

Shooting the Smut Stork:
The American Print Media Confronts Two Federal Pornography Commissions,
1970-1986

Suki Wellman

A Thesis in the Department of History
Presented in Partial Fulfillment of the Requirements
for the Degree of Master of Arts (History) at Concordia University,
Montréal, Québec, Canada

June 2007

© Suki Wellman, 2007



Library and
Archives Canada

Bibliothèque et
Archives Canada

Published Heritage
Branch

Direction du
Patrimoine de l'édition

395 Wellington Street
Ottawa ON K1A 0N4
Canada

395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file *Votre référence*
ISBN: 978-0-494-34656-3
Our file *Notre référence*
ISBN: 978-0-494-34656-3

NOTICE:

The author has granted a non-exclusive license allowing Library and Archives Canada to reproduce, publish, archive, preserve, conserve, communicate to the public by telecommunication or on the Internet, loan, distribute and sell theses worldwide, for commercial or non-commercial purposes, in microform, paper, electronic and/or any other formats.

The author retains copyright ownership and moral rights in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

AVIS:

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque et Archives Canada de reproduire, publier, archiver, sauvegarder, conserver, transmettre au public par télécommunication ou par l'Internet, prêter, distribuer et vendre des thèses partout dans le monde, à des fins commerciales ou autres, sur support microforme, papier, électronique et/ou autres formats.

L'auteur conserve la propriété du droit d'auteur et des droits moraux qui protègent cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

In compliance with the Canadian Privacy Act some supporting forms may have been removed from this thesis.

Conformément à la loi canadienne sur la protection de la vie privée, quelques formulaires secondaires ont été enlevés de cette thèse.

While these forms may be included in the document page count, their removal does not represent any loss of content from the thesis.

Bien que ces formulaires aient inclus dans la pagination, il n'y aura aucun contenu manquant.


Canada

Abstract

Shooting the Smut Stork:

The American Print Media Confronts Two Federal Pornography Commissions,
1970-1986

Two federal pornography commissions were created in the United States in the 20th century. Products of very different political and social climates, the commissions asked different questions, operated according to different policy guidelines, and reached divergent conclusions about how best to deal with the issue of pornography in American society.

The President's Commission on Obscenity and Pornography was created under President Lyndon B. Johnson in 1968 during a time when increasing sexual permissiveness clashed with conservative forces trying to stem what they perceived to be an almost irreparable decline in morality. The commission report recommended the repeal of all prohibitive legislation pertaining to adult access to sexual materials. The 1986 Attorney General's Commission on Pornography, on the other hand, worked under the aegis of the Justice Department directly at the behest of President Ronald Reagan. This later report explicitly insisted that existing legislation on pornography be enforced, and encouraged civic participation in stemming the flood of pornographic fare.

This thesis examines the American print media coverage of these two federal pornography commissions. In particular, it explores the pornography issue as a linchpin for the discussion of larger issues, which in turn propagates normative identities and a hierarchy of authority around issues of sexuality.

Table of Contents

Introduction	1
Chapter One – Liberalizing or Restricting Smut?: The President’s Commission on Obscenity and Pornography	30
Chapter Two – Vile Bodies: Media Coverage of the President’s Commission on Obscenity and Pornography ..	46
Chapter Three – The Meese Commission: Pornography in the Service of Morality	82
Chapter Four – The Oral Majority: Confronting Pornography in the 1980s	98
Conclusion	137
Bibliography	142

Shooting the Smut Stork: The American Print Media Confronts

Two Federal Pornography Commissions, 1970-1986

Introduction

Two federal commissions into pornography were carried out in the United States between 1968 and 1986. Products of very different political and social climates, the commissions asked different questions, operated according to different policy guidelines, and reached divergent conclusions about how best to deal with the issue of pornography in American society. The President's Commission on Obscenity and Pornography was created under President Lyndon B. Johnson in 1968 during a time when increasing sexual permissiveness clashed with conservative forces trying to stem what they perceived to be an almost irreparable decline in morality. The 1960s was marked by various forms of liberalization, including the civil rights movement, student activism, new wave feminism, and calls for homosexual rights. The President's Commission reflected this liberalized context by recommending the repeal of all prohibitive legislation pertaining to adult access to pornographic fare. However, by the time the report was released in 1970, Lyndon Johnson was no longer President and the Democrats had been replaced by a new conservative Republican administration led by President Richard M. Nixon. The change in Administration reflected a shift in the larger political culture of the US and led to rising tensions that affected the reception of the report.

