making futile and frequently counterproductive efforts to sanitize what kids see and hear, adults should direct their efforts into teaching children how to think critically about the images around them (170).

Researching this thesis, I have found that not much serious research has been done specifically on the effects of rock music on behavior. However, because music is a mass-distributed medium equivalent to movies and television, it might be relevant also to look at

research done in these fields in order to get an insight into the effects of such a medium. After researching juvenile violence and exposure to violent imagery, the U.S. 1983 Committee on the Judiciary (Sub-Committee on Crime and Violence in the Media) concluded: “No single factor, exclusively by itself, probably makes a person seriously aggressive or anti-social. Under some psychological, social, or environmental circumstances television may exert little or no influence” (Perlmutter 2582). Also, The British Gulbenkian Foundation’s report *Children of Violence* from 1995 stated: “The Commission does not subscribe to the view that media violence is a major factor in the development of violent attitudes and actions. A particular focus on violent videos [...] can distract attention from other more potent factors, including in particular children’s direct experience of violence in the home” (2582).

Similarly, Denis McQuail concludes in *Mass Communication and Society* that most dependable research available so far does not support a general correlation between any form of media and crime, delinquency, or violence; furthermore, the results remain confusing and contradictory (83). To me, this is not so surprising considering that music and lyrics in themselves usually are a reaction to society. Music and lyrics are more often than not reflections of artists’ emotions and experiences. Similarly, I believe that the music and lyrics an individual listens to are reflections of his/her emotions and experiences. Fans of a band or an artist obviously get something out of the music and lyrics they choose to listen to. When trying to comprehend the causality of human behavior such as suicide, it is misleading to grab hold of what kind of music a certain individual listens to and put all the weight on this one factor. The music is only a mirror of this individual. There seems to be a recurring theme among conservative critics to blame artistic expressions as a way of diverting the problems from the actual cause onto the symptoms. As David Gauntlett points out in *Ill Effects*, citing a Browne and Pennell study from 1998: “[T]he well established link between poor social

background and delinquent behavior *may extend to the development of a preference for violent film*” (49. My emphasis). Furthermore, he writes: “[P]eople with violent backgrounds, who go on to engage in violence themselves, may also develop a taste for films which contain violence. And that’s all” (49). On a similar note, Bernard Williams, after reviewing media effect studies, concludes: “There has been a great deal of controversy about the effects of pornographic and violent publications, and a variety of anecdotal, statistical, and experimental evidence has been deployed in attempts to find out whether there is a causal link between such publications and some identifiable class of social harms, such as sexual crime. [S]uch studies are inconclusive” (141-2).

In 1967 Congress established The National Commission on Pornography. This commission’s purpose was to find a causal relationship between sexually explicit material and anti-social behavior, and to recommend effective ways of addressing the negative consequences of this material (Demac 42). After two years of research, the Commission arrived at the conclusion that there were no abnormal effects of erotic materials, which came as a major disappointment to the anti-pornography crusaders at the time (42-3). The commission concluded: “Interestingly, persons who envision undesirable effects rarely ever report having personally experienced them, are more likely to say [the effects] occur to someone else, and are most likely to simply believe in the effect occurring without reference either to themselves or to anyone they personally know” (43). This conclusion is what is now known in social studies as the ‘third-person effect’. It predicts that, firstly, people perceive the mass media to exert greater persuasive influence on other people’s opinions and behavior than on their own; secondly, as a result of this perception, people support restrictions such as censorship in order to ‘shield’ other people (Salwen 2420). This is an essential subtlety to keep in mind when analyzing why people have the desire to forbid certain materials or

expressions from others. Censors seldom admit to having been adversely affected by the material they prohibit, even if they themselves have been exposed to it numerous times.

Michael Salwen points out that “[c]ommentators and policy makers, precisely because they perceive themselves to be smarter than ‘the common people’, are more susceptible to third-person perception, and as a result might be willing to restrict press and other freedoms to ‘protect’ people from harmful messages” (2421). This phenomenon’s train of thought goes something like this: If young girls listen to Madonna, they are bound to wind up as sexually promiscuous. Even though our daughter listens to Madonna, we as parents know how to deal and cope with it. The perceived problem is other parents’ presumed inability to handle such material. Ergo, Madonna should be censored because, presumably, most parents do not ‘get it’. In other words, a well-intentioned person would ban Madonna’s music not because they and their family necessarily are affected, but because they believe that *others* are affected. It really boils down to the belief that they are better judges than other people. Jeff Godwin, the Christian extremist mentioned in the previous chapter, must have listened to and analyzed thousands of hours of heavy metal in order to quote and describe all the heavy metal music in his book. However, he himself was not affected, and he has not yet become a Satanist as far as I know. It is *everybody else* who listens to this music who will automatically become adversely affected. A censor’s most striking characteristic seems to be a displayed belief in his or her own moral and spiritual superiority.

The assumption that media-depicted violence and sexuality is a component or instigator of violent and promiscuous behavior has led many people to advocate serious restrictions on media content. Yet these restrictions are not necessarily perceived as a way of denying people free expression, rather, they may be seen as an attempt to prevent the

deterioration of society. When looking at censorship from this more conservative point of view, it is understandable why some people approve of it. However, this approval tends to stem from the belief that it is artistic speech in itself that *causes* the state of society, as opposed to artistic speech being a report on, or an *effect* of, society's state. Even those who believe that art and entertainment have widespread imitative impact usually acknowledge that social factors such as family environment are far more important influences on children than the media. Despite the ambiguities and deficiencies of media-effect studies, there ought to be little doubt that art and other forms of expression do have certain psychological effects, including, in some cases, imitation. The point is that these effects are different in proportion and highly various, and therefore difficult to measure quantitatively and qualitatively. I believe that the problem with media-effect studies so far has been the attempt to find a simple explanation to an extremely complex whole. This is where the perceived solution of censorship comes in. The thing is, censorship only stifles symptoms, it does not treat the disease. Socio-economic, psychological, and developmental variables are better indicators of attitudes and behavior. However, these factors are incredibly difficult to manipulate and solve, so an easy route to take is to scapegoat for example music.

