

Introduction

In the aftermath of the destruction of the twin towers of the World Trade Center and a section of the Pentagon on 11 September 2001, Clear Channel, the largest radio chain in the United States, circulated a list of some 150 songs that executives considered “insensitive.” The list included Metallica’s “Seek and Destroy” and AC/DC’s “Shot Down in Flames,” Carole King’s “I Feel the Earth Move” and the Bangles’ “Walk Like an Egyptian,” as well as “all Rage Against the Machine songs.” Defended as a simple act of sensitivity toward the victims’ families, and denounced as the latest move in a continuing and needless attempt to regulate popular music, the Clear Channel list quickly took its place in a running debate pitting civil liberties and freedom of expression against the perceived need for unity and stronger national security. The fact that the list also included John Lennon’s “Imagine” made it all the more interesting that Neil Young chose to perform that song on the *America: Tribute to Heroes* telecast that was promoted by every major network and cable outlet in the country to raise funds for the victims’ families. As usual, popular music was at the center of the battle for dominant values, where every act of repression is accompanied by an act of resistance. This is the stuff of *Policing Pop*.

As the new millennium takes shape, the tension between freedom of expression and the regulation of various cultural forms remains as fraught as ever. In an era of globalization and apparently expanding avenues of communication, the prospect of censorship remains the pea under the princess’s mattress—irritating, annoying, almost bewildering. The question of where to draw the line, far from being solved, has become the moving target of shifting cultural and political values the world over. Nowhere is this more the case than with that most globalized of artistic forms—popular music. As multinational media corporations lobby governments and pursue their agendas at international trade meetings, the strategic deployment of popular music and control of the mass media have become ever more powerful tools in the state’s arsenal. While most governments willingly assist transnational

corporations in the eradication of trade barriers, those same governments often seek to blunt the edge of popular culture by imposing restrictions on websites, consumer videos, sound recordings, live music performances, and a range of other cultural practices.

If one response to globalization at a governmental level has been the attempt to close borders and reinforce national identity, another involves efforts by non-governmental organizations to mold the nation's morality by restricting its popular culture. In Britain, for example, a long-standing pressure group, the National Viewers and Listeners Association, renamed itself Media Watch UK in 2001 and vowed to continue the fight for "cleaner" popular culture. Its activities were mirrored in the United States by campaigns to restrict the breadth and appeal of popular music launched by the Parents Music and Resource Center (PMRC) in the 1980s and carried on through the efforts of Christian fundamentalist organizations such as Focus on the Family and the Christian Coalition, and political activists and elected officials such as William Bennett, Joseph Lieberman, and Dr. C. Delores Tucker.

Religious zealotry has long played a role in silencing aspects of popular culture. While the actions of Christian fundamentalists have perhaps been the most familiar to observers in the west, the rise of Islamic fundamentalism in Afghanistan, Algeria, Pakistan, Saudi Arabia, and other parts of the world has been accompanied by less tolerance of cultural diversity and many forms of cultural expression. The attempt by the former Taliban regime in Afghanistan to outlaw most musical forms is but the most extreme example of attacks against popular music taking place across the globe.

In places that have a strong tradition of and commitment to freedom of expression, acts of overt repression are usually greeted with an automatic negative response. The discussion becomes measurably more complicated, however, when the topic turns to, say, the cultural boycott of South Africa during the apartheid regime, a misogynistic Death Metal scene, or Nazi rock in contemporary Germany. For many, the maxim of the American Civil Liberties Union—that the antidote to hate speech is more speech—remains in force even in these instances. Others are willing to consider certain forms of censorship as a progressive strategy, which offers a very different perspective on the notion of "policing."

Meanwhile, at the industry level, the global music business has become embroiled in attempts to fortify its bottom line by harnessing new technologies for the production and distribution of music. Its first goal has been to prevent peer-to-peer internet services such as Napster and Gnutella from providing users with free access to thousands of recordings as it prepares to enter the internet music business on its own terms. This enterprise has led the industry down the path of restrictive copyright legislation and punitive litigation—yet another form of policing—rather than providing useful services.

Policing Pop takes up these struggles at the point where regulation and repression meet resistance and revolt. Its contributors provide a wealth of examples of both attempts to stifle the creativity of popular musicians and the strategies used to resist such pressures. To this end, we have consciously chosen the metaphor of “policing,” rather than the narrower concept of censorship, to describe the activities in question—not simply for its alliterative value, but also to convey the variety of ways in which popular music can be regulated, restricted, and repressed. These 13 chapters include instances of direct and indirect acts of censorship by government functionaries, social pressure brought to bear by conservative religious and cultural groups, organized boycotts spearheaded by liberal and progressive causes, proposed legislation that threatens to restrict everything from live performances and T-shirts to portable playback devices and digital downloads, market forces that limit the range and styles of music available, and, finally, prior capitulation to any of the above, which leads to that most pernicious of all forms of censorship—self-censorship. Our focus goes beyond the suppression of content to include issues of access, ownership, and the use of popular music and other forms of popular culture. Many of the incidents described in *Policing Pop* are fully covered here for the first time. Our goal is to explore the range of practices which limit popular music, determine the agents and the mechanisms of these practices, and illustrate strategies for resistance and positive change.

Policing Pop falls into three parts. The first, “Defining Issues and Themes,” contextualizes the regulation and censorship of popular music within the broader notion of policing. It introduces some of the major themes which recur throughout the book, including problems associated with definitions and boundaries, the importance of changing technologies and attendant legislation, and the diversity of censorial and regulatory practices. These opening chapters explore the basic parameters and historical underpinnings of policing. What is it? How does it affect pop? How widespread is it? Does it occur in routine operations of the music industry? Can it be countered? Must it always occur?

