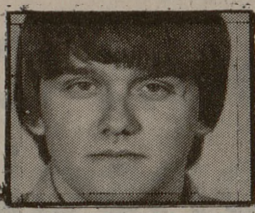


# Opinion

## Poster is offensive, but so is limiting artistic freedom

Last fall Tipper Gore and some of her friends decided to get together and see if they could do anything about certain rock 'n' roll albums that offended them. Tipper and her friends got their husbands, who all happened to be senators and congressmen, to hold a hearing to try to do something about the despicableness of rock.



**Karl Palmeyer**

Gore and the Parents' Music Resource Center wanted a rating system that would warn prospective buyers that albums might contain lyrics about sex or drugs. The only thing that came out of "Porn Rock" hearings was that Congress threatened it might take action if the music industry didn't "clean up their act." Many major record companies have bowed to this pressure and started putting warning labels on some of their albums. Now you don't have to look so hard to find albums that are vile and disgusting.

Vile and disgusting are two words that could be used to describe the poster in the new Dead Kennedys' album, "Frankenchrist." Those people who know

about the Dead Kennedys' music have come to expect something vile and disgusting, along with the most biting social satire of the '80s, from the band. But one woman wasn't too happy when her daughter brought home "Frankenchrist."

Until recently, the album contained a poster reproduction of H.R. Giger's "Penis Landscape." Giger, a Swiss surrealist painter who won an Academy Award for his designs for the film "Alien," has done album covers for Emerson, Lake and Palmer's "Brain Salad Surgery" and Blondie lead singer Debbie Harry's solo album, "Koo-Koo." "Penis Landscape" is a painting of several sets of male genitalia in the act of copulation. Jello Biafra, lead singer of the Dead Kennedys, describes the poster as "the best metaphor I've ever seen for consumer culture on parade."

A sticker on the shrink wrap contained this warning: "The inside fold-out to this record cover is a work of art by H.R. Giger that some people may find shocking, repulsive or offensive. Life can sometimes be that way." Now Alternative Tentacles Records, the Dead Kennedys' label, has removed the poster from the album but will send a copy to those who sign a statement saying that they are over 18 and include 50 cents postage.

Because of the poster, Biafra has had charges of distributing material harmful to minors filed against him. Four people at Alternative Tentacles Records also have been charged in the case. If convicted, Biafra and the others could face a \$2,000 fine and a year in jail.

The charges were the result of a complaint made in the California State Attorney General's office by Mary Sierra, of Sylmar, California. Sierra's 14-year-old daughter bought "Frankenchrist" as a gift for her 11-year-old brother. The Sierra family was sufficiently shocked, repulsed and offended to seek legal action.

It's easy to see how Biafra and the band misled the poor, unfortunate Sierra girl and caused her to be corrupted by this work of art. Imagine any 14-year-old girl in a record store searching in vain for a present for her little brother. She can't buy the new Madonna album because her mother has told her that nice girls don't dress or act that way. She can't buy the new Prince album because he's so nasty. She can't buy the new Twisted Sister album because they are so gross looking. The girl is almost in tears when she comes to the section with the Dead Kennedys' albums.

"What a nice band," she says. "They have such a nice name."

She looks at their albums and E.P.s, all with such nice names as "Fresh Fruit for Rotting Vegetables," "Plastic Surgery Disasters," "Frankenchrist," "Kill the Poor" and "Too Drunk to F---." She looks at the nice album covers, one with a picture of Christ being crucified on a cross made out of dollar bills, another with a picture of a small, limp, deformed hand being held a regular-sized, normal hand. There are so many nice albums to choose from.

She decides on "Frankenchrist" with its picture of those cute little Shriners in their cute little cars on the outside and a nice little warning label about the picture on the inside. "Frankenchrist" would make the perfect gift for any 11-year-old boy.

"Frankenchrist" is a good album but I doubt if anyone under 16 could appreciate the social satire. Most youngsters spend hours of their free time watching MTV. The Dead Kennedys have a song, "MTV Get Off the Air," that shows how mindless and profit-oriented MTV is. "Jock-O-Rama" is an attack on the way sports are over-emphasized in high school. "Goons of Hazzard" is an attack on red-neck prejudices.