The 1986 Attorney General's Commission on Pornography, on the other hand, worked under the aegis of the Justice Department directly at the behest of President Ronald Reagan. While the earlier commission worked in a period of liberalization and

sexual permissiveness, the later commission reflected the beliefs of the conservative forces who dominated the political agenda. Although there was considerable evidence that American society and popular culture had become increasingly sexualized, Republican and conservative groups emphasized a return to traditional family values and morality. Part of this conservative ethos emphasized civic participation in regulating morality and normative behaviour. In addition to these conservative forces, however, the 1980s debate over pornography was increasingly shaped by feminist activism and discourse. Using antipornography feminist rhetoric, the pornography report focused on violence against women caused by pornographic materials. It overtly challenged the findings and recommendations of the 1970 commission, and explicitly insisted that existing legislation on pornography be enforced.

This thesis looks at the issue of pornography as it was presented by American print media at the time of the release of these two commission reports. There is a distinct shift between the two commissions from an emphasis on institutional to public action. During the earlier period the issue of pornography was fastened to the world of 'experts,' while in the 1980s there was greater emphasis on heightened public involvement and civic responsibility to act on the pornography issue. However, while public interest and public responsibility were dominant in the latter period, the discussion around both commissions offered an idealized notion of society and the nation which subsumed certain groups under an overarching normative discourse based on a gendered, middle-class ideology. The selection of which voices were heard in the articles naturally influenced the discussion of certain issues and the omission of others. Furthermore, by examining which groups are presented in the articles, and by isolating the main themes in

the discourses of pornography, we can examine the major assumptions and concerns that characterized the time in which the commissions were created.

Pornography also necessarily speaks to sexuality, which is a dominant mode in which to frame issues of morality, gender and normative values. As Carolyn J. Dean argues, “since the middle to late nineteenth century, our very identities have been inseparable from what we call ‘sexuality.’ In other words, the history of modern sexuality is nothing less than the history of changing constructions of the modern self.”¹ Thus, while presenting articles on pornography and the commissions that were formed to comment on the issue, the media served to present the public with particular notions of what this sexuality is, and in turn provide a certain view of legitimacy, hierarchy and structure in American society. Pornography is fundamentally a commodity; but it is also a linchpin for the discussion of larger issues, which in turn propagates normative identities and a hierarchy of authority around issues of sexuality.

Situating Pornography

Pornography means many different things to different people. It is a reflection of our hidden desires, our fantasies, and our fears. It has a cathartic effect. It causes violence. It is an image. It is reality. It is fantasy. It is the destruction of community morality. It contaminates the souls of the weak; it contaminates all souls. It is an agent of violence; it *is* violence. It silences and it frees. It is man’s image of woman; and man’s image of himself. It represents male hatred toward women; it uncovers men’s fears about themselves. It buttresses male patriarchy; it suppresses man’s ability to connect with himself emotionally. The etymology of pornography points to the something never

¹ Carolyn J. Dean, *Sexuality and Modern Western Culture* (New York: Twayne Publishers, 1996), xiii.

separate from commodification – it is the writing about prostitutes – it is not “merely an image of sex ... [but] an image of commercialized sexuality of a victim.”² In the end, as Walter Kendrick suggests, pornography is, essentially, an argument.³ It is a peg on which larger debates focus. Perhaps this explains why pornography is so seldom defined, and why no one definition can ever stick. And perhaps the best reply to the definition of pornography is Supreme Court Justice Stewart Potter’s oft-ridiculed but surprisingly accurate statement “I know it when I see it.”⁴ All definitions of pornography depend on what objectives we have in summoning the rhetorical power of the term to conjure emotion and reflection on such issues as gender and sexuality, freedom and censorship, or morality and community.