Martin Cloonan deals with the problem of definition in the opening chapter. Examining the concept of censorship as it applies to popular music, Cloonan argues that many commentators have been quick to use the word in the case of popular music without considering its meaning. He illustrates the need for more precision by considering various definitions and levels of censorship and the ways in which pop music has been censored. Cloonan suggests that acts of censorship are related to the artistic form in question and that censorship does not have to involve deliberate imposition of moral or political codes, since the routine machinations of the market can have censorial implications. Having thus moved the notion of censorship beyond the relatively narrow confines of governmental acts into broader social actions, he explores the implications of such an approach

through some illustrative cases. His conclusion that the PMRC's stickering campaign was not a form of censorship provides a provocative opening for the book.

While Cloonan is concerned with perennial issues, Reebee Garofalo's chapter is firmly located in the age of hyperspace. Highlighting the censorial implications of changing technology, it examines perhaps the most contentious area of policing pop today—the regulation of the internet. Garofalo situates his work in the history of U.S. copyright law and music industry practice, detailing a pronounced shift in emphasis away from users' rights toward corporate self-interest. He shows how by using terms such as "theft" and "piracy"—while at the same time influencing copyright legislation to narrow the terrain of fair use and the public domain, the music industry has been able to defend its ability to profit while simultaneously masquerading as a defender of artistic freedom. The result is an enforcement mentality hopelessly mired in an impossible search for secure file formats rather than a focus on providing consumers with affordable, user-friendly services. Thus, in common with Cloonan, Garofalo discusses the ways in which daily business practices seek to curtail artistic expression, but takes the issue further by adding the important dimensions of audience access to and use of that expression.

The varied ways in which pop is policed are illustrated further in Chapter 3, where Vanessa Bastian and Dave Laing review *Index on Censorship's* coverage of musical censorship around the world over a 20-year period. Drawing on more than two hundred examples, they identify the most censorious countries and chart the range of issues which have resulted in pop's being censored. While *Index* generally concentrates on government censorship, Bastian and Laing show that censorship is practiced by a variety of agents, including state regulators, broadcasters, pressure groups, and guerrilla groups. Thus, their chapter illustrates a key theme of *Policing Pop*—that it is not only governments who police the popular music terrain.

This idea is taken further in Chapter 4, where Steve Greenfield and Guy Osborn review the policing of pop within the music industry. They show that the notion of policing goes beyond outright censorship to include the control and regulation of artistic output. Focusing on the experience of the United Kingdom and drawing on a range of legal documents, they show how copyright—in many ways the very foundation of the popular music industry—can serve to stifle artistic freedom. Their examples include artists such as Abba, the Rolling Stones, and Bruce Springsteen. Picking up on themes explored by Cloonan and Garofalo, the chapter also examines the potentially censorial impact of standard music industry contracts. Changing technology again emerges as a key issue as Greenfield and Osborn show how the law struggles to keep pace with technological developments such as samplers and the internet. The result is that the policing of pop continues to be undermined by new technologies. Battle lines are continually redrawn, but the war never ends.

Many of the themes included in Part I of *Policing Pop*—issues of definition, changing technology, the roles of various agents, and the key role played by the music industry—return in the second part, “Controlling the Artistic Process.” Moving from the general to the specific, the four chapters here deal with the ways in which individual artists experience the prospect of censorship and what happens to their music as it becomes subject to broader social forces. Contributors explore the censorial implications of moving from small subcultures and relatively isolated “scenes” to mainstream scrutiny, the attendant pressures toward self-censorship, ways of countering attempts to prosecute, and the roles which popular musicians can play in fighting censorship.

Keith Kahn-Harris’s chapter on the limits of musical expression within the death metal scene demonstrates that a book on censorship is almost guaranteed to take the reader to places that are most uncomfortable. Analyzing the horrific musical text “Fucked with a Knife” by the band Cannibal Corpse, Kahn-Harris’s work is important in that it addresses freedom of expression in a situation that puts it to the test. His exploration was motivated by his concern about the text and the band’s larger body of work, which is almost wholly devoted to explorations of the abject. While the content of the song is fully discussed in the chapter, the complete lyric text does not appear. The reader is directed to a Cannibal Corpse website, where the lyrics can be accessed in the context of the band’s complete body of work. This decision to omit the lyrics, of course, forced all of us to grapple with the prospect of our own self-censorship—certainly an irony in a book on censorship. Ultimately, we all agreed that the decision was a sound one. In deploying the concept of a “scene,” which provides a cultural and aesthetic frame for the music, Kahn-Harris finds a disjuncture between “text” and “practice” in the death metal scene. He suggests that while death metal produces texts that are “transgressive,” the scene itself is not—partly because it is self-consciously anti-political—a fact that prompts the author to look for signs of social utility in the notion of transgression. One of the defining characteristics of the death metal scene is its near complete insularity. Until the political enters, Kahn-Harris suggests, the scene—and the internal acceptance of its own misogynist and exclusionary practices—will remain intact. Kahn-Harris’s contentious view is that intellectuals have a role in exposing the scene to greater scrutiny and thus making it engage more overtly with the political and especially with its unreconstructed sexual politics. Kahn-Harris warns against the “critical paralysis” which can result from over-analyzing any given phenomenon; he opts, instead, for a form of “policing” based on intellectual monitoring, analysis, and evaluation, which holds a given text up to the light of day and moves towards a more egalitarian scene via self-criticism and confronting regressive practices.