When I bought "Frankenchrist" I was shocked. But when I heard the music I re-

alized what the band was trying to do. The Dead Kennedys have a message to give the world and if they choose to convey that message through music or pictures it is their own affair. That's what the First Amendment is all about.

The arraignment is set for today. It will be decided whether an actual hearing should be held. This case is important. The future of rock music, and more importantly the First Amendment, is at stake. If Biafra is found guilty of distributing material harmful to minors, a dangerous precedent will be set. A musician's right of expression will be limited if he is threatened with lawsuit everytime he puts together an album that offends someone. The Sierra case could prove to be a more deadly weapon against music and freedom of expression than the PMRC's rating system. One poster should not be used as the basis to censor albums they accompany.

The best rock 'n' roll music asks people to think about certain social conditions and beliefs that they have accepted without question for most of their lives. Now it is threatened by their use of want rock music neutered and relegated into mindless noise fit for mass consumption.

**Karl Palmeyer is a senior journalist and a columnist for The Battalion.**

## Any act of discipline involves humiliation

What to do about athletes who take drugs, they want to know. And what to do with people who drive while drunk?



**William F. Buckley Jr.**

CBS' "60 Minutes," lively as ever, featured one approach to the latter problem taken by a judge in Sarasota, Fla. Her Honor requires those found guilty of drunken driving who are lucky enough not to have run over anybody to submit to several sacrifices, among them 50 hours of community service, a fine of several hundred dollars and a suspended driver's license for six months.

But the judge makes a provision for those who need their car in order to go to work (and this means the majority, in Sarasota). The judge allows the delinquent to drive, but only to go to work and return. And then — the innovation — she requires them to drive with a bumper sticker that reads, "Convicted DUI, Restricted License." DUI stands for "Driving Under the Influence." Of Demom Rum is left unspelled, but is understood. What happened, after the judge thought to make this contribution to the basket of inducements to drive only when sober, was a civil suit filed against her by the public defender, alleging that what she is doing is somehow unconstitutional. A nice piquancy in the situation is that the public defender is the husband of the judge.

Now the exact legal nature of the public defender's complaint is not stated, but much time is given over to his point that the judge's imposition of the bumper sticker "humiliates" the delinquent. When Morley Safer chimed in and said, "But aren't all court sentences humiliating?" his observation was ignored. But of course humiliation is, or surely ought to be, accepted as part of

the human predicament, aggravated insofar as we aggravated the laws of nature and of man. The reigning assumption is that we ought not to be humiliated no matter what we do, but this argues against a rudimentary sense of order.

Athletes in the baseball leagues are protesting that it is humiliating to be required to give urine specimens to establish that a player is not taking drugs. The objection is in part to the "humiliation," in part to the alleged inaccuracy of the test. But to consider only the first point, the athlete has signed a contract that presupposes he will keep himself in top physical condition in order to perform at the level of competence in recognition of which he was hired to play. The pure libertarian would say here that the player should be free to sue for damages. But that is the litigious way to go, and in any case it is quite possible that a player degenerated by cocaine will not have saved the money with which to compensate the contractor.

If you lose the 100-yard race, are you humiliated? Only if you were obviously the top dog in that race, and for some reason were below par. Vladimir Horowitz is in Tokyo to give three concerts, because three years ago he was there and was critically gutted because of a poor performance. This time he will show them! Next time the racer will show them!

And what will the driver do, next time? The judge argues that his sensitivity to the offense he committed is heightened by the obloquy of those who spot that bumper sticker and, who knows, tease him or ostentatiously slow down or park their cars until he passes; or whatever. The public defender likens the bumper sticker to the scarlet letter and Puritan justice. He cites the stocks, where in the 17th century offenders were displayed in the square — an unusual punishment, by contemporary standards, but not, surely, cruel. The First Amendment guarantees to the press the right to give the name of someone found guilty, say, of speeding, or of driving while drunk, or of whoring or of tax cheating. It is implicit, in the exercise of that right, that one's neighbors have a right to know who is guilty of what.

Humiliation resides in the submission to discipline. The supreme humiliation is to be taken into a jail cell. And, of course, a jail awaits the drunken driver who, instead of just weaving about the road until apprehended by a policeman, waves into a child and kills him. It is the purpose of the organization MADD (Mothers Against Drunk Driving) precisely to stimulate more effective sanctions, and the notion that a sanction is OK so long as it does not humiliate is empty of disciplined thought. The baseball player who refuses to cooperate in reasonable tests to validate his behavior when not at the ball park may face the humiliation of a contract not renewed.