By the time the 1990s had come around, rap had moved from the fringes of black urban society into the mainstream. Just as rock 'n' roll in the 1950s exploded into white mainstream America, rap was also greeted with scorn and concern by some. The reactions from these critics were almost identical to the ones expressed in the 50s. N.W.A. (Niggas With Attitude) was one of the ground-breaking rap groups that helped spawn and break the genre into American suburbia. As DJ Yella describes the group in *Michigan Daily*: "N.W.A. was really about street music [...] We was rapping about what we lived around, saw, and what could happen. We was talking about real stuff in the ghetto, and that ghetto can be any

ghetto [...] Nothing phony, we just rapping about real life” (Bowen pub.umich.edu). In the late 80s, N.W.A.’s “Straight Outta Compton” was banned by MTV, which, according to DJ Yella, was their crossover point into white America. The press they got from being banned sent record sales soaring, even though radio stations refused to play their music (pub.umich.edu). In 1991 N.W.A. released “Fuck the Police” (‘...police think they have the authority to kill a minority, fuck that shit ‘cause I ain’t one for a punk motherfucker with a badge to be beating on...’), which was a commentary on police brutality in urban Los Angeles. As DJ Yella states: “We based this song on us, on how [the] police were in the ghetto. We didn’t know how the police in the suburbs were, but in the ghetto that’s how they treat you” (pub.umich.edu). In the early 1990s, urban areas in America were boiling with racial tension. Especially Los Angeles was rife. The song prompted the FBI to take an official stance on it. They sent a letter to N.W.A.’s label Priority Records, condemning the song because it “encourages violence against and disrespect for the law enforcement officer” (Ressner textfiles.com). The FBI even included a paragraph describing the “unprecedented surge in violent crime” and provided statistics of police murders (textfiles.com). Concluding that “music plays a significant role in society”, the letter ended with a warning to the record company: “[B]e aware of the FBI’s position relative to this song and its message” (textfiles.com). When N.W.A. went on tour, local police departments around the country deployed a fax campaign, in which the lyrics to this song were included. Many shows were canceled. As DJ Yella told *Michigan Daily*:

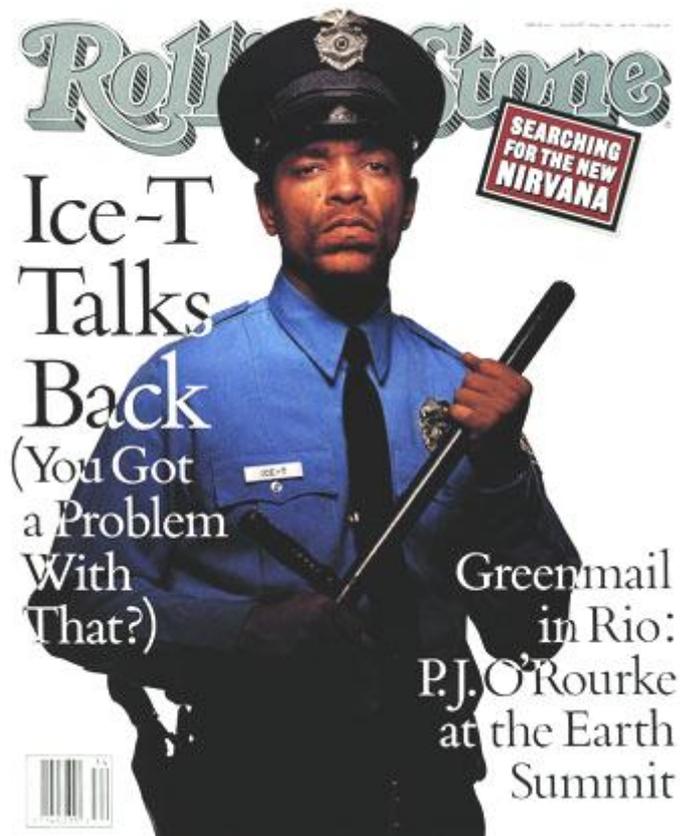
We was just making a song about what [the] police do all the time. [They] stop you for nothing, have you outside the car sitting on the curb, harassing you just because you’re black, dress a certain way, whatever. One time or another you want to say ‘fuck the police’ for some reason. Not all cops are bad, but a few bad ones make everyone look at [the] police in a bad way. We expected a little flack for ‘Fuck the Police’, but not as much as we got. Concert places were kind of scared of us, as if we were causing riots. I don’t know why; nothing ever happened on our tours. Nothing. No fights or anything. But we agreed not to perform that song at concerts (Bowen pub.umich.edu).

In 1990, a judge in Tennessee declared that *Straight Outta Compton* was ‘obscene’, and under state law, sales to minors would result in fines up to \$100,000 (Blecha 128). This decision was later overturned as unconstitutional. What is amazing is that N.W.A.’s first album went on to sell millions, considering it was an independently released album with little or no airplay on MTV or mainstream radio. Considering that the explicit lyrics addressed such inflammatory subjects as poverty and injustice, it does not come as a shock that the song was banned by people who did not want to hear about such problematic subjects.

In late April 1992 a jury in suburban Los Angeles acquitted four white police officers who had beaten African-American Rodney King, an occurrence which had been caught on tape. The streets of black urban Los Angeles subsequently exploded in fury. In the following months, the nation struggled to understand the meaning of the riots and to explain its causes. In June, the Dallas Police Association called a press conference to announce the beginning of a campaign to force Warner Bros Records to censor a song called “Cop Killer” by rapper Ice-T’s band Body Count (Shank chnm.gmu.edu). Within weeks, the Dallas Police Association had received support from police organizations in California and New York, sixty members of Congress had signed a letter addressed to Warner Bros calling the song “despicable” and “vile”, the California State Attorney General had sent a letter to record store chains requesting that they no longer stock the recording, and President Bush publicly denounced any record company that would release such a product (chnm.gmu.edu). “Cop Killer”, which actually had been written months before the Rodney King incident, outlines in vivid language how the character in the song would like to kill policemen who have abused innocent victims. Gunshots are heard throughout the track, and the chorus goes “...fuck police brutality, tonight we get even...” (chnm.gmu.edu). The track received little media attention when it came out, but now all of a sudden it became a scapegoat for the L.A. riots. Fragments of the lyrics were

widely quoted out of context in many media outlets. According to the 28 May, 1992, issue of *Los Angeles Times*, Republican Pat Buchanan had given a commencement speech to a college in Los Angeles earlier that month, in which he stated that the rioters “came out of rock concerts where rap music celebrates raw lust and cop-killing” (*Buchanan A5*). In the 16 June, 1992, issue of *Los Angeles Times*, Chuck Philips quoted a press statement by Time Warner Corporation:

It is vital that we stand by our commitment to the free expression of ideas for all our authors, journalists, recording artists, screenwriters, actors, and directors. Just banning the song will not make violence and rage disappear. In fact, only the open discussion and exchange of ideas and information can lead to the kind of substantive change that [police groups], Time Warner, and all concerned citizens desire (F1).



