



Morally Offensive Content

Because of the need to get the attention of audiences, advertisers often resort to techniques designed to “cut through the clutter.”

This generally means ads designed to get your attention, and nothing gets attention like shocking visuals or copy.

These techniques often use sex or violence, or both, to get your attention.

In order to deal with these issues, many involved in advertising take an approach best described as moral subjectivism—everything is a matter of personal opinion or taste, thus it really isn’t legitimate to say an advertisement is tasteless or immoral.

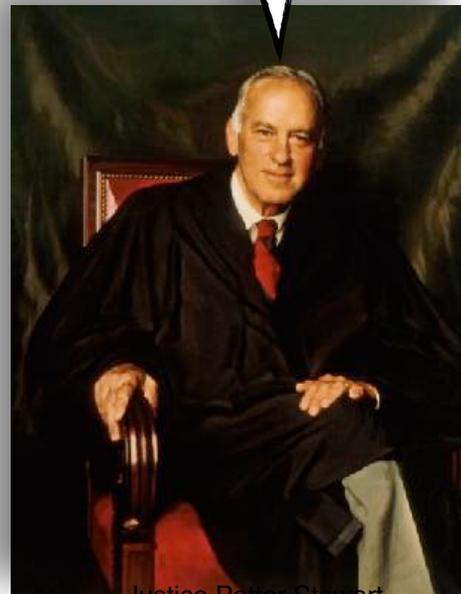
In 1967, Congress established the Commission on Obscenity and Pornography

Three years later, the Commission told Congress there was no evidence to prove a causal relationship between explicit sexual materials and social or individual harm.

The Supreme Court has ruled that obscenity is not Constitutionally protected speech

- But, they really haven’t defined “obscenity.”

“I CANNOT DEFINE OBSCENITY, BUT I KNOW IT WHEN I SEE IT.”

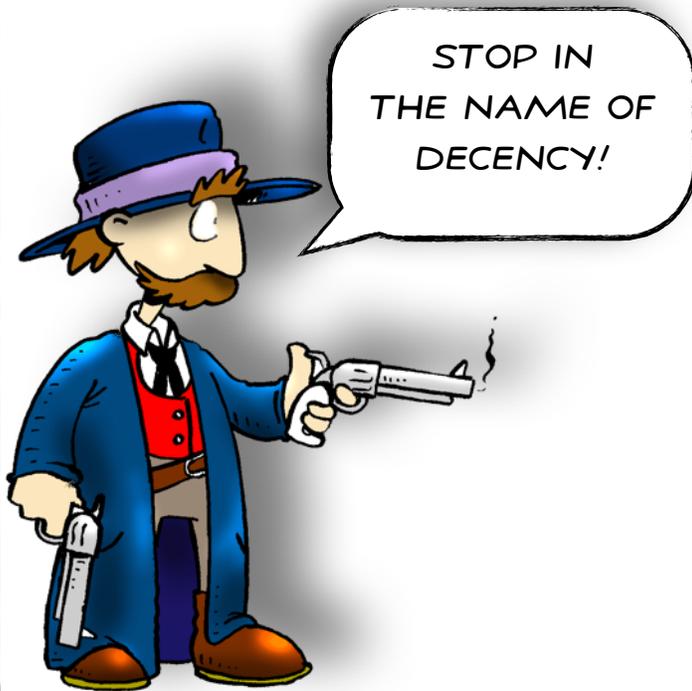


Justice Potter Stewart

In 1974, the Court ruled that material could be held obscene if

- an average person, applying contemporary community standards, finds the work, taken as a whole, appeals to prurient interests;
- the work depicts in a patently offensive way sexual conduct specifically defined by applicable state law; and
- the work in question lacks serious literary, artistic, political, or scientific value.

So, how do we control what we find offensive?



MORAL LIMITS

- the Harm Principle
- the Principle of Paternalism
- the Principle of Moralism
- the Offense Principle
- The Harm Principle

The Harm Principle

A person's liberty may justifiably be restricted to prevent harm that the person's actions would cause to others.

- What's wrong with this idea?
- How do you define "harm"?
- How "real" is the harm?

The Principle of Paternalism

Morally offensive content should be controlled to prevent harm to self.

It dehumanizes individuals and corrupts their value systems.

- This principle allows us to protect those who cannot protect themselves.
- Paternalism allows the media (or someone else) to decide what is best for us.

What's wrong with this idea?

- What makes the media, or anyone else, expert enough to know what's good for us?
- Doesn't this limit our autonomy?



The Principle of Moralism

Offensive content should be controlled in order to prevent immoral behavior or the violation of societal norms.

This is often associated with religious precepts or objections.

What's wrong with this idea?

- Is society or any particular religion always right?

John Stewart Mill didn't think so...

... there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compel all characters to fashion themselves upon the model of its own.



John Stewart Mill

The Offense Principle

Society should restrict individual liberty to prevent offense to others.

Offensive behavior is defined as that which

- causes shame, embarrassment, discomfort, etc., to be experienced by onlookers in public.
- This usually justifies the protection of nonconsenting adults from public displays of offensive material.

What is wrong with this idea?

- Who decides what is offensive?

What if it's for a good cause?

And, what exactly is a good cause?



Ads like this breast cancer campaign often shock people, but is it acceptable because it promotes a good cause?

What, then (if anything), is wrong with morally offensive content?

It dehumanizes us

It can objectify people

It is a base instinct and thus not a virtue

What can we do?

We must always ask ourselves...

Who are we offending, and why?

So how do we handle that which so many find morally offensive? Let's ask Mark Twain...



If a person offends you, and you are in doubt as to whether it was intentional or not, do not resort to extreme measure; simply watch your chance and hit him with a brick.

Mark Twain