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THE MUSIC OF MURDER

by Dennis R. Martin*

In my career in law enforcement I have weathered the rough seas of society, first as a patrol officer, then as a director of police training, shift commander, police chief, and now as the President of the National Association of Chiefs of Police. Tumultuous as contemporary society is, it could not exist without the foundation of law. We Americans are fortunate to live under a government of laws, not of men.

The United States Constitution is a remarkable and unique compact between the government and its people. The First Amendment, in particular, states a once revolutionary concept with great power and simplicity: "Congress shall make no law . . . abridging the freedom of speech." In our three-branched system of government, the will of the people is expressed through duly elected legislators in Congress and enforced by an elected executive; the Constitution finds its voice in the judicial branch. What are the people to do when the laws that are meant to ensure their freedom are abused in a manner that erodes the very foundation of law?

Early First Amendment cases sanctioned restrictions on speech where its free exercise created a clear and present danger, or where a serious evil would result. In two centuries, First Amendment law has evolved to the point where practically the only prohibited speech involves the mention of God in public assemblies.

The misuse of the First Amendment is graphically illustrated in Time-Warner's attempt to insert into the mainstream culture the vile and dangerous lyrics of the Ice-T song entitled *Cop Killer*. The Body Count album containing *Cop Killer* was shipped throughout the United States in miniature body bags. Only days before distribution of the album was voluntarily suspended, Time-Warner flooded the record market with a half million copies. The *Cop Killer* song has been implicated in at least two shooting incidents and has inflamed racial tensions in cities across the country. Those who work closely with the families and friends of slain officers, as I do volunteering for the American Police Hall of Fame and Museum, are outraged by the message of *Cop Killer*. It is an affront to the officers—144 in 1992 alone—who have been killed in the line of duty while upholding the laws of our society and protecting all its citizens.

Is it fair to blame a musical composition for the increase in racial tensions and the shooting incidents? Music has the power both to "soothe the savage beast" and to stir violent emotions in man. Music can create an ambience for gentle romance, or unleash brutal sensuality. It can transcend the material world and make our hearts soar to a realm of spiritual beauty. Yet the trend in American rock music for the last decade has been to promote ever more vile, deviant, and sociopathic behaviors. Recognition, leading to fame and fortune far exceeding merit, propels performers and the industry to attack every shared value that has bound our society together for more than two centuries.

The power that music works on the human mind can be seen throughout history; it has existed in every known society. The Bible contains numerous references to music. Music is found in the ancient tales of China, as well as in the traditions of Native

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Americans. In the beginning of human history, music stood at the center of life, acting as an intermediary between the natural and supernatural. It was both handmaiden to religion and the cornerstone of education. While there may be music without culture, culture without music is unthinkable.

The earliest music consisted of a vocal melody with rhythmic, regular beats kept by the hands and feet. In time the pattern of beats evolved into more complicated rhythms. Formal music found its roots in China, beginning around 2000 B.C. Ritualistic music emerged around 1900 B.C. among the Israelites during the reign of the Canaanites. By setting stories and teachings to music, pre-literate Hebrew leaders were able to memorize and recite long passages, and to entertain and instruct their audience with greater impact than words alone could convey. One generation handed down to the next Hebrew laws, traditions, and important historic events in song, often accompanied by a simple harp.

Folk music is the basis for formal music. The march, for example, dates from the Roman Empire. Its insistent rhythm, powerful major chords, and strong simple melody were designed to ignite courage in the hearts of those preparing for battle (and, possibly, fear in the enemy's camp).

Led by St. Benedict, the early Christian Church developed the art of choral singing. Over the centuries, sacred choral music has provided us with a view of the world to come. A branch of choral music evolved into opera, a form of music more than once credited with inciting riots. In 1830, the Brussels premiere of *La Muette de Portici* by Daniel Esprit Auber ignited the Belgian independence movement against the Dutch. Giuseppe Verdi achieved overnight fame after the debut of his third opera, *Nabucca*, in 1842, inspired rioting in Milan. One of the choruses, *Va Pensiero*, so touched the Italian soldiers that it was adopted as the Italian anthem.

Perhaps the greatest composition combining choral and symphonic modes is the *Ninth Symphony* of Beethoven. An utterly revolutionary work, both musically and politically, it proclaims that all men will be brothers when the power of joy resides in their hearts, binding together the fabric of society torn asunder by different cultural mores. This was not a popular sentiment to express in Vienna, the seat of power of the reactionary Austrian Empire.

