

Satire

Lecture Notes J397: Media Ethics

“Irreverence is the champion of liberty and its only sure defense.” — Mark Twain

Satire is centuries-old

It uses humor and imitation to attack and ridicule individuals' moral and character flaws, such as vice, unfairness, stupidity or vanity.

Although satire is usually meant to be funny, the purpose of satire is not primarily humor in itself so much as an attack on something of which the author strongly disapproves, using the weapon of wit.

A [parody](#) is also an attack on folly, but it takes the form of a contemptuous imitation of an existing artistic production — usually a serious work of literature, music, artwork or film — for satirical or humorous purposes.

Humor about a particular subject (politics, religion and art for instance) is not necessarily satirical.

Nor is humor using the great satiric tools of [irony](#), parody, or [burllesque](#) always meant in a satirical sense.

Satire and parody have served for generations as a means of criticizing public figures, exposing political injustice, communicating social ideologies, and pursuing such artistic ends as literary criticism.



Misconception of satire

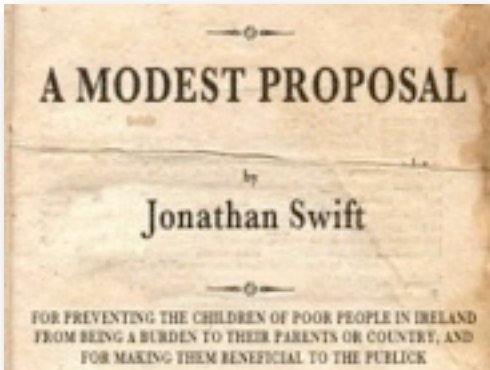
Because satire often combines anger and humor it can be profoundly disturbing - because it is essentially ironic or [sarcastic](#), it is often misunderstood.

Common uncomprehending responses to satire include revulsion (accusations of poor taste, or that "it's just not funny" for instance), to the idea that the satirist actually does support the ideas, policies, or people he is attacking.

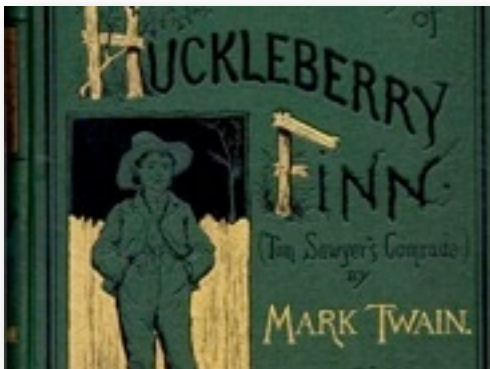
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Why don't they get it?

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For instance, at the time of its publication, many people misunderstood Swift's purpose in "[A Modest Proposal](#)" – assuming it to be a serious recommendation of economically-motivated cannibalism.

