Censorship in Music: Art or Product

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When purchasing a CD, many never stop to think, is this CD censored? Much controversy has been raised over the issue of album censorship. Should the government have ultimate control of a musical artist’s work? Many of the censorship laws in effect today are doing just this. They label artist’s CD’s explicit so that, the consumer is aware if the content or lyrics of the music they are buying is appropriate for their children to listen to. Similarly, many companies, such as Wal-Mart, will only carry edited or censored versions of mainstream artist’s CD’s. Many artists feel that this takes away from the artistic expression intended by the artist. Some even argue that censorship of music is in violation of the artist’s First Amendment rights to freedom of speech. Does censorship benefit society or does it harm the artistic honesty and integrity of today’s musical artists? In order to find out if the effect of censorship is positive or negative to an artist, one must first review our nation’s attempts at censorship and gain an understanding for the laws that are being enforced.

Today, many artists deal with pressure from their record labels to censor their CD’s. Some artists experience the negativity of censorship. In May 1985, the Parent’s Music Resource Center, which is a non-profit organization, attempted to define censorship in music. They worked along side with the RIAA (Recording Industry Association of America) to design the label that would go onto CD’s with explicit lyrics. The sticker was placed on CD’s with explicit lyrical content. This made it hard for the record label to market the artist’s CD, which ultimately hurt the band and the label.
In 1991, Wal-Mart, the world’s largest retailer, refused to carry CD’s with Parental Advisory stickers. Resulting in the editing of CD’s viewed by the Parent’s Music Resource Center as “obscene”. This was an attempt to make the music suitable for all of Wal-Mart consumers. The editing procedure was a process that consisted of silencing any word or content that the government believed to be obscene. This situation causes many to ask: What makes something obscene?

In 1957, “in Roth v. United States case, the Supreme Court made its first attempt to define obscenity.” (Siracusa, 2005). In this case, the court was trying to determine if these obscenity laws would be breaking any First Amendment rights. When record companies try to edit the artist’s albums, they could be damaging that artist’s rights based on the First Amendment. The First Amendment protects everyone’s right to free speech, including these artists. Although some might see their material to be obscene, it may not technically be obscene according to actual law. “Obscene material is material which deals with sex in a manner appealing to prurient interest -- i.e., material having a tendency to excite lustful thoughts.” (Supreme Court Cases: The Dynamic Court (1930-1999). By this definition, many parents wouldn’t want their children listening to an artist that was talking about sex. This, yet again, is where rap artist can hurt, in terms of their sales.

In 1966, another case to test obscenity was brought to the Supreme Court. Memoirs v. Massachusetts was trying to determine whether a book was seen as obscene or not. Where Roth v. United States “presumed obscenity to be utterly without redeeming social importance… Memoirs required that to prove obscenity it must be affirmatively established that the material is utterly without redeeming social value.” (Supreme Court Cases: The Dynamic Court (1930-
1999). They ultimately found that the book could not be considered obscene because it was unqualifiedly worthless. Even if the book was made to be offensive, they still wouldn’t do anything about it because it was a book. Now what sense does that make? So, what does this say about CD’s? Could this possibly mean that since a story is being told on these records, like a book, could it get away with not actually being offensive in the courtroom? Could they just consider these records worthless too?

The CD’s bought by consumers from Wal-Mart were not accurate representations of the original art that the artist’s wanted the audiences to hear and see. However, there are two sides to this issue. For the artist, it is, have your music on a label that edits your music, but is still heard by the masses, or have your music on no label at all and risk not getting your music out to the public at all. This can be a great struggle for any artist in this position.

NWA, a rap group formed in the late 1980’s, is an example of a group of artists that was under great scrutiny from the media. According to John Street (1993), “NWA were offering the genuine voice of oppressed blacks, and that they were reporting rather than advocating the violence that the oppression provoked.” Rap music is the genre that struggles the most from the censorship of music. With such passionate views, over many topics that the white majority doesn’t witness first hand, it’s hard for these rappers to create art that all demographics can relate to. This is their artistic aesthetic. Even though the music can be seen as vulgar, should it be censored, is the question?

Conversely, many other rappers whom have been under this same type of scrutiny have openly admitted to exaggerating situations that they speak of in their raps. Most of them admit that they write lyrics with content that they know will sell the most records. They have to be
Censorship in Music

entertaining to the audience because, ultimately, that is the field that they are in. Although they want to sell a genuine product, they must perform. A song is like a performance because you have to make the product seem as desirable as possible, even if that does mean fabricating the truth. The majority of mainstream rappers make personas that are exaggerations of themselves and write accordingly to these exaggerations. However, it is seen that these personas are not real.

Trying to regulate content is even harder than trying to regulate lyrics. When hearing a certain word, one can normally state whether it is vulgar or not. When picking out a CD for a child, it is harder to know whether the content would be suitable for the child. Rap is under the spotlight yet again. Eric Nuzum (2001) believed, “Why, for example, was there absolute outrage over Ice-T's "Cop Killer" when Eric Clapton's similarly themed "I Shot the Sheriff" not only created no controversy, but also went on to become a number one hit?” Some might say that rap artists are being discriminated against. This issue might also play into harsher censorship rules against the artist in question.

Rappers are not alone in the content battle because many heavy metal and rock bands are subject to this question too. Marilyn Manson, hard rocker from the 90’s who is still popular today, would have a sticker placed on the cover of his CD of “violence” and “suicide” if these labels did so exist. Should it go this far? Should there also be content censoring?

The 1970 Commission on Obscenity and Pornography (C.O.P.) report asserted that "it is obviously not possible, and never could be possible, to state that never on any occasion, under any conditions, did any erotic material ever contribute in any way to the likelihood of any individual committing a sex crime.” So, for music to be censored because someone thinks that someone will replicate what these artists are saying is foolish. The person who is listening to the
record has to decipher whether the material is inappropriate or not to them because they will be the one listening to the music. When a consumer purchases a shirt, they pick out the one they like. This is seen with music too. We don’t see a sticker that says that a shirt is inappropriate. Why should we see this on CD’s?

It is hard enough for an artist to get their material out to the public without having to be harassed by the media and censorship laws to conform their artistic view into one central mindset. Artists have two choices under these circumstances. They can create music that pushes the boundaries and will probably get censored by their label, which could affect their profit as a band negativity or positively depending on how the public receives them. Or, they cannot curse in their material or talk about any “risky” material by taking a stance on a taboo topic.

This is a hard decision for any artist. That is why the First Amendment tries to protect the free speech of everyone. However, in turn, it also protects the people that oppose the artists to say that they want the artists censored. Overall, the artist should have free will to say whatever they want on their records, but be aware of the repercussions of their actions. They hold their fate in their own hands. It is good that there are parental advisory stickers on CD’s because it helps keep explicit content out of the site of young children who are highly impressionable and who might not understand the severity of the lyrical content. It is bad for the artist because it narrows their demographic and could affect their target audiences, which could affect their sales in a negative way. There is good and bad from all censorship, but that is the case with everything in life. You have to take the good with the bad. Let the artist say want they want. The laws should only be used in attempt to protect the youth. Doing this keeps an artist’s integrity intact, while at the same time, providing moral protection for our nation.
References