From its entry into the lexicon arising from the discoveries at Pompeii and the advent of the ‘Secret Museum,’⁵ to its domination of the internet, pornography remains an unresolved issue. It has provided the foundation for protectionist narratives, for justifying social and political hierarchies, and for feminist debates. The elusiveness of the term itself points to its discursive power, and explains why it will never be strictly defined; for that elusiveness is its power. In the end, it does not matter what sort of pornography is available; what images reside in its glossy pages, on its stage, or in its

² Harry Brod, “Eros Thanatized: Pornography and Male Sexuality,” in Michael S. Kimmel, ed., *Men Confront Pornography* (New York: Penguin Books, 1991), 191.

³ See Walter M. Kendrick, *The Secret Museum: Pornography in Modern Culture* (New York: Viking, 1987)

⁴ Quoted in Ibid., 196. Although Justice Stewart was most likely referring to obscenity in the legal sense, the fact that Kendrick attaches this comment to ‘pornography’ highlights the easy conflation of the two terms in modern history. While ‘obscenity’ is a legal term that refers to materials outside the protection of the First Amendment and therefore prohibited by law, reiterated in the infamous *Roth* ruling of 1957, ‘pornography’ is an ambiguous term, whose usage is never strictly defined. However, a general definition would be sexual materials whose primary function is to sexually arouse the consumer.

⁵ For the etymology of the term ‘pornography’, see Ibid., chapter 1. See also Introduction of Lynn Hunt, editor, *The Invention of Pornography: Obscenity and the Origins of Modernity* (New York: Zone Books, 1996). The Secret Museum was a storage room that was set up following the findings of ‘obscene’ artifacts at the excavation of Pompeii. These artifacts were kept locked in a room, and only upper-class males were allowed entry to the exhibit.

celluloid ‘perversions’. The fact that child pornography, violent sadomasochism and other sorts of ‘destructive’ images cater to only a fringe audience is beside the point: it is only what people *think* and *say* pornography is that matters. For the answers to this help shape and justify broader debates.

And where does the debate over pornography reside? It resides in politics, in our legal institutions, in lobby groups, and in the media. Each of these areas has created its own discourses involving pornography; and thus emerge numerous debates, sometimes connected and sometimes not, but most often incommensurable. Studying the discourses on pornography illuminates the climate of the era: its fears, its interests, its stakes, its political and its social structures. Issues involving pornography have always been extremely contentious, and create debates the foundations of which change constantly. The definitions of pornography are forever shifting, and it is partly this instability that is responsible for the irreconcilability of the opposing sides of the debate. As Bernard Arcand observes in his study of pornography in modern society, “[f]ew subjects seem to have lent themselves as easily to peremptory, but gratuitous, statements, doubtful interpretations, ill-considered conclusions, distortions, and bad faith as pornography.”⁶ However, by looking at how debates on pornography are framed and reframed by the discourses that emanate from them, one can perhaps steal a glimpse into prevailing societal, political and cultural assumptions at different points in history.

One of the reasons this study looks at two federal pornography commissions is that they serve as a peg for when the ‘problem’ of pornography became more prominent in public discourse. Commissions are most often created when society has recognized a

⁶ Bernard Arcand, *The Jaguar and the Anteater: Pornography and the Modern World*, tr. Wayne Grady (Toronto: McClelland and Stewart, 1993), 12.

problem that needs to be confronted and they allow the government a chance to show that it can confront issues that concern its citizens.⁷ Although reactions to sexually explicit materials, pornography regulation and obscenity laws differ from state to state, the two commissions considered here were federal and therefore national in scope. These commissions were run with public funds, were designed to assess the issue of pornography and attempt to define ambiguous terms. They were also mandated to study the effects of pornography on society and discuss whether measures should (in the 1970 commission), or what measures can (in the 1986 commission) be taken to stem the flow of pornographic materials. Indeed, the issue of pornography became 'mainstream' during the period of these two commissions, and they were periods in which differing discourses on pornography, so often confined to conversations between experts, activists, politicians, policy-makers and scientists, could perhaps trickle into public discourse. Thus, they allow for a more comprehensive view of the reactions to pornography.

