



- Theodore Roethke

ALISON SEIFFER



# THE LAST SMUT SHOW

"THERE IS NO NEED OF A LAW TO CHECK THE LICENSE OF THE PRESS. IT IS LAW ENOUGH AND MORE THAN ENOUGH TO ITSELF. VIRTUALLY, THE COMMUNITY HAVE COME TOGETHER AND AGREED WHAT THINGS SHOULD BE UTTERED, HAVE AGREED ON A PLATFORM AND TO EXCOMMUNICATE HIM WHO DEPARTS FROM IT, AND NOT ONE IN A THOUSAND DARES UTTER ANYTHING ELSE."

- HENRY DAVID THOREAU (1858)

Salman Rushdie has attained the highest prize for a writer, a death sentence, which makes all other literary awards comparatively insignificant. His book "The Satanic Verses" has created an awesome uproar. People riot and are killed, buildings are burned, and of course copies of his book and a few bookstores selling it. Other bookstores pull the book off their shelves though some put it back when writers protest. Rushdie hides from zealous death squads lured by immortality and three million dollars bounty for his blasphemous head.

The furor over Rushdie's book has resulted in much extolling of the freedom of ideas and expression in the Christian West. The phrase "cherished tradition of freedom" is used in articles and commentaries about the frenzied reaction among Moslem populations. The scolding smugness is misplaced. Freedom of expression is paid at high cost and is always threatened with repossession. Not only in Islam do free-thinkers lose life and liberty — just think of a few Catholic "democracies" south of our borders and the death squads our taxes pay to enforce orthodoxy by murdering dissenting writers, poets and artists as well as political activists and peasants.

The First Amendment has not prevented attempts to impose religious or political orthodoxy in this country. The excessive repression of the McCarthy era ruined the lives and professions of some of the nation's best writers. Christian fundamentalists have been trying to ban books from school and public libraries for years and other censorious groups demand control over the contents of school textbooks and the suppression of everything from pornography to Mother Goose. In the matter of life's origins the pseudo-doctrine of "Creationism" is imposed on schoolchildren despite a Supreme Court ruling that it does not qualify as a science to be taught alongside evolution in public schools. And the reaction to the movie "The Last Temptation of Christ" was on a par with the Moslem reaction to "The Satanic Verses."

An example of censorship is also the unclean air created by some radio and television stations. January 27 was to be the day indecency disappeared from American airways. The thought police of the Federal Communications Commission were poised to swoop down on any radio or television broadcaster who dared mention on the air his or her gastrointestinal tract or its functions, or discussed their most recent sexual frolic.

Instead, a federal court of appeals issued a stall order until an appeal to rescind the new "decency" law is heard in court. The appeal is

being made by several broadcast organizations — one of which includes KMUN-FM in Astoria — and The American Civil Liberties Union. They question the constitutionality of the law and its vague definition of what is decent or indecent, and ultimately the right of government to regulate public morality.

Until the appeal is heard and resolved the new law — which would ban entirely, twenty-four hours a day forever, any "patently offensive" words or pictures being broadcast anywhere in the United States — will not go into effect. Stations are allowed to follow the current law, a lesser censorship under which programming that might be considered indecent can be safely transmitted between 10 pm and 6 am.

The new law, which was passed by Congress in October and is called the Helms Law after the great humanist senator from North Carolina who sponsored it, bans from broadcast any material that "in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs."

A federal court found that this generic definition of indecency replaces the famous, much narrower "seven dirty words" standard. The court held that what is termed adult material should be channeled to hours when children were most likely to be asleep, not watching television or listening to radio, and would theoretically remain blissfully uncorrupted by the prurience of adult entertainment. Congress rejected the court's conciliatory suggestion and instead voted to ban entirely what it defined as questionable or indecent material.

If the Helms Law survives the court test of its constitutionality it will mean reprimands and fines for stations the FCC accuses of violating its prohibition on indecency and possible loss of licenses. The National Association of Broadcasters and others believe the law is itself a violation of the press and speech freedoms guaranteed by the First Amendment, and contend that it gives the FCC dictatorial censorship powers.

The persistent attempts by government and groups of powerful elites to control public dialogue, particularly in matters of social behavior, has always been dangerous and usually the guise for authoritarian usurpation of the apparatus of communication. Realization of this led directly to the First Amendment, which is only two hundred years old this year. The First Amendment states simply and clearly that government has no right to interfere with freedoms of speech, press or religion or with public gatherings.

The very power and existence of the FCC quite likely is in violation of the First Amendment.

The right to speak implies a responsibility to those who listen; a listener to free speech is free to tune out the speaker. But shutting up the speaker is quite a different matter. Then the listener is threatening the right of the speaker, and as Chief Justice of the United States Supreme Court William Rehnquist wrote in a majority decision last year concerning the defamation of religious evangelist Jerry Falwell, who was depicted in a Hustler magazine cartoon performing incest with his mother in an outdoor toilet — which tread upon many social taboos — the First Amendment does not only protect the reasonable but also the outrageous.

The Helms Law is too vague in its definition of decency and most radio and television broadcasters, seldom lionized for courage against official or commercial intimidation, will simply refuse to broadcast anything that might endanger their cash flow. Independent stations that might take the risk in the belief that such thought control deteriorates our beleaguered freedoms will probably be fined to death or lose their licenses, and will be hardpressed to afford the high costs of defending themselves in court.

If anyone took stock of the contemporary use of press and speech freedoms, the glimpse should confirm the worst fears of any cynic about the tastes of the greater mass of people. Most of us acquiesce to the most banal, violent and sexually arousing entertainment: We are addicted to spectacle and blatantly commercial rituals.

The contemporary abuse of the freedom of speech is by those who wish to turn the populace into witless automatons in possession of credit cards. These shameless promoters of the inane and unnecessary are the truly malignant carriers of indecency. They are the blasphemous idolaters who appeal to the basest instincts and superstitions of the mass audience to sell a product and make a buck.

Little concern is shown toward demanding truth in advertising, nor is much attention paid to the public outcry against television violence. Only against "smut" does government strike. Matters of the flesh are regarded as unfit for public consumption except in a caricature form of "soft-core porn." Sex (the real thing) and defecation are repressed as filth.

The immaturity of a culture can be gauged by the depth of its reluctance to publicly dis-