Enraging the police:

Ice-T on the cover of Rolling Stone.

As Ice-T explained, “The record is not a call to murder police. The record is about anger. This is the end result of police brutality” (Blecha 131). From the perspective of the likes of Pat Buchanan, rap music functioned as a cultural agent producing the violence of the riots. However, from Ice-T’s perspective, rap was just documenting and reporting on the social conditions and injustices that had been going on in black ghettos for years. These conditions and injustices were the real reasons for the riots. After Time Warner received threats of organized boycotts of upcoming summer blockbuster movies, and several of their employees received death threats, Ice-T announced that he would remove the track from all future copies of the album (Cloonan 58). The week of this announcement, the album had its most successful sales ever (Shank [chnm.gmu.edu](http://chnm.gmu.edu)).

In the mid-1990s, a new artist exploded into mainstream America and became one the most hated musical acts with conservatives. Marilyn Manson, which is the artist name of both the front man and the band, deliberately pushed the limits of acceptability with his opposition to organized religion, and by openly condoning drugs and promiscuous sex. The music is an industrial and aggressive form of metal music. It is impossible to say how much of this is just an act, but descriptions of the band’s antics both on and off stage suggest they live what they preach. For instance, as Marilyn Manson describes in his autobiography, *The Long Hard Road Out of Hell*, his band was not allowed on a concert bill in Salt Lake City in 1994 because of their reputation (171). Although removed from the bill, he was brought out by another band for a quick guest appearance. Manson condensed his entire appearance to a single gesture, repeating “He loves me, he loves me not” as he tore pages out of the Book of Mormon (171). Manson fled the city before the police was able to fine him. The tearing of Bibles subsequently became part of his stage show. Manson’s breakthrough came in 1996 with the album *Antichrist Superstar*, which went Top 3 on the national Billboard charts (*Marilyn* [rockonthenet.com](http://rockonthenet.com)). Needless to say, Manson’s albums are not available at chains

such as Wal-Mart and K-Mart. Their albums and concerts attracted hoards of conservative protesters. Several cities successfully banned the group from performing, and several songs were censored from radio and television airplay (Nuzum 129). Manson blames much of his resentment towards society in his music on his strict Christian upbringing and constant teasing in school (128).

However, it was in 1999 that Manson came under his most serious and intense national media scrutiny, similar to Ice-T in 1992. After two students ambushed Columbine High School in Colorado and shot dead many people, including themselves, a national debate ensued as to why this tragedy had happened. Because the two students allegedly were fans of, amongst others, Marilyn Manson, he immediately became a scapegoat for their actions (Fischer freemuse.org). Dale Shugars, a state legislator from Michigan, called for an investigation into the band's role in the Columbine shootings, and Senator Sam Brownback of Kansas, along with eight other senators, sent a letter to Manson's label, suggesting that they drop him out of respect for the victims and their families (Nuzum 49). At the height of this finger-pointing, Marilyn Manson wrote an article called "Columbine: Whose Fault Is It?" in *Rolling Stone*, part of which read:

It is sad to think that the first few people on earth needed no books, movies, games or music to inspire cold-blooded murder. The day that Cain bashed his brother Abel's brains in, the only motivation he needed was his own human disposition to violence. We applaud the creation of a bomb whose sole purpose is to destroy all of mankind, and we grow up watching our president's brains splattered all over Texas. Times have not become more violent. They have just become more televised [...] When it comes to who's to blame for the high school murders in Littleton, Colorado, throw a rock and you'll hit someone guilty. We're the people who sit back and tolerate children owning guns, and we're the ones who tune in and watch the up-to-the-minute details of what they do with them [...] Man's greatest fear is chaos. It was unthinkable that these kids did not have a simple black-and-white reason for their actions. And so a scapegoat was needed [...] Even if they were fans, that gives them no excuse, nor does it mean that music is to blame. What did Timothy McVeigh like to watch? What about David Koresh, Jim Jones? Do you think entertainment inspired Kip Kinkel, or should we blame the fact that his father bought him the guns he used in the Oregon murders? What inspires Bill Clinton to blow up people in Kosovo? [...] It's comical that people

are naive enough to have forgotten Elvis, Jim Morrison, and Ozzy so quickly. All of them were subjected to the same age-old arguments, scrutiny, and prejudice [...] In my work I examine the America we live in, and I've always tried to show people that the devil we blame our atrocities on is really just each one of us. So don't expect the end of the world to come one day out of the blue – it's been happening every day for a long time (rollingstone.com).

Again, it is important to keep in mind the millions of kids and adolescents who hear the same music and lyrics and do not go out on a killing spree. Months after the massacre, the FBI convened a summit that included world-renowned mental health experts. Through thorough assessment of the killers' journals and video-tapes, the experts concluded that they displayed clear traits of being psychopaths, whose behavior are the result of choice, freely exercised (Cullen slate.com). Their patterns of grandiosity, glibness, contempt, lack of empathy, and superiority are all symptoms of psychopathic behavior. Any influence of music was not mentioned in the report (slate.com).



Controversial Marilyn Manson:

Notice the Parental Advisory sticker.

The fact that Marilyn Manson repeatedly has stated that he is a direct product of his strict Christian background was not, as far as I know, brought up by the conservative branch of the media when discussing cause and effect. Acknowledging this would have meant that it would be valid to consider censoring Christianity in order to get rid of its adverse consequences, such as Manson, which I am sure would not have been a popular proposition. In fact, it is probably this proposition in itself which would have been more likely to become censored. Obviously, censors do not ban what they agree with. They only attempt to censor what they disagree with, regardless of what *others* might think.

It should be mentioned that the 1990s also saw the rise of some liberal groups who reacted negatively to certain aspects of music. Most notably, some radical feminist movements protested the sexist and misogynistic portrayal of women in especially rap music (Williams 142). Lightly clad women in videos, and slang words such as ‘bitch’ and ‘ho’, were, and still are, regarded as offensive because they are derogatory, demeaning, and oppressive to the female gender. Also, some gay rights activists protested Eminem’s anti-gay slurs, and some of his lyrics were regarded as ‘hate speech’ (Blecha 120). Though some of these groups have called for censorship, most of them have simply taken public stands against such expressions.