Nevertheless, it is through the media that the public generally gains access to the political and legal debates on pornography and communicate their views back to these other players. However, as agents in themselves, the media also have the power to create their own discourses and bring certain issues to prominence. Thus, an exploration of which voices are presented in articles on pornography is important, as it reveals which groups get to shape the pornography issue and infuse it with their concerns.

Historiography and Theoretical Contributions

Scholarly work on pornography has flourished since the late-1960s, and has followed the shifts in the various debates. Much of the work, especially in the earlier

⁷ Gordon Hawkins and Franklin E. Zimring, *Pornography in a Free Society* (Cambridge; New York: Cambridge University Press, 1988), 5.

period, presented a binary feud between those who advocated freedom of expression and those who saw pornography as indicative of a moral decline in American society. The work of D.F. Barber, *Pornography and Society*, is exemplary of early scholarship. He argues that pornography is a product of an inherent human desire, and therefore censorship of such material would infringe on the rights of individuals.⁸ This argument was characteristic of the early 1970s, when sexuality in American society was increasingly being debated. This type of work was challenged by other commentators who argued the flipside. Harry M. Clor's *Obscenity and Public Morality: Censorship in a Liberal Society* argues that society retains the right to protect and establish moral boundaries. While conscious of the validity of the First Amendment and the need to uphold certain rights, Clor argues that certain pornographic materials step over the thin line dividing obscenity and pornography, and that material that has little redeeming value, and that does not fit contemporary community values should be judged censorable.⁹ Other conservative scholarly works argue on religious grounds and contend that pornography is a moral evil, intruding on individual privacy and leading to the degradation of society. These arguments, such as Perry C. Cotham's *Obscenity, Pornography and Censorship*, tend to conflate obscenity and pornography, and lament against both obscenity and general sexual permissiveness.¹⁰

Questionable sexual material, whether seen as representative of human sexual desire or as a degradation of human dignity, is often framed in legal terms. The

⁸ D.F. Barber, *Pornography and Society* (London: Charles Skilton, Ltd., 1972).

⁹ Harry M. Clor, *Obscenity and Public Morality: Censorship in a Liberal Society* (Chicago: University of Chicago, 1969). See also Jay E. Daily, *The Anatomy of Censorship* (New York: Marcel Dekker, 1973).

¹⁰ Perry C. Cotham, *Obscenity, Pornography and Censorship* (Grand Rapids: Baker Book House, 1973). See also John W. Drakeford and Jack Hamm, *Pornography: The Sexual Mirage* (Nashville: Thomas Nelson Inc., 1973). For arguments based on an explicit religious viewpoint, see Albert B. Gerber, *Sex, Pornography and Justice* (New York: Lyle Stuart Inc., 1965).

distinction between pornography and obscenity has been an issue of debate, and the tests designed to establish a clear dividing line are highly disputed. However, obscenity law has nevertheless remained the subject of many investigations. Much of this work simply outlines and describes the various historical Supreme Court obscenity decisions and the contentious disputes between the Justices on the issue. While these works clearly demonstrate the problems involved in rendering decisions on pornography and obscenity, they often remain limited to legal issues and a presentation of the idiosyncrasies of individual judges.¹¹ However, there are scholarly treatise in this category that historicize obscenity decisions and place them in their proper contexts, exposing the shifting nature of values and morality. While liberal arguments for free expression and conservative proponents of censorship often present an ahistorical view of pornography, morality and sexuality, investigations such as Michael Leach's *I Know It When I See It* oppose censorship but also reveal the transient nature of obscenity judgments, arguing that the label of pornography is dependent on the specificities of time and cultural context.¹²

By the mid-1970s, issues of gender became further entrenched in the scholarly work on pornography, as feminists increasingly entered the debate. While these works made important contributions, shifting the terms of the debate and highlighting the gendered power structure of both pornography and the debates that arose from it, they nevertheless largely remained enmeshed within the traditional paradigm of freedom of expression versus censorship. This outcome will be discussed at greater length in Chapter