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### POP QUIZ!

College Station City Ordinance #1630 banned which of the following hazards inside city limits?

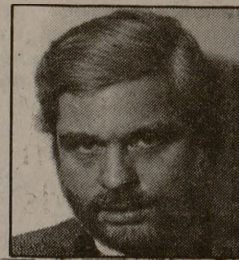
A) Fireworks

OR

B) Firearms

## Immigrants' saga not pretty

"We went by horse and wagon to Warsaw and that was the first time I had ever seen running water. I was mesmerized. I just stood there and looked at the faucet. I couldn't believe my eyes. From there, we went to Danzig. We had heard horrible stories. We heard they were killing people and raping women. We took the ship from Rotterdam. I remember it was very dark in the ship and we were not allowed to go to the upper deck.



**Richard Cohen**

"The food was just dreadful; all the adults were sick and some of the children, too. I can't remember how long it took us but it was at least a ten-day or two-week trip and then we reached Ellis Island. They examined us. We were very frightened. We heard all kinds of stories. We had heard that if you were dirty, that if you had lice, they sent you back. You may not want to write this, but it's true. We had no soap and Grandma washed each of our heads in urine to kill the lice."

Thus my mother came to America. Now we celebrate the 100th anniversary of the Statue of Liberty. We have refurbished her, rededicated her, and once again, we rejoice in the immigrant experience. My mother was one of those who steamed by the Statue of Liberty on her way from Europe. She was seven and it was November 1920. The ship was the Noordam of the Holland-American Line; down in steerage were my grandmother and her three children.

"Grandma said this strange man who was a year old when he left. He handed us large oranges which we now think of as eating oranges. I just looked at it. I had never seen an orange. He then told us it had to be peeled. So I peeled a little bit of it and gave the rest to my mother to hold because I didn't know when I would see an orange again."

My grandfather had been a religious scholar in Poland. In America, he worked for a plumbing supply firm. He had emigrated in 1913, made some money, and sent for his family. But World War I intervened and my grandmother and her children had to stay in Poland.

"Eight people lived in one room — two families. We had two beds. Each family slept in a bed — a mother and three children. The three of us (the children) were almost killed one time. The Bolshevik army came in. They opened all the storerooms and told everyone to help themselves. So the three of us went to get some sugar and salt. On the way back, there was skirmish. The streets were lined with horses and cannon and we could not get through. A Polish woman saw us and took us into her house. She knelt before a picture of Jesus Christ and prayed that we would all get through. Shortly after that, the Polish army came back. There were people who had taken pictures of the people who had taken the supplies. They were all shot."

The town in Poland is called Ostroleka. I was there several years ago and could find no trace of my family. The house where my family lived is gone. The cemetery is overgrown with weeds. The graves are open and the earth

forced the bones out. In 1940, the Nazis removed the Jews of Ostroleka to the cemetery and ordered them to overturn the headstones. Then they marched them into the forest and killed them. There are no relatives anymore in Ostroleka.

"Grandma had a dairy store until the war started. Then she worked on a farm, she and cousin Yetta, digging potatoes and steaming them, putting them into her bosom to bring home to make potato soup for us. That was our only meal."

My grandfather died in a nursing home in Brooklyn. My grandmother died in one in Queens. My uncle Moe died in St. Petersburg, Fla., just a couple of years ago and my aunt Lillian, present at the time, died in New Jersey in 1948 of cancer. They came from Poland, but they just as well could have come from Vietnam or El Salvador. The saga of the immigrant is not pretty.

"The boat had an enormous room with berths attached to the walls. The thing I remember was the darkness of the room. I think Lillian and I slept one bed. Mostly, I remember, it was women and children. I don't remember any men. Most of the time I remember trying to sneak up to the upper deck to see how the other half lived. Mom and Lillian were very sick."

My mother and father live in Florida. They are both retired. They play golf. They go to the theater. They miss their grandchildren. They were both poor, but now live well. My mother was down in steerage when she arrived in New York harbor and so could not see the Statue of Liberty. Forgive me, though, for thinking that it saw her.

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