## CHAPTER 5: SIGN O' THE TIMES

### POST 9/11 – THE 2000s

On 11 September, 2001 the United States experienced its first major ambush of foreign terrorism on its continent by way of high-jacked planes. America was in shock, as was the world. Especially the attack on the World Trade Center came to symbolize the shift into the new millennium. In the immediate days after the attacks, representatives at Clear Channel Communications, one of the biggest owners of radio channels in America (well over 1000 stations), started to circulate a list of over 150 songs to all of their stations. These songs were to be considered offensive and inappropriate by all programmers in light of the tragedy (Korpe 151). Any song that had literal or metaphorical references that could be reminiscent of the attacks was included, such as “Jet Airliner” by Steve Miller, “Crash Into Me” by Dave Matthews, “Jump” by Van Halen, “It’s the End of the World as We Know It” by R.E.M., and “Burning Down the House” by Talking Heads” (157-8). However, many bizarre choices also made the list, such as “Imagine” by John Lennon, “New York, New York” by Frank Sinatra, “99 Luft Balloons” by Nena, “Bridge Over Troubled Water” by Simon and Garfunkel, “Obla Di Obla Da” by The Beatles, “Peace Train” by Cat Stevens, “Walk Like an Egyptian” by The Bangles, and the entire catalogue of politically radical band Rage Against The Machine (157-8). Some have pointed out that bands and artists who have been openly liberal in their political beliefs were overwhelmingly targeted (152). Although representatives of Clear Channel, run by its conservative headquarters in Texas, later denied that the list of songs was an explicit order to ban the songs from airplay, many of the stations’ programmers around the country stated that they felt compelled to remove these songs from the air (151-2). Rage Against The Machine’s Tom Morello told Neil Strauss in *New York Times*: “If our songs are

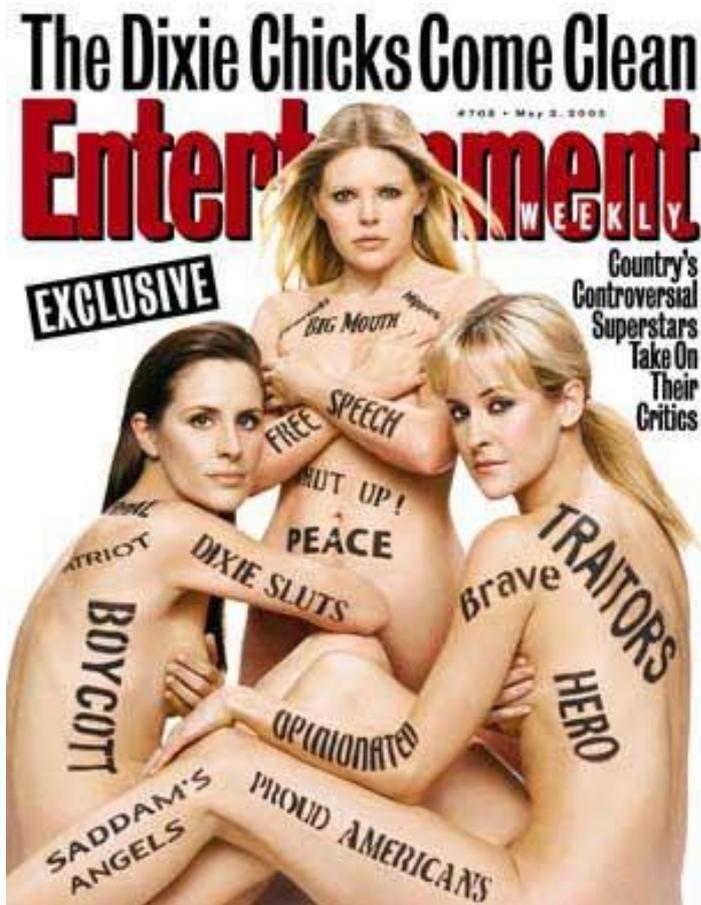
‘questionable’ in any way, it is that they encourage people to question the kind of ignorance that breeds intolerance, which can lead to censorship and the extinguishing of our civil liberties, or at its extremes can lead to the kind of violence we witnessed [on 9/11]” (nytimes.com). Even though I am sure this list was a well-intentioned attempt at sensitivity, it shows what a fine line it is between a well-intentioned act and censorship.

The immediate shock of the terrorist attacks left the U.S. more patriotic than it had been in decades. However, when President Bush decided to go to war with Iraq, many saw this move more as a blood-thirsty gesture of revenge rather than a rationally thought through plan. The slightest hint of opposition was dismissed as un-patriotic, especially by the conservatives. As mentioned in my Introduction, political censorship is used to suppress dissident opinions that do not fall within what is perceived to be acceptable patriotic speech. In 2004 a local Boulder, Colorado band was going to perform Bob Dylan’s “Masters of War” at a high school talent show (*School* abcnews.com). However, some students and adults who had heard the band rehearse claimed the band ended the song with a call for President Bush’s death (‘...I’ll stand over your grave ‘til I’m sure that you’re dead...’). On the grounds that threatening the president is a federal crime, the Secret Service was called to the school to investigate. The band was interrogated, and one of the members stated: “We were just singing Bob Dylan’s song. [Y]ou’re drawing your own conclusions” (abcnews.com). Even though the band claimed they were just expressing worry about the war and a return of the draft, the people who were upset claimed the band was used to “promote an extreme leftist point of view” (abcnews.com). The band, now called Coalition Of The Willing, dropped their original name, The TaliBand. Even though Coalition Of The Willing is just a small local band, it shows how politically tense the situation was in the U.S.

In April, 2003 rock band Pearl Jam opened their American tour in Denver, Colorado. According to Jenny Eliscu in the 1 May, 2003 issue of *Rolling Stone*, vocalist Eddie Vedder made several negative comments concerning the war in Iraq, and at one point someone in the front row shouted for him to shut up (9). Vedder responded: “Did someone just say ‘Shut Up’? I don’t know if you heard about this thing called freedom of speech, man. It’s worth thinking about it, because it’s going away. We’re sure fucking going to use it and I’m not going to apologize” (9). As the band started playing their anti-Bush-politics song “Bushleaguer”, Vedder placed a rubber mask of Bush on the microphone stand, then knocked it on the ground and repeatedly jumped on it. Within days, reactions to the story sparked calls for censorship and boycotts of Pearl Jam from countless high-profile conservative figures such as Rush Limbaugh and Bill O’Reilly (9). However, most fans of left-leaning Pearl Jam are probably not listeners to either Limbaugh or O’Reilly, so the calls for boycotts never got any solid ground to build on.