The twentieth century brought new sounds to America: atonal classical music, the big band era, jazz, and country and western, among others. History recorded two world wars in which Germanic leaders preyed upon human society; the American musical response, spearheaded by George M. Cohan, was proudly defiant, full of valor and resolve. Across the Atlantic, German composer Paul Hindemith was charged with a war crime because his compositions reflected spiritual ideals and themes of renewal. He was barred from performing music.

The 1950s and '60s ushered in a new era for music in which elements of jazz, bluegrass, and country music combined to create early rock and roll. Bill Haley, of Bill Haley and the Comets, holds the distinction of being the country's first composer of rock and roll, in 1955. With the rise of "the King of Rock and Roll," Elvis Presley, rock and roll forever changed the world. For the first time, contemporary music did not reflect the values of society but glamorized rebelliousness and adolescent sexuality. Later, lyrics of the 1960s and '70s espoused drug abuse. Heavy metal bands of the '70s, '80s, and even into the '90s with bands such as Guns 'N' Roses, promote a panoply of anti-social behaviors and attitudes. The common denominator of their music is that self-gratification and self-expression *excuse* aggressively violent and sexual behavior inflicted on others.

The new kid on the popular music scene has stretched the fabric of our First Amendment like none before. Rap music is a culmination of the course charted by Elvis Presley. Put his rebellion, swagger, and sexuality into the pressurized cauldron of a black ghetto and the resulting music explodes with rage. It is primitive music—stripped of

melodic line and original chord progressions. The beat alone propels the street smart rhyming verse lyrics through topics of deprivation, rebellion, poverty, sex, guns, drug abuse, and AIDS.

Since the Rodney King incident and the subsequent riots in Los Angeles, the media has contributed to a climate wherein police bashing is socially and politically correct. Ignored is the role police play in safe-guarding the lives and liberties of all law-abiding citizens. The ingrained hatred of police authority, already prevalent in poor urban 'hoods, is easily mobilized by the suggestive lyrics of rap.

The framers of the Constitution lived in a world far different from our own. Could they have imagined a day when music would become a tool to destabilize a democratic society by provoking civil unrest, violence, and murder? Yet, the lyrics of rapper Ice-T's *Cop Killer* do precisely that by describing steps to kill a cop. Time-Warner's recording company not only defended the "instructional" song, but marketed the album by shipping it in miniature body bags, complete with a three by four foot poster graphically depicting a cop killer. The company flooded the United States market with an additional half-million copies just prior to Ice-T's announcement that distribution would be suspended voluntarily.

While on patrol in July 1992, two Las Vegas police officers were ambushed and shot by four juvenile delinquents who boasted that Ice-T's *Cop Killer* gave them a sense of duty and purpose, to get even with "a fucking pig." The juveniles continued to sing its lyrics when apprehended:

I got my black shirt on.
 I got my black gloves on.
 I got my ski mask on.
 This shit's been too long.
 I got my 12-gauge sawed off.
 I got my headlights turned off.
 I'm 'bout to bust some shots off.
 I'm 'bout to dust some cops off.

(Chorus)

COP KILLER, it's better you than me.
 COP KILLER, fuck police brutality!
 COP KILLER, I know your family's grievin'
 (Fuck 'em!)
 COP KILLER, but tonight we get even.

I got my brain on hype.
 Tonight'll be your night.
 I got this long-assed knife,
 and your neck looks just right.
 My adrenaline's pumpin'.
 I got my stereo bumpin'.
 I'm 'bout to kill me somethin'.
 A pig stopped me for nuthin'!

(Chorus)

DIE, DIE, DIE, PIG, DIE!
 FUCK THE POLICE! (repeat)

(Chorus)

FUCK THE POLICE! (repeat)

FUCK THE POLICE, for Darryl Gates.

FUCK THE POLICE, for Rodney King.

FUCK THE POLICE, for my dead homies.

FUCK THE POLICE, for your freedom.

FUCK THE POLICE, don't be a pussy.

FUCK THE POLICE, have some muthafuck

FUCK THE POLICE, sing along.

COP KILLER! (repeat)

I'm a mothafuckin' COP KILLER!