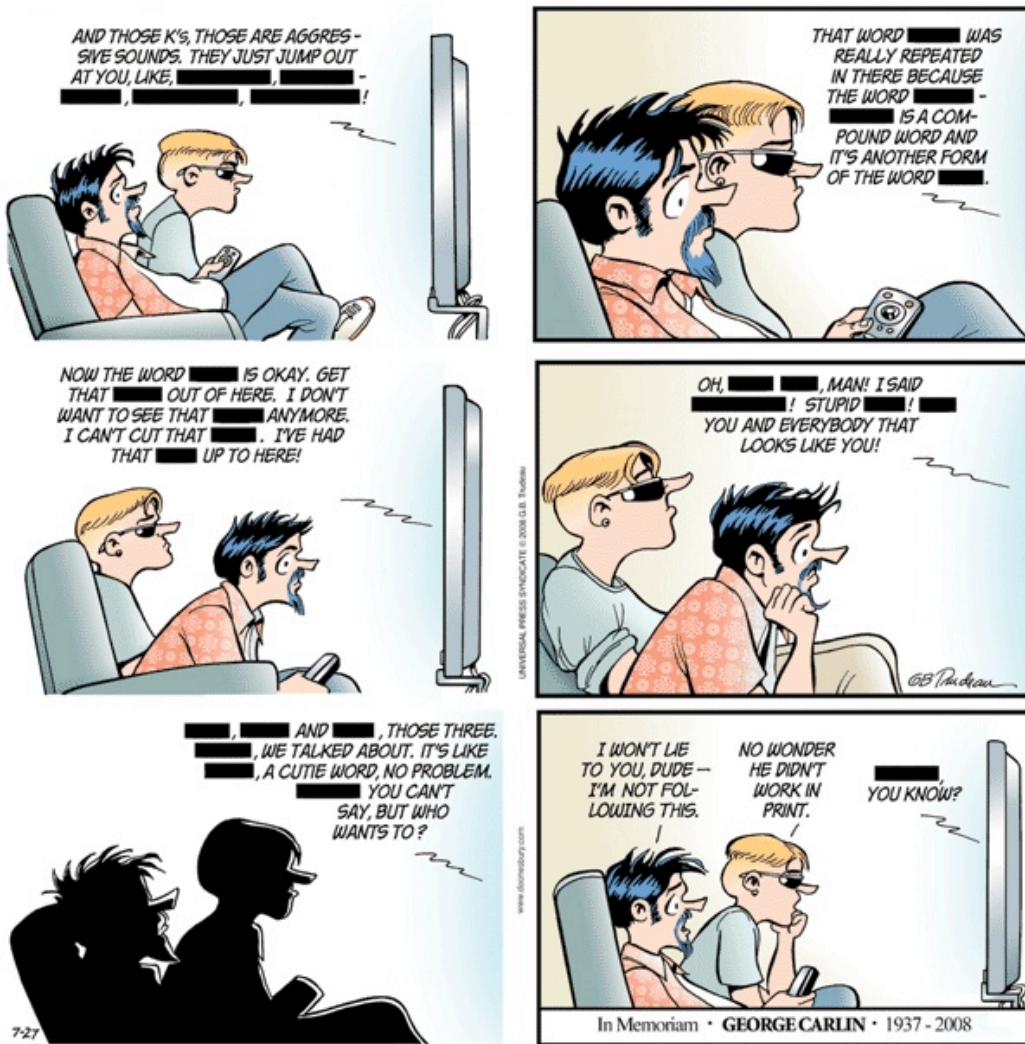


Some critics of Mark Twain see [Huckleberry Finn](#) as racist and offensive, missing the point that its author clearly intended it to be satire (racism being in fact only one of a number of Mark Twain's known pet peeves attacked in Huckleberry Finn).



In 2005, the Jyllands-Posten [Muhammad cartoons controversy](#) caused global protests by offended Muslims and violent attacks with many fatalities in the Near East. It was not the first case of Muslim protests against criticism in the form of satire, but the Western world was surprised by the hostility of the reaction. that's because Politicians throughout Europe agreed that satire was an aspect of the freedom of speech, and therefore to be a protected means of dialogue.

However, even in the west cartoons are Sometimes censored...



Both these cartoon strips were either deleted from newspapers or run on other pages because editors thought they were offensive in some way.

[A look at a banned Opus strip controversy.](#)

In 2008, the cover of the *New Yorker* magazine was denounced as "tasteless" by Democratic party candidate Barack Obama's campaign workers.

The editor David Remnick explained that the controversial illustration by Barry Blitt on the July cover was meant to be satire, and mocked the right wing's perception of the formidable couple.

Many people did not get the joke, and the image was quickly circulated around the world.

Satire and the law

Satirists usually find themselves subjected in turn to criticism, contempt and, sometimes, lawsuits.

The First Amendment protects satire and parody as forms of free speech and expression.

However, Questions have arisen in case law concerning libel, emotional distress and copyright infringement.