On the other hand, Texas country band Dixie Chicks, whose audience is mostly conservative, suffered serious consequences of boycotts and censorship after lead vocalist Natalie Maines uttered a much milder and less bombastic statement than Eddie Vedder did. In March, 2003 at a London concert, Maines stated: “Just so you know, we’re ashamed the President of the United States is from Texas” (*Dixie* cnn.com). The comment did not have any immediate impact until a review of the show by a London newspaper quoted the comment, and this was picked up on via the Internet back in Texas. Within days, country radio stations across the country started pulling Dixie Chicks songs from play lists. One station in Kansas City held a “Chicken Toss” party, where people were encouraged to dump the band’s CDs and concert tickets into trash cans (cnn.com). In Bossier City, Louisiana, a country radio station organized a rally in which a 33,000-pound tractor smashed Dixie Chicks CDs and

other Dixie Chicks paraphernalia (Krugman nytimes.com). Paul Krugman pointed out in an article in *New York Times* that many anti-Dixie Chicks rallies and pro-war demonstrations around the country were organized by stations owned by conservative radio giant Clear Channel Communications, which is increasingly buying up the airwaves around the country, and is expanding into television (nytimes.com). (As mentioned above, Clear Channel is also the company that sent out the 9/11 play list restriction.) Within weeks of Maines' comment, airplay of the band's songs was down almost 30% (*Dixies* bbc.co.uk). In a gesture of damage control, Maines released a statement in which she apologized to President Bush for her "disrespectful" comment, adding: "I just want to see every possible alternative exhausted before children and American soldiers' lives are lost" (bbc.co.uk). Still, the controversy raged on. In Colorado Springs, two country radio DJs were suspended for playing a Dixie Chicks song despite orders from management not to do so (Dansby *DJs* rollingstone.com). Because of Maines' comment, the three members of Dixie Chicks started receiving death threats. Guitarist Emily Robison told Andrew Dansby in *Rolling Stone*: "We're dealing with bigger issues than record sales. I'm concerned about my safety. I'm concerned about the safety of my family" (*Death* rollingstone.com). The band was subsequently forced to use metal detectors at its concerts, and they had to cancel numerous shows in the South due to slow ticket sales because of boycotts. What is ironic about this whole controversy is that the Dixie Chicks exercised their right to free speech in opposing the war in Iraq. Yet, the people who went up in arms because of this were the ones who actually supported a war that supposedly fought for democracy (including the right to free speech) for the Iraqi people.



The Dixie Chicks:

Maine's one comment got enormous media attention.

As opposed to Pearl Jam, The Dixie Chicks had a huge conservative following that they alienated by virtue of expressing a political view. There seems to be a tendency for not only politics, but also music to be polarized on the liberal-conservative continuum. A rock act can criticize a Republican president without any major consequences. In fact, it is almost expected of them to be liberal. However, a country act is supposed to be conservative. They seemingly cannot step over that line without a furor. Fragmentation of music into genres is not necessarily a bad thing, because it breeds music cultures that are vibrant and diverse. However, when politics get involved, music becomes another area of separation – like race, class, or religion. An interesting point is that after the Dixie Chicks were shunned by the country music establishment, their popularity in more liberal parts of the United States now

has surged. Dixie Chicks album sales in markets where country music otherwise gets a lukewarm reception have bloomed, and at this year's Grammy Awards they won all five awards they were nominated for to standing ovations (*Dixie* msnbc.com). When accepting the award for album of the year, Maines exclaimed: "I think people are using their freedom of speech with all these awards. We get the message" (msnbc.com). Considering the band did not really have a major following outside country circles until after the controversy, it seems like the blatant dismissal by hardcore conservative audiences worked as a forbidden fruit-effect on non-conservative non-country audiences.

In 2003 Ian Anderson, lead singer of Jethro Tull, told an American reporter how easy it is to confuse nationalism with patriotism: "I hate to see the American flag hanging out of every bloody station wagon, out of every SUV, every little Midwestern house in some residential area" (*U.S. Radio* freemuse.org). This comment resulted in several classic rock radio stations banning Jethro Tull from their play lists. In 2004 singer Linda Ronstadt performed at a venue in Las Vegas, and towards the end of the show she dedicated a song to liberal filmmaker Michael Moore, calling him "a great American patriot" and "someone who is spreading the truth" (*Ronstadt* bbc.co.uk). Ronstadt was banned from the venue for life. In a statement commenting on the incident, Moore called the ban "simply stupid and un-American" (bbc.co.uk). The examples I have given so far in this chapter show what a politically intense time the 2000s have been. In times of war, specifically controversial ones like Iraq and Vietnam, the political polarization in the U.S. seems to become more obvious, and especially the conservative side seems to dismiss every critical question of American politics as unpatriotic, when in fact it is this freedom of speech which is supposed to make America a special place to live in.

An incident minuscule in proportion to the Iraqi war, but enormous in terms of censorship of artistic expression, has had gigantic effects on censorship this decade. It involves one of the most watched television events in the United States every year, namely the Super Bowl. During halftime, it has become a tradition to have A-list musicians perform in a spectacularly over-the-top show. During the 2004 halftime show, two of the performers were Janet Jackson and Justin Timberlake, who did a duet. During the performance, Timberlake reached across Jackson's chest and pulled off what was supposed to be an outer layer of her costume. Due to what was later described as a 'wardrobe malfunction', Jackson's breast was exposed for about three seconds (Hilden [cnn.com](#)). Even though Jackson's nipple was covered by jewelry, CBS received numerous complaints because of the incident. A Republican Congress and a conservative-dominated FCC now saw a golden opportunity to try to enact harsher restrictions on obscenity violations. The day after the Super Bowl incident, FCC Commissioner Michael Powell ordered an investigation into what he described as "onstage copulation", and made very clear what his standard of decency was: "I know it when I see it" ([cnn.com](#)). Both Jackson and Timberlake issued statements claiming that the incident had been an accident and that CBS, who had run the show without delay, therefore could not have predicted that this would happen. Still, the incident cost CBS \$550,000 in indecency violations (20 affiliate stations each paid the maximum fine of \$27,500) (*FCC* [nca.org](#)). Within a year Congress had increased the maximum fine from \$27,500 to as much as \$500,000, and broadcasters face license-revocation hearings after a third indecency violation (Ahrens [washingtonpost.com](#)). Obviously, these measures have a chilling effect on stations, who now automatically will be stricter when censoring songs or acts that may be considered offensive. Currently, the FCC has the authority to fine only network radio and television for violating indecency regulations. However, some Republican Senators, including Ted Stevens and Joe Barton, are calling for an extended authority of the FCC to cover cable and satellite

radio and television channels (washingtonpost.com). There has also been talk of extending the indecency rule from the 6 a.m. - 10 p.m. time slot to cover all twenty-four hours of the day, which many believe would reduce adults to children (washingtonpost.com).