Mike Jones’s chapter is based on self-reflection concerning the fate of Latin Quarter, the band of which he was a member. Best known for the hit “Radio Africa,” Latin

Quarter were an overtly political band from Sheffield, England. Their history revisits some of the issues raised in Part I as Jones again shows how the daily workings of the popular music industry acted to stifle both the band's politics and its creativity. In an industry based more on entertainment and escape than on art and engagement, it is predictable that a band with serious material will have difficulty surviving. Although the industry will accept *some* overtly political texts from artists who can fulfill its other requirements (Bruce Springsteen, U2, and Billy Bragg come to mind), Jones suggests that it has trouble coping with artists who place politics in *all* their work (Rage Against the Machine stands out as one notable exception). Jones locates the difficulties that Latin Quarter faced not in overt acts of censorship, but rather in the very process of pop commodification, as he reflects on how he censored his own work in order to produce a product that suited the politics he was anxious to convey. His conclusion that the political instincts of Latin Quarter were entirely inappropriate for success in the pop world—too pop for the politically committed and too political for pop fans—acts as a somber warning to those who would follow in the band's wake.

In Chapter 7 Rob Bowman relates the story of an attempt to censor the Canadian band the Dayglo Abortions. Bowman charts the band's career and then explores the minutiae of a censorship battle, basing his work on a wealth of newly uncovered material. Importantly, he shows how fighting censorship can have repercussions for artists. In this instance it helped to exacerbate existing tensions between the band and its record company, Fringe Product. The defense's case was further undermined by a dispute between the company owner, Ben Hoffman, and his lawyer, Marlys Edwardh. Drawing upon correspondence between the two, Bowman reveals the complexity of an attempt to defend popular music from censorship. Eventually, thanks to the support of a number of experts and astute defense tactics, the Abortions' case was won and their records were acquitted. However, Bowman also shows that some potentially key allies were reluctant to help. Moreover, in the fallout from the case Fringe scaled down its activities, and other record companies became more cautious about what they released. This case thus shows the need not only to defend pop—and to do so loudly and clearly—but also to do so in ways which offer victims support in the longer term.

Chapter 8 moves from North America to Eastern Europe and again shows the need for allies, albeit in a rather different climate where rights to free expression are less well established. The subject is the Slovenian band Strelnikoff, whose members have been engaged in a long-running censorship battle with the Slovenian Catholic Church and its political allies in the Christian Democratic Party. The dispute centers on the band's "Bitchcraft" single, the cover of which features a picture of the Virgin Mary with a rat on her lap. David Parvo argues that the case has the potential to move Slovenia toward forms of censorship which are even more severe than those endured during the years of Soviet domination. Here pop is acting as a

barometer for Slovenian freedom of expression. Fortunately, Strelnikoff have managed to defend themselves and have secured a range of allies; indeed, the case has become something of a litmus test. The band's tactics, Parvo shows, have resonance beyond Slovenia.

Parvo's chapter leads into Part III of the book, "Up Against the State," which focuses on censorship by state agencies but includes instances of restrictive measures supported by progressive causes, international agencies, and even musicians themselves. Key themes which emerge here include the changing role of the state and the contested nature of state power, the importance of local as well as national censorship, and the controversial notion of cultural suppression as a progressive force. In the age of global communication, this section serves as a reminder of the continued power of the nation-state and of the resistance to that power which musicians have often helped to lead.

The section begins with Michael Drewett's review in Chapter 9 of the censorship of popular music in apartheid South Africa, concentrating on the dark years of the 1980s. Drewett surveys various forms of censorship and shows how many brave musicians resisted the apartheid regime. Crucially, South African musicians were divided among themselves about how best to counter apartheid and avoid censorship. Some saw exile from their homeland for the duration of apartheid as the only viable option; others saw remaining and recording messages of resistance—open or camouflaged—as more productive, a tactic that posits some form of self-censorship as a strategic and creative choice. The chapter also raises the question of whether censorship can be politically progressive, given that the resistance to apartheid was bolstered by a UN-sponsored cultural boycott of South Africa. In discussing the boycott, Drewett argues that the multifaceted nature of this policing effort prompted liberals and progressives to advocate forms of censorship. The chapter ends optimistically by noting how much freer South African musicians are in the postapartheid era, but it also serves as a stark reminder of how hard-won that freedom was.

Jeroen de Kloet's chapter focuses on the policing of pop in contemporary China. He begins by discussing the notion of a velvet prison which many observers use to describe the relationship between the artist and the state in communist societies. Drawing on his own field work within China, de Kloet shows that despite its superficial appeal, this notion fails to convey the complexity of the relationship between the Chinese state and popular musicians. He describes the ways in which popular musicians negotiate the various rules and regulations designed to police them. However, the fact that these negotiations take place is evidence, he suggests, that the Chinese state is not as all-powerful as is sometimes suggested. In addition, although rock's rebellious image can help to popularize it among fans, actual rebellious acts which lead the authorities to clamp down may be opposed by musicians who simply want to get on with making music. Once again, de Kloet raises the issue of

self-censorship—in this case as part of a strategy for dealing with life in a one-party state. What emerges, he suggests, is not so much censorship as a set of strategies for exclusion, again illustrating the diversity of ways in which pop can be policed.

Whether censoring popular music can be politically progressive is one of the key questions raised by Alenka Barber-Kersovan in Chapter 11. The context here is the rise of neo-Nazi parties in Europe and the problems this poses for democratic states, especially with regard to protecting free speech while at the same time countering racism. Such issues are particularly fraught in Germany, which has the legacy of both a Nazi past and an eastern sector composed of a former communist state. Barber-Kersovan charts the rise of neo-Nazi rock, racist sentiments, and violence, as well as the reaction from the media, the government, and popular musicians. She suggests that at one level the neo-Nazi scene was inflated by media hype, which provoked a concerted reaction. Opponents staged Rock Against Racism concerts and distributed educational materials, while some neo-Nazi musicians were prosecuted as part of a more general state-sponsored clampdown. The result, according to Barber-Kersovan, was mixed: Some neo-Nazi musicians gave up their activities, but there was an increase in the overall number of bands and concerts. In many cases production simply moved abroad, and the range of activities widened. Repression did not crush the neo-Nazi scene; it simply led to a change of tactics, while the amount of neo-Nazi music available increases year after year. Ultimately, Barber-Kersovan concludes, the German case produces more questions than answers about how to police politically regressive pop.