¹¹ Haig A. Bosmajian, editor, *Obscenity and Freedom of Expression* (New York: Burt Franklin, 1976); Morris L. Ernst and Alan U. Schwartz, *Censorship: The Search for the Obscene* (New York: MacMillan Co., 1964); Leon Friedman, editor., *Obscenity: The Complete Oral Arguments Before the Supreme Court in the Major Obscenity Cases* (New York: Chelsea House, 1970); Edward de Grazia, *Censorship Landmarks* (New York: R.R. Bowker, 1969).

¹² Michael Leach, *I Know It When I See It* (Philadelphia: The Westminster Press, 1975).

Three, but suffice to say that these feminists altered the foundations of the discourse on pornography, highlighting issues of power, gender and male patriarchy. Antipornography feminists such as Laura Lederer, Robin Morgan, Susan Brownmiller, Andrea Dworkin and Catharine MacKinnon sought to expose the inherent sexism both embedded within and propagated by pornography. These feminists targeted pornography as a reification of gender hierarchy and female submission, and actively sought to impede its production and distribution, often looking to the courts and the State to act. On the other hand, however, feminists such as Carol S. Vance, Barbara Ehrenreich and Nadine Strossen argued that pornography held within it the possibility for greater sexual emancipation for women, and that it allowed for numerous and diverse sexual identities. More astute commentators further warned that antipornography feminist rhetoric could easily be appropriated by conservatives and used against minority groups.¹³

In *Excitable Speech*, Judith Butler offers a succinct and perceptive critique of feminist and legal scholar Catharine MacKinnon's conception of pornography, and warns against MacKinnon's reliance on state authorities to censor pornographic materials.¹⁴ In so doing, Butler contributes a valuable insight into the link between discourse, pornography and power. She argues that censorship is an effect of state power, but she also positions censorship as a condition for discourse. Thus, by vesting power in the State to censor pornography, MacKinnon also cedes power to the State to define certain kinds of speech and set the boundaries of intelligible discourse. Butler argues that through the

¹³ For some exemplary work within feminism and pornography, see, for example, Laura Lederer, ed. *Take Back the Night: Women on Pornography*, (New York: William Morrow and Company, Inc., 1980), and writing by Andrea Dworkin and Catharine MacKinnon. Also see Carol S. Vance, ed. *Pleasure and Danger: Exploring Female Sexuality* (London: Pandora Press, 1992); Lynne Segal and Mary McIntosh, eds., *Sex Exposed: Sexuality and the Pornography Debate* (New Brunswick, N.J.: Rutgers University Press, 1993).

¹⁴ Judith Butler, *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1996).

productive nature of censorship, “the state actively produces the domain of publicly acceptable speech, demarcating the line between the domains of the speakable and the unspeakable, and retaining the power to make and sustain that consequential line of demarcation.”¹⁵ For Butler, the feminist antipornography strategy that locates pornography as speech, and as the reiteration and performance of patriarchal oppression, is a dangerous and misguided one that only results in the strengthening of state power to define and impose the limits of the acceptable. This, she says, often serves to further silence minority groups, rather than liberate them.

In the aftermath of the most vociferous feminist infighting new possibilities opened up for literature about women’s sexuality that was not circumscribed by feminism. Walter Kendrick’s *The Secret Museum* and Bernard Arcand’s *The Jaguar and the Anteater*, especially, move beyond feminism and explore the political and cultural importance of pornography.¹⁶ *The Secret Museum* follows the development of the word ‘pornography’ and reveals how it was used to regulate the behaviour of the ‘Young Person’ – a label for the vulnerable that shifts over time depending on political contingency. *The Jaguar and the Anteater*, likewise, sheds anthropological light on pornography in the modern world, revealing the changing nature of pornography, and argues that it allows us an escape from the stifling bounds of social constraints. Both Arcand and Kendrick expose the forever shifting, amorphous nature of pornography, and believe that this fluidity negates the often essentializing, static view of pornography and sexuality so often espoused by commentators in the pornography debate.