COP KILLER! (repeat)

ICE-T

Cop Killer

BODY COUNT

(Warner Bros. Records, Inc. 1992)

Notwithstanding the predictability of police being ambushed after such a rousing call-to-arms, Time-Warner continues to defend the song. In a letter addressed to Chief Gerald S. Arenberg, Executive Director of the National Association of Chiefs of Police, Time-Warner Vice Chairman Martin D. Payson gave his rationale for Warner Bros. recording and mass-marketing *Cop Killer*:

Ice-T is attempting to express the rage and frustration a young black person feels in the face of official brutality and systematic racism. Though the incidents of brutality may be perpetrated by a small number of police, the impact on the black community is intense and widespread. The anger that exists is neither an invention of Ice-T's nor a figment of the creative imagination. It is real and growing. Our job as a society is to address the causes of this anger, not suppress its articulation.¹

This last sentence is disingenuous at best. Is Time-Warner addressing the causes of black anger, or is it magnifying isolated instances of anger into a fashionable popular sentiment and reaping handsome profits in the process?

Would Thomas Jefferson have advocated using the First Amendment as a shield to publish a step-by-step guide on how to ambush and murder the police? The Body Count album also contains *Smoked Pork*, a song describing how Ice-T murders two police officers, with dialogue so graphic the lyrics were not printed with the album. Freedom of speech ought to end short of advocating violent physical harm to fellow members of society. If Ice-T had, instead, produced a song describing how to sexually abuse and torture young children, perhaps there would be an appropriate public outcry. A full measure of consideration ought to be given to the lives and welfare of our nation's police officers and their families.

¹ Letter from Martin D. Payson, Vice Chairman, Time Warner, Inc., to Gerald S. Arenberg, Executive Director, National Association of Chiefs of Police (July 23, 1992) (on file with author).

Safety and order in any community requires a partnership of a type that can exist only in a functioning democracy. Public attitudes toward the police may play a part in the frightening rise in crime rates. Disrespect for the law enforcement officer breeds disrespect for the law. A child who is raised to laugh at cops is not likely to grow up with any great respect for the laws that the police enforce. Youthful experimenters, confused by adolescent anxiety, look up to Ice-T as a powerful role model who supports hatred, racism, sexual abuse, and vile crimes that he depicts through dialogue in his lyrics.

Decades of misrepresentation and abuse of law enforcement in entertainment and education have left their mark. Society is now finding that it cannot ridicule the enforcers of the law on one hand and build respect for the law on the other. You cannot separate the two, any more than you can separate education from teachers, justice from judges, and religion from the ministry.

It is a sad irony that in our society, scandal breeds financial gain. Sales of *Cop Killer*, and the *Body Count* album on which it appears, have soared since law enforcement officers from around the country rallied behind police organizations like the National Association of Chiefs of Police, CLEAT [Combined Law Enforcement Officers of Texas], and the American Federation of Police.

Ice-T is but one rapper encouraging violent reaction to the presence of law enforcement. Rap group Almighty RSO defiantly sings *One in the Chamber*, referring to the bullet they would use to kill a cop. Kool G-Rap and DJ Polo's song *Live and Let Die* describes how G-Rap brutally murders two undercover police officers as he tries to complete a drug deal.

Tragically, this violent message is too often followed by its young audience. On April 11, 1992, Trooper Bill Davidson, formerly with the Texas Department of Public Safety, was killed in cold blood as he approached the driver of a vehicle he had stopped for a defective headlight. The trooper's widow, Linda Davidson, described to me an account of the events surrounding the killing and the impact of this tragedy on the Davidson family. The teen-age killer, Ronald Howard, explained to law enforcement authorities that he felt hypnotized by the lyrics of six songs by the rap group 2 Pac, from their album *2 Pacalypse Now*, which urge the killing of police officers. Howard claims that the lyrical instructions devoured him like an animal, taking control over his subconscious mind and compelling him to kill Trooper Davidson as he approached Howard's vehicle. The rap's influence, however, apparently continues to affect Howard's judgment. Two psychiatrists found that the music still affects his psycho-social behavior. In a meeting with Linda Davidson, Howard expressed his desire to completely carry out the rap's instruction by putting away a pig's wife and dusting his family. Howard's reaction has left Linda dumfounded, confused, bewildered, and most of all angry.

The Davidsons' anger is aimed not solely at Howard, but has also expressed itself in a civil lawsuit against Time-Warner, the company that promotes 2 Pac. Again, Time-Warner claims the First Amendment protects its right to promote songs that advocate the killing of police. In preparation for trial, the corporation's lawyers are closely observing the criminal trial of Ron Howard. Given the current state of American law, one can only hope that Time-Warner will tire of the expense of defending state court actions prompted by such lyrics and attacks on police.

With growing lawlessness and violence in our society, every American is at risk of losing his property and his life to criminals. Police officers risk their lives daily to preserve peace and property rights for all Americans. The officers deserve protection from abusive speech when that abuse imperils not only their ability to protect citizens, but also their ability to protect their very lives.