In a case from the 1980s, a well-known minister, the Rev. Jerry Falwell, sued *Hustler* for an advertisement parody that portrayed him as having had a drunken sexual encounter with his mother in an outhouse.

The parody was a spoof on a series of ads for Campari Liqueur.



The table of contents for that issue of the magazine listed the ad as "Fiction; Ad and Personality Parody."

After several, conflicting lower court rulings the U.S. Supreme Court recognized the importance of allowing the free flow of ideas despite a possible negative emotional impact on the target of ridicule.

Creators of parody may also be faced with questions of copyright infringement.

A fair-use analysis, according to the Court, involves four factors:

- purpose and character of the use, including whether the use is commercially motivated or instead is for nonprofit educational purposes;
- nature of the copyrighted work;
- amount and substantiality of the portion used in the newly created work in relation to the copyrighted work;
- The effect of the use upon the potential market for or value of the copyrighted work.

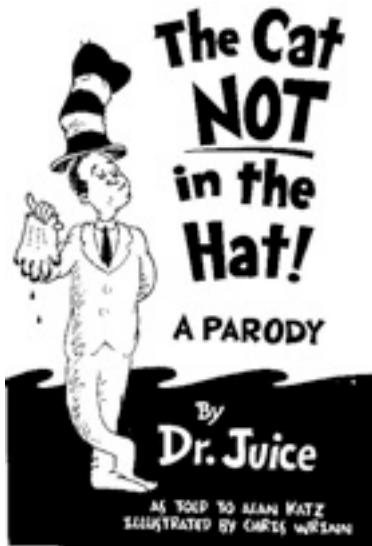
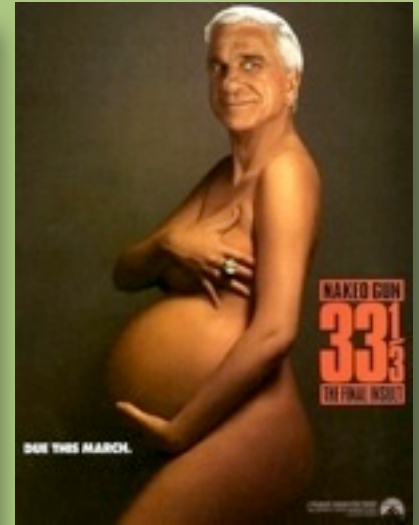


In small print at the bottom of the ad were the words, "ad parody — not to be taken seriously."

In 1992, Paramount Pictures did a teaser ad for the film, “Naked Gun: The Final Insult 33 1/3.”

The ad spoofed a 1991 cover of Vanity Fair, which featured a photo of a pregnant, nude Demi Moore. Paramount got another model, who was also pregnant, to pose nude.

The head of Leslie Nielsen, the star of the film, was superimposed onto the body of the model. A federal district court and the 2nd U.S. Circuit Court of Appeals held that the parody ad was a fair use.



Penguin Books published a poetic account of the O.J. Simpson trial in a book titled, The Cat NOT in the Hat! A Parody by Dr. Juice.

The 9th Circuit held that the book did not parody The Cat in the Hat, but simply retold the Simpson story. Therefore, there was no fair-

use defense, and the book was deemed a copyright infringement.

A 2001 copyright-infringement/parody case involved Alice Randall's novel, The Wind Done Gone, a parody of Margaret Mitchell's American classic, Gone With the Wind.

Released in 2001, Randall's book used characters and scenes from Mitchell's original novel as a satirical critique of Mitchell's primitive depiction of African-Americans.

Mitchell's estate argued that Randall's novel borrowed too liberally from the original and was in essence a sequel, not a parody.

Applying the elements of fair use, the appeals court recognized that



Randall's work was made for a commercial purpose.

However, the court said that this factor was “strongly overshadowed and outweighed in view of its highly transformative use” of Gone With the Wind.

SATIRE CAN TAKE MANY FORMS