In Chapter 12 José Roberto Zan examines the censorship of popular music in Brazil during the twentieth century, illustrating the changing nature of the state's involvement. Zan traces the development of Brazilian popular music and the Brazilian recording industry, charting two main periods of censorship—both during periods of political dictatorship. At such times, he argues, the portrayal of dissident lifestyles is likely to encounter official disdain and efforts to censor. By way of contrast, he also shows how the attempt by the Brazilian left to use popular music in the 1960s resulted in a form of censorship whereby indigenous music was exalted as the people's music and thus supported, while international pop was denigrated as part of international capital. Here self-censorship was urged in the name of politically progressive politics. Zan shows how changing social mores, political fortunes, and technology can alter the censorial climate. His story is essentially an optimistic one which charts a growing freedom of expression. The state's role as a censorial agent has declined. But this has left the field open to other forces, and it is clear that while Brazil's musicians are freer than before, that freedom will need constant vigilance if it is to survive.

The last chapter of *Policing Pop* concerns censorship in the United States. Here Paul D. Fischer shows that while freedom of speech is guaranteed under the First Amendment to the country's Constitution, the free expression of popular musicians

has often been contested within American courts and legislatures. In this sense the First Amendment has proved to be less a guarantor than a frame of reference for contending parties. In fact, American courts have often granted exceptions to the First Amendment, as Fischer demonstrates through an examination of court cases, Senate hearings, state legislative moves, and the main agents in all these cases. His chapter ends with a rallying call to defend artistic expression in this new country and to shift the burden of proof to pop's accusers rather than its defenders. Fischer's ringing endorsement of the First Amendment's stipulation that Congress shall make *no* laws restricting freedom of speech ends *Policing Pop* on a strong note.

The collective impact of *Policing Pop* reveals the diversity of actors, agencies, and mechanisms that contribute to policing pop, including government officials, religious bodies, organized pressure groups, market forces, technological advances, copyright legislation and trade agreements, and, finally, musicians themselves. Concerns about the role of self-censorship and the problems inherent in trying to conceive of a politically progressive censorship also recur throughout these pages. What emerges is a complex picture in which the artist is but one player among contending forces whose collective might has the power to support, shape, or stifle artistic freedom.

While we recognize the social power of pop and generally celebrate artistic resistance to censorship, we also believe that simple pleas for artistic freedom must be balanced with calls for social responsibility. Overall, the chapters of *Policing Pop* endorse tolerance, but we also recognize that the peoples of the world come from a range of traditions with respect to the issue of freedom of expression. The task is to determine whether, where, how, and by whom lines can be drawn in politically progressive ways. The fact that not all the authors in this book offer the same answer to such vexing questions is further evidence, if any were needed, of the complexity of our subject.

Recognizing that pop will inevitably be policed, this book raises important questions about how such processes happen and in whose name they are carried out. *Policing Pop* will not always make easy reading, but we hope that it will provoke and enlighten, educate and entertain, and cause its readers to take sides. Let the music play.

Martin Cloonan

1 **Call That Censorship? Problems of Definition**

On 25 May 1977 Virgin Records in the United Kingdom released a single by the Sex Pistols entitled "God Save the Queen." This record was banned from airplay by every U.K. radio and television station and boycotted by a number of retailers. It was also allegedly denied its rightful place at the top of the June 1977 singles chart via chart fiddling (Savage 1991:364). However, there was no attempt by the U.K. government to suppress the single nor by the courts to prosecute it. It went on to sell hundreds of thousands of copies and became something of a rock classic.

The well-documented case of "God Save the Queen" (see Savage 1991) appears to offer an unambiguous example of popular music being censored. However, the case also raises a number of questions. Were the Sex Pistols actually censored? If so, how? By whom? At what level? If not, what *did* happen to the single? Such questions form a backdrop to this chapter and raise issues of concern for the rest of this book.

Policing Pop is about the ways in which popular music is censored, regulated, and controlled. It illustrates how complex the issue of policing popular music is, showing the wide range of policing activities to which pop can be subjected. Censorship is perhaps the most obvious way of policing pop. But to state this is again to beg some bigger questions. What *is* censorship? What forms does it take? How does it affect popular music? Above all, how can we tell if pop is being subjected to censorship?

What Is Censorship?

Many previous commentators have been somewhat blasé in their attitude toward what constitutes the censorship of popular music. It is striking that the majority of those who have written about popular music and censorship have failed to discuss

what they mean by “censorship” and have tended to use the term almost indiscriminately (see, for example, Chastanger 1999, Jones 1991, McDonald 1989, Shuker 1994, and Sluka 1994). In a recent collection of nine articles (Winfield and Davidson 1999), only one writer bothers to define the term. This lack of precision leaves a vacuum in the analysis: Put simply, it is premature to claim that pop is being censored without knowing something about the nature of censorship.

One scholar who has ventured a definition, Paul O’Higgins (1972:12), describes censorship as “the process whereby restrictions are imposed upon the collection, dissemination and exchange of information, opinion and ideas.” He identifies six forms: self, social, legal, extralegal, voluntary, and subterranean (ibid.: 12–13). Writing for *Index on Censorship*, Louis Blom-Cooper follows O’Higgins’ definition word for word (Hampshire and Blom-Cooper 1977:55). For Michael Scammell (1988:10), censorship is “the systematic control of the content of any communications medium, or of several or all of the media, by means of constitutional, judicial, administrative, financial or purely physical measures imposed directly by, or with the connivance of, the ruling power or ruling elite.” He emphasizes that in order to count as censorship such control must be *systematic*—that is, it must be carried out by governments which are determined to control *all* forms of communication.