As mentioned in my Introduction, the 1978 case of *FCC vs. Pacifica* distinguished ‘indecency’ from ‘obscenity’. Material considered indecent was banned during prime-time only, whereas material considered obscene was banned at all times. Yet, the definition of indecency set a lower threshold than the constitutional requirements for obscenity. The Miller Standard, which defined what is supposedly obscene, included a sentence that took into consideration an expression’s artistic value. On the other hand, the *Pacifica* decision, which defined what is supposedly indecent, did not consider artistic value. Nor did it require that the material be taken as a whole. This decision focused solely on ‘sexual and excretory organs or activities’. The guidelines here are extremely vague. Had the Super Bowl incident been labeled obscene, it might have been justified as being part of the performance’s artistic expression, thus having artistic value. However, because it was labeled as being indecent, the incident was fined simply because of an adult woman’s breast – even though Jackson’s nipple was covered up.

In 2003, the year before the Super Bowl incident, U2’s lead singer Bono received an award at the Golden Globes, which also was broadcast live on American network television. Bono accepted the award, and exclaimed: “This is really, really fucking brilliant!” (Hilden *Bono* findlaw.com). After receiving complaints from viewers, the FCC ruled that Bono’s remark should not be considered indecent, because he had used the word ‘fuck’ as a superlative (findlaw.com). This ruling caused a furor in some parts of the conservative-dominated Congress, and might be one explanation for the FCC’s strict Super Bowl ruling.



Three seconds that changed America:

Janet Jackson and Justin Timberlake.

In addition, the Super Bowl incident, nicknamed ‘Nipplegate’ by the American media, was exactly what social conservatives needed to fuel the fire of the culture war on indecency. In Nipplegate’s wake, a fairly new organization called the Parents Television Council (PTC), also known as an ‘automated complaint factory’, launched a campaign encouraging its constituents to flood the FCC with indecency complaints (Kim thenation.com). In 2004, broadcasters were charged a record \$7.9 million in fines (thenation.com). 99% of the complaints in 2004 and 2005 were generated by the PTC (FCC ncac.org).

As mentioned above, the religious and conservative special-interest groups tend to be extremely well-organized. For example, the powerful American Family Association’s website encourages all visitors to bombard the ‘liberal-saturated’ media with complaints. The AFA

website (www.afa.net) lists the addresses to all major media outlets in the United States, and has direct e-mail links to these companies. Not only that, the organization's website offers clever ways to get rid of mainstream entertainment: "Christians need to see entertainment in the same way [we] see fattening food. [We] suggest a Christian music diet. For the next thirty days, eliminate all television, videos, and motion pictures that are against biblical values and listen only to Christian music. It will be like washing your brain with God's truth" (Menconi afa.net). Another example is Jeff Godwin's books, including *The Devil's Disciples*, which include an appendix listing addresses to several major record companies, the FCC, the National Association of Broadcasters, the RIAA, network television and radio stations, Congressmen, and Senators. Godwin concludes the appendix with the words: "The above is for you to use to mount letter-writing campaigns. Tell these people how you feel about rock music" (334-6).

Singer Elton John told *Interview* in 2004: "Things have changed. I don't know if there's been a time when the fear factor played such an important role in America since McCarthyism in the 1950s, as it does now" (*Elton* freemuse.org). He further stated that one reason for the reluctance of performers to speak out "might be that they are frightened by the current administration's bullying tactics when it comes to free speech" (freemuse.org). When the Rolling Stones performed at the 2006 Super Bowl halftime, they were forced to change the lyrics to two of the three songs they played. The line 'You make a dead man come' was removed from "Start Me Up", and a line including a synonym for rooster, 'I'm just one of your cocks', was removed from "Rough Justice" (Ludensky trw.umbc.edu). A spokeswoman for the Stones said the band thought it was "ridiculous and completely unnecessary", but had agreed to it (trw.umbc.edu). As Aaron Ludensky wrote about the incident in *Retriever Weekly*: "While this one instance isn't necessarily a threat to our freedoms, it's the

accumulation of little things like these that may eventually lead to government censorship [and] reinterpretation of the First Amendment [...] A little censorship here and there; [i]t's going to happen so slowly that eventually, we won't even know what hit us" (trw.umbc.edu). Another interesting point about this incident is how similar it was to when the Rolling Stones performed on *Ed Sullivan* forty years back. In an identical fashion, the band was forced to change ambiguous and fairly innocent lyrics to avoid offending anyone.

Rap still came under attack from conservative America in the new millennium. In 2002 rap artist Ludacris was dropped as a spokesperson by Pepsi after conservative television host Bill O'Reilly called Ludacris a thug rapper who espouses violence, and promised to stage a major boycott of the company (Blecha 8). That same year, female rap artist Sarah Jones' hit "Your Revolution" was banned from all airwaves after a radio station was fined for playing the song, and the FCC condemned it as indecent (Heins ncac.org). The song is an explicitly feminist critique of misogyny in rap music, and includes the lines '...Your revolution will not start between these thighs, your revolution will not find me in the back seat of a jeep, you will not be touching your lips to my triple dip, your revolution will not start between these thighs...' (ncac.org) Jones sued the FCC, but a judge dismissed the case. It was while Jones' appeal was pending that the FCC reversed its indecency finding, after the song had been banned for almost two years (ncac.org). FCC's new finding stated that 'in context' the sexual language in the song was not 'sufficiently graphic' to warrant sanction (ncac.org).

Madonna again became the target of a boycott threat from religious groups in 2006, this time targeted along with television network NBC and its sponsors. The reason was that NBC had scheduled to air a concert by Madonna in which she performed one of her songs hanging on a cross, wearing a crown of thorns (*NBC usatoday.com*). NBC decided to air the

performance, but used different camera angles so that Madonna was not seen until she got off the cross and had removed the crown of thorns. The religious groups agreed to drop their boycott threats (usatoday.com). Just like the Pepsi sponsorship boycott twenty years back, religious interest groups were able to silence Madonna's artistic expression, of great interest to millions of people. An interesting point to be made here is that even though an expression has been censored before, this does not mean it has been silenced forever and will never appear again. Arguably, it is only a matter of time before a similar expression resurfaces and challenges the status quo.