¹⁵ Ibid., 77.

¹⁶ Kendrick, *The Secret Museum*; Arcand, *The Jaguar and the Anteater*.

As early as 1967 Susan Sontag astutely revealed the limits of traditional approaches to pornography. Although “The Pornographic Imagination” preceded many of the aforementioned pornography studies, her almost prophetic pronouncements apply equally to later scholarship. In “The Pornographic Imagination,” Sontag criticizes the confinement of pornography studies to psychological, sociological and legal assessments.¹⁷ Indeed, by offering a literary criticism of five texts, she argues that pornography is not a singular entity; there exists at least three “pornographies,” and that often the aesthetic merits of pornography are overlooked by the overemphasis on prescriptive, social arguments espoused by liberals, moralists, and others.¹⁸ Despite the multiplicity of arguments about pornography, Sontag argues that there is a nearly unanimous consensus about its definition. She states that

reasoned scrutiny and assessment of pornography is held firmly within the limits of the discourse employed by psychologists, sociologists, historians, jurists, professional moralists, and social critics. Pornography is a malady to be diagnosed and an occasion for judgment. It’s something one is for or against.... Both the libertarians and the would-be censors agree in reducing pornography to pathological symptom and problematic social commodity. A near unanimous consensus exists as to what pornography is – this being identified with notions about *sources* of the impulse to produce and consume these curious goods. When viewed as a theme for psychological analysis, pornography is rarely seen as anything more interesting than texts which illustrate a deplorable arrest in normal adult sexual development. In this view, all pornography amounts to is the representation of the fantasies of infantile sexual life, these fantasies having been edited by the more skilled, less innocent consciousness of the masturbatory adolescent, for purchase by so-called adults. As a social phenomenon – for instance, the boom in the production of pornography in the societies of Western Europe and America since the eighteenth century – the approach is no less unequivocally clinical. Pornography becomes a group pathology, the disease of a whole culture, about whose cause everyone is pretty well agreed.¹⁹

Furthermore, she claims that “nowhere in the Anglo-American community of letters have I seen it argued that some pornographic books are interesting and important works of

¹⁷ Susan Sontag, “The Pornographic Imagination” in Susan Sontag, *Styles of Radical Will* (New York: Dell Publishing, 1969), 35-73.

¹⁸ *Ibid.*, 35-36.

¹⁹ *Ibid.*, 37.

art.”²⁰ Sontag argues that some literature, deemed pornography and therefore *ipso facto* excluded from the category of literature, does indeed have literary merit and should be examined with aesthetic considerations. She opposes the traditional view that “untampered” sexuality is “natural” and “pleasant,” whereas “the ‘obscene’ is a convention,” and problematizes the distinction between natural healthiness and unnatural morbidity.²¹ She argues that the ‘obscene’ is inherently a part of human consciousness, and that pornographic literature allows readers a glimpse into the author’s flight to the “frontiers of consciousness,” which is the function of art.²² Sontag further claims that the pornographic imagination does reveal truths “about sensibility, about sex, about individual personality, about despair, about limits” that are worth listening to.²³

Despite Sontag’s important contribution, her analysis nevertheless remains confined to literature, and thus ignores pornographic imagery, which is the focus of much feminist and moralist arguments (who, problematically, often conflate representation with reality). She also ends her essay with the caveat that she is in fact worried about the increasing availability of pornography, and that she “feel[s] an aversion to pornography.”²⁴ Thus, she sheds little light on how she would approach pornographic fare that carries no literary or aesthetic merits. In *On Photography*, Sontag argues that photographs carry with them moral judgments and ideological assessments. While images are nevertheless merely a representation of reality, they force the consumer to intuit a reality from the image. Furthermore, she comments that through photography the

²⁰ Ibid., 38.

²¹ Ibid., 57.

²² Ibid., 45.

²³ Ibid., 70-71.