Two key notions are articulated in the preceding paragraph—those of *process* and *restriction*. O’Higgins and Blom-Cooper both see censorship in terms of *process*. This raises the issue of agency and, in particular, whether censorship has to be a *deliberate* process carried out by active agents: In other words, must those carrying out the censorship have the intent (express or not) of restricting the material under consideration? I want to argue that censorship does *not* have to be a deliberate act; rather, it can result from processes which are not of themselves overtly concerned with restricting access to artistic works. In particular, as I will show below, there are ways in which the daily, market-informed, operations of the music industry act as forms of censorship (for evidence, see Mike Jones’s report on the career of Latin Quarter in Chapter 6).

Importantly, both O’Higgins and Blom-Cooper see censorship in terms of *restriction*, suggesting that censored works do *not* have to be banned entirely, merely kept from being openly available to all. Perhaps the most familiar practices in this respect are the regulatory regimes which many countries have and which seek to deny certain audiences—most commonly children—access to certain materials. In the United Kingdom, for example, all videos must have certificates from the British Board of Film Classification (BBFC) before they can be sold legally. They are rated and given categories whereby some titles will be available only to adult buyers. This regulatory system is premised upon restricting the audience for some videos while reserving (and often exercising) the right to ban others entirely.

Among writers specifically concerned with the censoring of popular music, one of the few commentators to define censorship is Lindsey Fore (1999:95), who suggests that it is “the regulation or control of rock music.” However, while it is clear that regulation can involve censorship (as the preceding paragraph shows), it is less clear that *all* regulation or control can be equated so easily with censorship. Regulation and control may be forms of policing, but they are not necessarily always forms of censorship.

Dave Marsh has provided perhaps the most systematic account of censoring pop. His analysis is based upon that of the American Library Association’s Intellectual Freedom Committee. Marsh opts for what he describes as a “colloquial” definition of censorship, encompassing inquiries about the presence of certain material, expressions of concern, complaints, attacks, and outright censorship: “The removal of material from open access by government” (Marsh 1991:1). However, this approach seems simultaneously too broad and too narrow. It is hard to see how inquiries about materials can so easily be equated with censorship or why direct censorship can be carried out *only* by government. In fact, as the contributors to *Policing Pop* show, a range of agents can carry out direct censorship. Thus, a more precise definition is needed.

Having previously attempted to define the censorship of music (Cloonan 1995, 1996),¹ I am aware of the complexity of the issues at stake. The essence of the problem lies in drawing up a definition which is narrow enough to exclude apparently frivolous examples but broad enough to include incidents other than overt attempts by governments and other agencies to prevent musical expression. For me, censorship is the process by which an agent (or agents) attempts to, and/or succeeds in, significantly altering, and/or curtailing, the freedom of expression of another agent with a view to limiting the likely audience for that expression.

This definition aims to be broad enough to include processes ranging from market-based decisions within the music industry to the actions of official or state censorship agencies. It includes restrictions as well as outright bans. It is *not* predicated upon a belief that censorship has to involve a deliberate attempt to suppress, but there has to be an effort to significantly alter. Here mere tampering is not enough. The definition has also been shaped by a desire to make it suitable for the particular art form with which I am concerned.

However, any definition has inherent limitations. It is clear that an attempt to provide a transhistorical definition of censorship is highly problematic, since judgments on what to censor generally rest upon prevailing norms. Thus, when EMI sacked the Sex Pistols in 1977 in a clear case of censorship (in that the intent was to limit the band’s audience), EMI chairman Sir John Read spoke of the need to judge by “contemporary limits of decency and good taste” (Street 1986:93, emphasis mine). Similarly, a U.K. government report has noted that people judge questions

of where to draw the line according to what they think is *currently* acceptable (Committee on Obscenity and Film Censorship 1979:30).

Matters are further complicated by the fact that there are competing traditions of free speech and thus of censorship. The U.S. tradition of the First Amendment has led to a system that has been described as “the most speech-protective in the world” (Strossen 1996:38). In contradistinction, the United Kingdom has a complex tradition of competing rules and regulations, obsessive secrecy in government, and some of the most restrictive censorship laws in western Europe, including at least twelve acts which restrict free speech (Collins and Murroni 1996:95) and, prior to the 2000 incorporation of the European Convention on Human Rights into U.K. law, none to protect it. These differing traditions lead to different approaches to questions of free speech and censorship, and suggest that attempts at trans-cultural definitions are also problematic.

Within popular music an additional complicating factor is that alleged examples of censorship are brought to commentators’ attention through a variety of media which may have a vested interest in putting a particular slant on events. Some artists’ publicity agents may deliberately mislead (Cloonan 1996:4), and writers (including this one) will bring their own prejudices to the topic. In addition the popular press is often keen to run censorship stories that may not bear closer scrutiny. For example, in December 1999 the United Kingdom’s most important pop radio station, the BBC’s Radio 1, decided not to play Cliff Richard’s “Millennium Prayer” single, which set the words of the Lord’s Prayer to the tune of “Auld Lang Syne.” Despite the fact that the single rose to the top of the charts, the station refused to play it—on the grounds that it was not the sort of thing that its listeners tuned in for. This led to numerous stories in the press which equated Radio 1’s aesthetic and editorial decision with a ban and thus censorship. However, since Richard’s freedom of artistic expression was not significantly curtailed, the case falls outside my definition.