The last decade has seen a boom in the use of the Internet, and, subsequently, a boom in the discussion on how to regulate obscene and indecent material on the web. One of the problems is that national borders are permeable online, which means that residents of a country that bans certain expressions may find it on websites hosted outside that country. Also, if one site is shut down, a similar one usually pops up, sometimes within days or weeks. Because of the scope of this thesis, I will not go into detail about Internet censorship. However, I believe it is worth mentioning some key decisions which may affect music distribution online. In 1996 the Communications Decency Act (CDA) was passed by Congress, and was designed to criminalize 'indecent' material on the Internet in a similar way that radio and television are regulated (Wallace spectacle.org). In 1997 the Supreme Court overturned the CDA decision in *Reno vs. ACLU*, which granted First Amendment protection to the Internet (*Internet epic.org*). Obviously, concepts such as 'community standards' make no sense in cyberspace. Still, some measures have been taken to protect children from some of the material online. In 2000 Congress passed the Children's Internet Protection Act which required schools and public libraries receiving federal funding to install filters or blocking software, which blocks sites containing pornography (*epic.org*). Most teenagers today use the

Internet, and thus have access to pretty much anything they want, including censored music and video clips such as the Nipplegate incident. In light of this, one might ask oneself whether or not the obscenity and indecency laws are becoming outdated.

In 2006 America's first museum dedicated to freedom of expression opened in Chicago. The McCormick Tribune Freedom Museum covers two floors and 10,000 square feet, and offers interactive exhibits in which the visitor is able to listen to banned music, view T-shirts used by kids to protest at school, and read about freedom restrictions in other countries (*America* [freemuse.org](http://freemuse.org)). Director Dave Anderson stated in a press release: "Our museum's mission is to help people better understand and value their freedoms, so that they may protect and defend them. As citizens of a democratic society, we cannot take our freedoms for granted" ([freemuse.org](http://freemuse.org)).

## CONCLUSION

Everybody gets offended by something throughout their lives. It may be through different political opinions from one's own and how they are justified. It may be through the way someone uses language to express themselves. It may be through someone's pro or anti-marijuana legalization stance. It may be through someone's opinion on organized religion. Whatever the reason, refusing the other party the right to express their beliefs is not considered the democratic 'American' way. What has become apparent in this study is that, overwhelmingly, it is conservatives who have called for censorship of artistic expressions. This may not be surprising since most artistic expressions, especially in popular music, tend to be liberal, and conservatives are usually patriotic traditionalists who emphasize values and morals. However, it is paradoxical that one of the cornerstones of the American tradition is freedom of speech. The battle over freedom of speech symbolizes the political and cultural polarization that exists in the United States, and how differently the two sides view what values should be emphasized. Liberals traditionally see individual freedom and the right to express any opinion as essential for living in a free society, and censorship is viewed as the result of an intolerant community who tries to impose conformity and rob individuals of their constitutionally secured rights. On the other hand, conservatives traditionally believe that too much freedom of speech may lead to irresponsible expressions, which will undermine the well-being of the community. Censorship is therefore justified as a way to keep immoral and thus unwanted expressions at bay.

Historically, censorship almost exclusively came in the form of top-down restrictions, usually from the Church or governments who sought to secure their position at the top.

However, after the introduction of the democratic idea, censorship has tended to be bottom-up. This means that it usually has been grass-root organizations, especially in the form of interest groups, who have put pressure on the government to enact censorious measures in order to 'protect' the community. In 20<sup>th</sup> century America these interest groups have overwhelmingly consisted of conservative, religious moralists, whose agenda has been to stifle anything that may challenge traditional values that do not fall exactly into traditional patterns of beliefs. When an interest group grows large enough, they may get enough influence to start a chain reaction of boycotts, send multiple letters of complaint to governmental offices in order to attract attention to their cause, or bombard radio or television stations with angry reactions. Many of these interest groups have been well-organized, and have managed to get enough political clout to influence legislations, and even change laws in their favor. This may sound like a democratic process, but in the big picture these interest groups are far from being the voice of the majority, and therefore they are obviously not at all representative of the whole country. Automatically, the special interest of such a group becomes forced on everyone else.

The identity of generations has often come from their unique forms of expressions. The 1950s generation found their identity in a new kind of musical genre called rock 'n' roll. The 1960s and early 1970s had the counterculture and its psychedelic music to help define its generation. The 1980s saw the bloom of heavy metal, which again gave a new voice to yet another generation. Similarly, rap in the 1990s became the voice of millions of adolescents. The common denominator here is that all these musical expressions have played on rebellion against the authority of the establishment. Every generation seems to have an impulse to rebel against what has come before. Musical expressions mirror this. Censors seem to miss the fact that artistic expressions they disagree with can be of social importance to others. Denying

people the chance to express themselves, or listen to expressions they identify with, is pretty much the core of censorship.

As this thesis has illustrated, the themes targeted by censors of popular music fall into five main categories, namely sex, drugs, politics, religion, and violence. From the onset of rock 'n' roll in the 1950s, this musical genre was believed to lure its listeners into a more liberal stance on sexuality. It was simply believed to promote promiscuity. It is no secret that rock has played on sexual connotations, from Elvis Presley to Madonna. Conservatives have traditionally seen this as a sign of moral deterioration, whereas liberals have seen it more as an embrace of open-mindedness. Similarly, when the counterculture of the 1960s exploded into mainstream America, the liberal stance on recreational drugs apart from alcohol and cigarettes was met with shock and legislation, as were the songs believed to describe it. Political speech by artists has also been heavily targeted, from Pete Seeger to Dixie Chicks. Artists expressing critical opinions about American politics have been stigmatized as promoters of unpatriotic speech, and subsequently have been tagged 'un-American' by conservatives. Religion, which in the United States primarily means Christianity, tends to go hand in hand with conservatives, who see it as the moral foundation of society. Thus, any expressions that may challenge this have been notoriously met with censorship attempts, which artists as diverse as John Lennon and Marilyn Manson have experienced. Also, expressions depicting violence have been targeted, mostly as a scapegoat to divert attention away from its actual and uncomfortable causes such as poverty and class divisions; in other words, topics that traditionally have not been on top of the list of concerns with conservatives. Again, the point to be made here is that the American Constitution was based on the principle that everybody should have the right to express themselves without being prosecuted.

