

# The Right to Rap



by Sheryl Hunter

*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.*

These are the opening words of the First Amendment to the Constitution, part of the Bill of Rights. They mean that, as a citizen of the United States, you have the right to speak, write, and

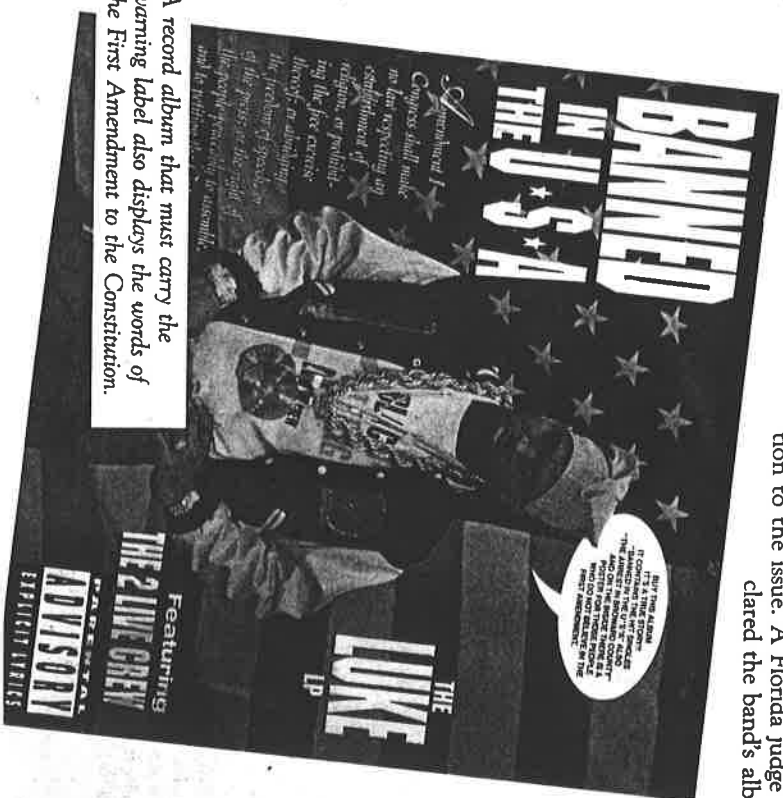
think what you wish. Many nations of the world do not guarantee these basic human rights. Over the years, questions have been raised about the boundaries of freedom

of expression. "Expression" means communication of information. It can be through speech, writing, art, film, or any other way, including symbolic speech, such as wearing an arm band or other symbol. The Supreme Court recognizes some limits to expression. It does not consider obscenity, libel, "fighting words" (that could start a riot), and statements that endanger the public safety to be protected by the law. These are not the kind of free speech—the open sharing of political and other views—that the founders believed was necessary to the survival of a democratic republic and

thus in need of protection.

Since the mid-1980s, concern has grown over the lyrics in rock and rap music. Some parents were shocked to hear their children listening to songs that glorify violence, drugs, suicide, and alcohol abuse. A group called the Parents Music Resource Center urged recording companies to place a warning label on recorded music that contains such material.

By 1990, a national movement supported using such a label. The controversial lyrics of the rap group The 2 Live Crew (opposite) drew widespread attention to the issue. A Florida judge declared the band's album



A record album that must carry the warning label also displays the words of the First Amendment to the Constitution.

As *Nasty* as *They Wanna Be* obscene. The band was later acquitted of obscenity charges, but the fight over musicians' right to free speech had begun.

In March 1990, the Recording Industry's Association of America announced that recordings containing objectionable lyrics would carry a sticker saying "Warning: Explicit Material." More than one thousand stores refused to sell such recordings to anyone under age eighteen. Some refused to carry the recordings at all.

Many people objected to the sticker. The first amendment to the Constitution grants the right to free speech, they insisted. How could a warning label be placed on an artist's work without denying this constitutional right? It seemed

this was clearly censorship.

Those in favor of using the sticker stood their ground. They said that labeling is not censorship; it is simply a tool to let parents know what they are buying. They insisted that warning labels are no more in violation of the First Amendment than listing the ingredients on a can of soup.

The debate continues today. Four states have submitted bills to their legislatures that would result in government involvement in the labeling of recordings. More bills are expected by the end of 1991. Free speech in rock and rap music will no doubt be an important issue throughout the 1990s. It is something you need to think about. \*3\*



## If You Were the Judge...



The debate over warning labels on recordings raises many questions. Can freedom of expression go too far? Artists such as The 2 Live Crew speak of violence against women in their music, and others use racial slurs. Should these artistic expressions be protected under the First Amendment? Or are they obscenities that are offensive to our accepted standards of decency?

What do you think about warning labels? Do they serve as a protection for young people and others who may not wish to be exposed to certain kinds of expression? Or do they violate the artists' right to free speech? Some stores will not sell recordings with warning labels to young people. How do you feel about that?

Read about the Florida trial of The 2 Live Crew and the debate over warning labels in back issues of magazines and newspapers. Investigate the issues and the law. Then let us know what you would do if you were the judge. Send your opinion, in two hundred words or less, to Right to Rap, Cobblestone, 30 Grove Street, Peterborough, NH 03458. The deadline is October 30, 1991. We will select three opinions to publish in the February 1992 issue. Be sure to include your name, age, address, and telephone number, along with a parent's or teacher's signature stating that the work is yours. All submissions become the property of Cobblestone Publishing, Inc., and cannot be returned.