Similar erroneous stories appeared around a 1991 BBC decision to exercise restraint in playing some records during the Gulf War (ibid.:118–120). A list of records—many of which were unlikely to be played in any case—was compiled within the BBC, and it was suggested that care be exercised when broadcasting them, especially close to news bulletins about the conflict. Headlined in many places as a ban, in retrospect the list appears to have been a misguided attempt to show sensitivity to combatants’ families at a time of national crisis.² The key point about both these cases is that some digging is required when censorship stories appear. As Scammell (1988:18) notes: “It is the resort of weak minds and vain egos to cry censorship whenever editorial judgment is being exercised.” Some criteria for deciding whether artists are being censored need to be developed. Definitions are one element; another is to consider the sort of censorship that is taking place.

Levels of Censorship

The definition of censorship offered above is built on a realization that censorship can operate at a number of levels and can include both curtailing and suppression. The notion of levels of censorship recurs across the relevant literature. Three main levels can be identified: prior restraint, restriction, and suppression. For recorded popular music, the various levels of censorship may range from preventing recording to refusing to publish a song once it is recorded, to limiting a record's audience, and up to the outright banning of a disc.

Prior restraint has been the *bête noire* of anticensorship campaigners down the ages. For example, one of the greatest anticensorship tracts in English literature, Milton's *Areopagitica* (1644), is primarily an argument against governmental licensing of newspapers on the grounds that this would constitute a form of prior restraint. With regard to popular music, there are senses in which the music business's signing policies can be considered to be the equivalent of prior restraint: By not signing artists, record companies can effectively act as censors in the sense that, for whatever reason, they are acting to restrict an artist's audience. This is not to say that all decisions not to sign artists are acts of censorship, but rather that they can have censorial implications for the artists concerned. A related question here is whether censorship *has* to involve prior restraint. In fact, the most frequently cited examples of popular music censorship occur post-publication and only two forms of prior restraint appear to be at work in this field: not signing artists and thus denying them an effective voice, and refusing to release their material once they have been signed.

No state has developed a prior restraint system for the vetting of recorded popular music in the way that, for example, films, television, and plays have been regulated. Perhaps the nearest thing to such a system operated in the former Soviet bloc, where access to recording studios was policed by state functionaries and only officially approved musicians gained access (Wicke and Shepherd 1993). Furthermore, recorded music could be released only on the one state label, with a set number of recordings being pressed. Here the likely audience was inherently limited.

Richard Collins and Cristina Murrone (1996:98–99) define *restriction* as the imposing of certain conditions upon the placement or ownership of products. Perhaps the most important recent example for popular music is the refusal of U.S. retailers such as Walmart to carry stock which they regard as obscene, thus denying musicians an important market (<www.massmic.com/walmart.html>).

In western Europe and North America, the most frequently cited examples of popular music censorship—bannings of records from the radio—are examples of restriction. Here methods designed to censor other forms of media, such as spoken-word dramas and televised works, are used to restrict popular music. On occasion this has involved a deliberate attempt to limit the audience for this mass medium by

such means as having a “watershed” time after which more adult material may be broadcast, since it is assumed that younger people will no longer be listening or watching. Once again the motivation here is to restrict, and thus limit, the potential audience.

It is apparent that the majority of attempts to censor pop in the west are at the level of restriction, rather than outright suppression. For example, in his report on censorship in the United States in the early 1990s, Jeffrey Sluka (1994:46) notes that the main aim of those campaigning against some forms of popular music was to promote *restrictions* on radio play and stickers on albums warning of “offensive” content. However, this campaign illustrates the easy transition which can be made from restriction to prior restraint, as one apparent result of this campaign appeared to be that Columbia Records edited Beastie Boys’ tracks and dropped the band Slayer, allegedly because of their links to the occult (*ibid.*). Such campaigns were often led by the Parents Music Resource Center (PMRC), which argued for a more “responsible” attitude on the part of musicians and record companies. In other words they wanted both musicians and their labels to exercise forms of prior restraint or, failing that, for broadcasters and retailers to impose restrictions.

Such campaigners have filled a censorial gap in western liberal democracies, which lack state bodies dedicated to the censoring of popular music. This has left the field open for groups such as the PMRC in the United States and, to lesser effect, the National Viewers and Listeners’ Association (NVALA—now known as Media Watch UK) in the United Kingdom. These pressure groups are often linked to religious organizations and are essentially restrictive in orientation, aiming to limit the audience for artistic works (often the stated goal is to protect children). However, their calls for artistic responsibility are effectively calls for prior restraint via self-censorship. Certainly they wish to significantly curtail artistic freedom of expression.

The most obvious and familiar level of censorship—*suppression*—tends to involve attempts by a government or legal system to enforce a moral and/or political code (chapters in Part III describe several attempts to suppress popular music by declaring various forms of it obscene under a country’s legal system). But it may be that the power of nation-states to undertake such censorship has been fatally wounded by the arrival of the internet. One of the most interesting issues of future years will be to see how successfully governments will be able to police their electronic borders and how willing they will be to spend scarce resources suppressing material which is available on line, a theme that forms a backdrop to Chapter 2.

To reiterate the points made thus far, it is clear that there needs to be more rigorous consideration of what constitutes censorship and the level at which the alleged censorship is being carried out. In all cases it is important to determine whether the *claim* of censorship is justified before moving on to assess the level of

censorship and the reasons behind it. It is also important to determine what *sort* of censorship is taking place. As Frederick Schauer (1982:122) notes, an individual may be censored if *The Times* refuses to publish his or her article, but he or she is censored in a somewhat different way if the government *tells The Times* not to print it. The former is a case of prior restraint (usually based on aesthetic or market considerations, or both); the latter is suppression based on political intervention. In pop terms there is a difference between not being played on the radio (restriction) and being threatened with prosecution (suppression). The difference is one of *levels* of censorship. Such levels are also bound up with the artistic form in question.