The consequences of censorship are diverse. In theory, the most obvious effect would be that the expression is suffocated and dies. In practice it not so simple. First of all, censorship robs many people of the chance to experience certain artistic expressions because someone else does not like the content. A serious threat to free expression currently seems to come from a widening influence of conservative corporations such as Wal-Mart and Clear Channel Communications. Their power to limit distribution is vast and likely to decide a product's availability to millions of people. However, censorship does have other consequences. It can create controversy in such a way that the censored material gains a publicity it arguably never would have received had it not been censored. Furthermore, censorship can also create a forbidden fruit effect which draws some people to the censored piece out of curiosity. The fact that people have been told what they are not supposed to hear makes them eager to investigate what exactly it is they are not supposed to experience. Most importantly, though, is the fact that censorship infringes on an individual's constitutionally secured right to freedom of expression.

This thesis has identified two major arguments for censorship, namely obscenity and cause. The obscenity argument emphasizes that anything deemed offensive should not be allowed into the mainstream, because it may upset the general public. Of course, the definitions of 'obscenity' and 'general public' have not yet been sufficiently clarified by the judicial system. However, as of today, the Miller Standard defines what can and can not be expressed. In terms of the cause argument, no conclusive evidence has been gathered in order to restrict artistic expression from, well, expressing itself. Even though the cause argument has repeatedly been used in court to fault artists for actions other have committed, it has not been successful so far. This probably indicates that artistic expression is not the cause of

societal traumas, but rather a way to vent frustrations about such traumas. In other words, artistic expression is not a cause, but rather an effect of the state of society.

Censorship seems to stem from a general underlying fear. Artistic expressions on sexuality are censored out of *fear* that listeners may become promiscuous. Dissident political speech is censored out of *fear* that listeners may also start questioning the political status quo. Artistic expressions depicting drug use are censored out of *fear* that listeners may get more liberal towards drugs. ‘Obscene’ expressions are censored out of *fear* that they may offend someone, and so forth. In other words, censorship attempts seem to result from fear of the potential power that certain speech acts can have, and reflect an assumption that if such expressions are silenced, the respective topic will evaporate and disappear. This, of course, creates a false sense of security. In fact, the best way to solve a perceived problem is usually through open communication, not through further suppression.

A censor comes across as speaking and judging from a point of superiority. (S)he dictates from a moral pedestal to the ‘socially unstable’ masses who do not know how to critically process information. This is probably the reason why many people react negatively to censorship. Most individuals want credit enough to feel they can be their own judges of what they like or not. The democratic philosophy is based on man’s presumed ability to reason, and to decide for him/herself. Censorship represents the denial of this principle. The intense tug-of-war of how freedom of speech should be interpreted is interesting enough to make the fight worth watching. After all, it is a fundamental cornerstone in terms of how to approach American society, politics, and the development of culture in itself. As I was finalizing this thesis, a new controversy emerged in the news. According to *New York Times* last month, New York City symbolically has banned the word ‘nigger’ in an attempt to

expunge the word from hip-hop (*NYC nytimes.com*). African-American hip-hop vernacular uses this expression not as a slur, but rather as an expression of endearment and belonging among insiders. Yet, supporters of the ban are now taking their campaign to The Recording Academy, asking it not to nominate musicians for Grammy Awards if they use the word in their lyrics (*nytimes.com*). Ron Roecker, vice president of the Recording Academy, expressed doubt that the ban would work. He stated: “[The Grammy Academy] are not going to be supportive of something that excludes someone simply because they are using a word that is offensive” (*nytimes.com*).

And so the beat goes on.

APPENDIX

This is an example of a letter of complaint received by the FBI. It concerns the indecipherable lyrics to "Louie Louie" by The Kingsmen, which spawned a federal investigation. The whole file can be accessed at <<http://foia.fbi.gov/foiaindex/louielouie.htm>>

June 18, 1965

b7c

Mr. J. Edgar Hoover  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Hoover:

Having admired your work and your life for so many years, it is with trepidation that I write to you. But being a mother and a teacher, I have been disturbed by the alarming increase in pornography and abjectly implore your advice.

As a member of the General Federation of Women's Clubs, dedicated in the fight against pornography, this is how we --specifically the Flint Junior Woman's Club --became involved in a war of legal semantics. It all began this winter when a group of vocalists called the "Kingsmen" appeared at a local hall. They plugged their million dollar record, "Louie, Louie." In a matter of weeks the record was selling like hot cakes and rising on the "Top 40 Show." We became aware of the dual set of lyrics and that without a doubt, someone had masterminded an "auditory illusion." Our prosecuting attorney with whom we consulted said, in his opinion, there was nothing legally that can be done since he believed you cannot prove which set of lyrics they are singing. This seemed rather irrelevant since they were capitalizing on its obscenity, and when every teenager in the county "heard" the obscene not the copywritten lyric.

Our attempts to have something done about the record were met with frustration. But that is all prologue. We realize the damage is done and the "Louie, Louie" purveyors are getting away with setting a new precedence. That along with the movies, the magazines, the paperbacks -- our kids will now be hit with a fourth front -- records.

We have also been in contact with Mr. Lawrence Gubow, U. S. Attorney in Detroit, and he informed us that your bureau was investigating the record in question. He wasn't too explicit, however. Can you tell us what is being done? What can we do to help? Mr. Hoover, do you think more of these type records are inevitable? Is there perhaps a subliminal type of perversion involved?

In Mr. Gubow's answer to us, he stated that in order for matter to be declared obscene, it must be "objectively obscene." I am confused. How can anything be objectively obscene? Obscenity is not indifferent -- but has definite goals. It is not impersonal and unemotional -- how can it possibly be? By its very nature, obscenity is SUBJECTIVE.

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JUN 23 1965

CORRESPONDENCE 63

Mr. J. Edgar Hoover

- 2 -

June 18, 1965

What are the ground rules in this ridiculous legal game that benefits the pornographers? When does obscenity become pornography? And pornography -- perversion?

We do not conclude that curtailment of Freedom of the Press or that strong legislation is the only alternative. But how do you begin to reverse this trend? Can it ever be done? Is the Miller Bill S.173 a good one? Is it worth petitioning for?

Our club would like to do something positive. Do you think a questionnaire to high school students would be of value? Finding out what a cross-section of students reads - buys - thinks about the flood of obscene materials? Do you think such answers could be valuable or would it be superfluous? If you do think it has some merit, would you be willing to help us to construct such a questionnaire?

Perhaps I have asked all too many impertinent questions, but they are as genuine as is our concern at the alarming rise in venereal disease, perversion, promiscuity and illegitimate births in the teen groups. Is there a correlation to the alarming rise in the access to obscene materials by this same group?

Please, Mr. Hoover, let us know if and when we should take what course of action. We would appreciate any help and information you can give us.

Until I hear from you, I remain,

Most Humbly yours,



b7c

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