

Wal-Mart Stores will not sell pop music with lyrics and covers that store officials consider objectionable. Because Wal-Mart is the largest seller of CD's in the United States, selling 52 million of the 625 million CD's sold annually, record companies produce two versions of many CD's, the original version, and a version that is cut and edited for sale at Wal-Mart. In some instances company officials have insisted upon specific changes, such as not including certain songs, deleting words from a song, or, in one instance, air brushing a bikini top onto a cover photo of a bare breasted woman. Record companies usually, although not always, allow an artist to decide whether to make such changes. Most go along because of Wal-Mart's powerful position as a seller of CD's. Independent record dealers say that Wal-Mart, sells CD's at very little profit, no profit at all, or even as loss leaders to lure in customers.

Is Wal-Mart's policy morally justifiable? If so, why? If not, why not?

MODERATOR'S ANSWER: Wal-Mart's policy is morally justifiable. Some may find the policy offputtingly self-righteous, but this alone doesn't make it morally unjustifiable. The critical issue is whether the policy harms the public or treats artists and recording companies unjustly. With respect to the public, Wal-Mart clearly has a powerful market position as a seller of CD's, but not so powerful as to raise questions whether its policies encroach upon the basic right of free expression of individuals throughout society. In regard to the issue of whether the policy is unjust to artists and recording companies, one needs to keep in mind the overwhelmingly business oriented environment of recorded rock music, in which the content of recording is shaped by commercial, rather than artistic, considerations as a matter of course. Viewed against this background, Wal-Mart's requirements do not seem unduly intrusive upon the commonly accepted zone of artistic independence of rock musicians.

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