Popular Music: A Mass Medium

In order to make more precise judgments about the censorship of popular music, it is important to consider what popular music *is*, how it works, and what its key characteristics are. In other words, some understanding of the artistic form under discussion is necessary in order to understand the ways in which it can be censored. The key characteristics of popular music have been discussed previously in numerous places (see Frith 1983; Cutler 1985; Middleton 1990; and Wicke 1990), and it is not necessary to repeat old arguments here. It is sufficient to note here that both terms—"popular" and "music"—are contested and that their definitions are "never disinterested" (Middleton 1990:3). For the current discussion, the contested terminology is less important than the characteristics that mark out popular music from other artistic forms. Here there is some consensus that one of popular music's key distinguishing features is that it is a *mass* medium intended to reach a mass audience. For example, Simon Frith (1983:6) argues that, in distinction to other forms of music, "it is only pop music whose *essence* is that it is communicated by a mass medium" (emphasis mine), and Peter Wicke (1990:ix) describes rock as "a mass medium through which cultural values and meaning circulate." For Roy Shuker (1996:10), "Pop/rock's dominant characteristic is its . . . mass production for a mass, predominately youth, market."

If the very essence of popular music is the intention to reach a mass audience, then it follows logically that the censorship of popular music must involve attempts to *prevent it* from becoming a mass medium. This can involve prior restraint, restriction, suppression, or some mixture of two or more of these, all of which fall within the definition given above. This has two important consequences. The first is that attempts to *prevent* popular music from becoming a mass medium are paradigmatic examples of its censorship. Despite recent interest in academic circles in local music and ethnographic portraits of popular music practice (see Finnegan 1989; Cohen 1991; Bayton 1998), most of pop's audience associates pop with stars and

musicians signed to record companies who produce works which are sold as product. The fact that pop is intended to be a mass medium means that it may be the paradigmatic case in which the audience gives meaning to texts. Thus, to deprive a pop text of its audience is not only to engage in unparalleled censorship; it may also significantly alter the meaning of that text.

The second consequence is that consideration should be given to the idea that the creation of a mass medium is inherently censorious. There is a sense in which all artistic production for markets is potentially censorship-prone in that the artist, producer, or record company is constantly trying to second-guess what the audience wants. If popular music is about attracting a mass market, this means that the music industry—the means by which music becomes mass—is in a uniquely powerful, potentially censorial, position to alter artistic expression. Moreover, as both Reebee Garofalo (Chapter 2) and Steve Greenfield and Guy Osborn (Chapter 4) show, disputes over the *control* of recorded music have important implications for musicians' freedom of artistic expression.

Pop's status as an intended mass medium is predicated on its ability to reach a market, and it is the music industry which plays a key role in determining whether it does so. At one level pop is simply a commodity which has risen to become a mass product at the same time that a particular form of capitalism has emerged, so that pop is intertwined with the capitalist market. Indeed, as we have seen, many commentators base their definition of pop upon the market, in terms of its seeking a mass audience (see Middleton 1990:5). This has implications for the censorship of pop. While notions of the market are contestable, it can be seen as an artificial construct which informs the decisions of key players within the industry. In relation to the earlier discussion of what level of systemization is needed before a process is deemed censorial, it may be that the disorganized market censors most of all. Decisions about what is marketable inform daily practice within the music industry (Negus 1992, 1999), and while the market may not of itself be an agent, it is an imagined market which informs decision making by key agents within the music industry and which can lead them into undertaking censorial practices. Thus second-guessing about what will make a profit informs key actions. The intent is to secure a profit; the result may be a form of censorship. For example, one of the reasons why the Sex Pistols were sacked—and censored—by EMI in 1977 was that the band would not conform to customary promotional activities (Wood 1988). In essence, as far as EMI were concerned, the band had become unmarketable. They were thus censored.

Within popular music it is the music industry which has the power of prior restraint, and decisions about what to release—what to try to make into a mass art form—are normally taken with an imagined market in mind. Thus A&R (artist and repertoire) people will generally sign acts which they think will attract a market,

and producers will aim to create a marketable sound. As a rule, popular music artists will initially be signed by a company on the strength of a notional market, and their subsequent work—or product—will be shaped by reference to that market. It is not necessary to agree with Schauer's (1982:119) assertion that in market conditions "all censorship is choice and all choice censorship" to see that the rise of free market capitalism has had implications for the censorship of musicians. I do not wish to argue that there exists some pure form of popular music which is corrupted by the market. Precapitalist societies were not free from censorship, and, as noted earlier, the "socialist" countries of the former Soviet bloc also exercised forms of censorship. Clearly, however, market conditions have censorial implications in that they can significantly alter the type of pop produced. There is a sense in which all art is censored in a market society, given that performers, producers, and companies involved in the creative process are *all* trying to work out how to modify—that is, significantly alter—the product for the market (cf. Negus 1999:114).

One of the most interesting discussions of the effect of this has come from Jacques Attali (1977). He argues that the onset of industrial capitalism meant that for musicians it "became almost impossible to have one's music heard without first being profitable. . . . It was necessary to sell oneself to have the right to create" (ibid.:70). Ultimately, Attali believes that the influence of industrial capitalism has left popular music "recuperated, colonised, sanitised" (ibid.:109). Although this analysis seems to fly in the face of the model of pop careers in which artists "pay their dues" creating music, playing clubs, and being unprofitable prior to being signed, Attali rightly draws attention to the constraints exercised by capitalist economic forces and the processes of commodification upon the creative process.

A number of commentators have observed that this particular set of economic relations has implications for artistic production. Richard Peterson (1972:236) identifies the potential for the profit motive to act as a censor of music, and Reebee Garofalo (1987:81) notes how the record industry, through promotional activities which treat pop's audience as segmented, "conspires to limit the range of musical styles available to a given segment of the consumer market."³ In his polemic against censorship in the United States, Marsh (1991:1) argues that "the majority of censorship is *economic*, which forces artists to work day jobs to stay alive, and prevents them from creating freely, let alone acquiring the equipment to work with and the space to work in" (emphasis in original). The implication here may be that only via a change in the economic structure of society will censorship be overcome. However, as Walter Benjamin (1973) notes, such a change is likely to bring about a change in how art itself is viewed.

John Street (1986:107) has argued that censorship is exclusively the prerogative of the market and that the record industry censors artists *only* if the stock exchange is likely to be offended by their antics. This is what appears to have happened in

1995 when Time Warner decided to drop Ice-T, Snoop Doggy Dogg, and Nine Inch Nails from its roster. The decision to drop these “controversial” artists followed the “Cop Killer” episode, when Ice-T’s track was withdrawn on a worldwide basis following a campaign against Warners by a number of powerful bodies in the United States, most noticeably the Los Angeles Police Department (*Guardian*, 7 June 1995; Ice-T 1994). In these cases concerns about market reaction led Warners to censor. “Censorship may take place in the decision not to sign a band, or not to release a particular track as a single,” Street (1986:108) notes, again focusing our attention on decision making within the music industry.

Perhaps the best work on the daily operation of that industry has come from Keith Negus (1992, 1999), who has also noted the market’s power to restrict (1992:69).⁴ However, he argues that it is too simplistic to see the market as the sole determinant of which acts get signed and retained. Instead, he makes a persuasive case (1999:176) that such decisions are also likely to be shaped by the culture within particular companies, while also showing how “the music industry shapes the possibilities for creative practice” (*ibid.*:29). For example, in country and western music Negus notes that if artists do not produce suitable, radio-friendly material, companies may drop them or try to “fix” the problem:

This may involve finding new songwriters, recruiting another producer and employing different musicians. If all this juggling, modification and rethinking does not lead to a “radio friendly” recording then it may ultimately result in a decision to drop an artist. (*ibid.*:114)

Negus also illustrates the censorial implications of becoming a major international artist. He cites the case of Mari Hamada, who after years of independent commercial radio success in Japan was forced to sing in English and use a co-writer (*ibid.*: 159). A more familiar example is that of Celine Dion, who moved from singing in French to English in order to reach an international audience. Many British artists, Negus notes, are not now considered to sing in the right “international” English and so may be urged to sing in a more Americanized style in order to reach a wider market (*ibid.*:161).

The point is that the routine operations of a capitalist industry responding to market conditions have implications for the censorship of pop. Here there is a mixture of agencies which overlap and interact, notably those of market forces and the decisions of record company personnel who both react to and try to shape those forces. Within an unstable market, the industry’s main aim is to exert as much control as possible. According to Avron Levine White (1987:175), this has led to a situation in which “the popular musician has been ensnared in a variety of agreements which are clearly unbalanced from the point of view of fairness to the artist.” For example, music industry contracts are routinely based on exclusivity arrangements that limit potential collaboration and career moves (Greenfield and Osborn 1998: 74,

79). Attempts to be rid of such restrictions can lead to long court cases that sap both morale and creativity (*ibid.*:86, and see Chapter 4 below): “Legal developments over the past fifteen years regarding the law of copyright relating to songwriting and the recording of original material have imposed considerable constraints on the working habits of professionals and semi-professional musicians” (White 1987:164).

One key instrument in this battle for control is copyright. As Steve Greenfield and Guy Osborn (1998:61) note: “Copyright occupies a central role for the music industry being the vehicle by which artistic creativity can be commercially exploited.” The music industry functions through copyright, which allows it to market and trade the artistic creations of others. Moreover, control of copyright within popular music also has censorial implications (see Sloop and Herman 1998), since it can be used to stifle creativity. Sue Curry Jansen (1988:75) has made the link explicit by noting that in Europe, historically, “Copyright law was an extension of censorship law.”

Copyright holders can use ownership of the products of musicians’ labor in order to prevent reuse by other musicians. Greenfield and Osborn (1998:65–66) cite as an example the Justified Ancients of Mu Mu’s (JAMMs) “1987—What the Fuck Is Going On?” album. The album contains numerous samples, but was initially widely available. Then Abba became aware that its “Dancing Queen” was heavily sampled for the track “The Queen and I” and refused to allow this, asserting abuse of copyright. The album was effectively suppressed, remaining copies were burned, and the intended audience was not reached. In another example Oasis had to omit the song “Step Out” from their “(What’s The Story) Morning Glory?” album because copyright clearance could not be gained in time (*ibid.*:65).

The fact that sampling now makes it easier to use old compositions but the copyright owners may object to the new versions leads Greenfield and Osborn to predict that the censorship issue will repeatedly resurface and that the outcome “will inevitably be a greater degree of self-censorship so that potentially costly consumer disputes can be avoided” (*ibid.*:71). It has also been reported that current copyright regulations would have precluded the making of such albums as De La Soul’s “Three Feet High and Rising” and Public Enemy’s “It Takes a Nation of Millions to Hold Us Back” because the cost of advance copyright clearance would have been too high (Lewis 1998:31). Once again we see the ability of one agent to impede another’s freedom of expression via the exercise of copyright. Note also that copyright can censor at all three levels: prior restraint, restriction, and suppression.

In sum, while direct censorship of artists tends to grab the headlines, it is the more insidious forms of censorship which are of more importance on a day-to-day basis. Agents acting with an eye on an imagined market can significantly alter, restrict, and curtail free artistic expression at all of the levels cited earlier, while battles for the control of artistic product, especially around copyright, have censorial implications.