²⁴ Ibid., 71.

consumer can possess an object, experience something, and acquire information, and as such photos can serve to redefine reality.²⁵

While there exists a plethora of literature on the history of pornography in the United States, little study has been made on the federal commissions that were set up to respond to the presence of pornography in the United States, and none on the media portrayals of these commissions. Gordon Hawkins and Franklin E. Zimring, in *Pornography in a Free Society*, do look explicitly at the two federal commissions;²⁶ however, their concern is primarily governmental responses to the pornography controversy in the United States, England and Canada. They argue that, rather than offer major policy changes, these commissions were merely “ceremonies of adjustment” to changes that had already taken place.²⁷ While Hawkins and Zimring offer a summary of the pornography commissions’ conclusions, however, they do not delve into an analysis of how these commissions were presented to the public through American print media.

Hawkins and Zimring’s study highlights the role that commissions play in American politics and society, and this contribution is valuable. They argue that the commissions “were an effect rather than a cause of widely available pornography. The ... U.S. commissions were a product of both the change in availability of sexual communication and an emulation of the commission on pornography as a political innovation. A commission of inquiry had become, visibly, one of the few things a national government could do about the subject without major cost.”²⁸ While this

²⁵ Susan Sontag, *On Photography* (New York: Dell, 1977), 155-156.

²⁶ Hawkins and Zimring, *Pornography in a Free Society*.

²⁷ *Ibid.*, xi.

²⁸ *Ibid.*, 3.

assessment is rather negative, it is an astute and legitimate observation that is echoed elsewhere. Bernard Arcand, for instance, suggests that governments seem to

treat [pornography] as a marginal phenomenon without much consequence or as a chance to gain some political capital without much risk. In some cases, a few extra votes might be garnered by promising to clamp down on vice, but to say that one will control the expansion of pornography is about as meaningless as saying one intends to balance the budget.... In short, pornography offers an excellent pretext for the creation of commissions on inquiry and writing cautiously armed bureaucratic reports.²⁹

The recommendations offered by both commission reports were largely ignored, and little change in policy occurred in the aftermath of their publications. Indeed, commissions are valuable to a government that is told it must do something; they are visible incarnations of a governmental will to act, and can assuage public demand for government action. As commission members are often selected by governments, there is little possibility that they will come to conclusions that challenge the reigning ideology.³⁰ However, while Arcand, like Hawkins and Zimring, considers commissions to be merely empty symbols of government action and attention, he does concede that “a fairly large part of what we know about pornography was first described and collected by one or another of these official inquiries.”³¹

Michel Foucault’s *The History of Sexuality* remains one of the most useful theoretical models with which to understand the emergence of modern sexuality in the West. Challenging the theretofore dominant ‘repressive hypothesis,’ Foucault argues that the discourses on sexuality actually produced modern sexualities, and in so doing, he argues that power is not repressive, but rather productive. By continuously compelling individuals to confess not only their sexual behaviours, but also their sexual thoughts and

²⁹ Arcand, *The Jaguar and the Anteater*, 55.

³⁰ Of course, this was not the case with the 1970 commission. However, note that a Republican government had replaced a Democratic one by the time the report was released.

³¹ Arcand, *The Jaguar and the Anteater*, 55-56.

desires, sexuality became inextricably linked to identity, albeit driven and constructed by omnipresent power relations and institutional forces. Indeed, Foucault suggests that modern, post-monarchical societies sought not simply to condemn, judge, or repress sex, but rather to manage and administer hegemonic sexual identities.³²

Two components of *History of Sexuality* are especially useful here: the notion of *scientia sexualis* and the domination of a juridico-political discourse that both serve to mask the machinations of power relations regarding sexuality. Both are also applicable to the discourses on pornography that appear in the media articles surrounding the two federal commissions and which framed pornography in largely scientific and legal terms. Foucault states that sexuality in the modern West is largely subsumed under the notion of a *scientia sexualis*, which establishes ‘truths’ about sex through the sciences. He argues that Western history experienced a shift from a sexuality derived from morality to one derived from ‘reason,’ and it is this shift that both constructs modern sexuality and masks the power relations underlying it.³³ By exposing and creating discourses focused on sexual anomalies, perversions and deviations, science defines normative sexuality through contrast, based on a hierarchy of power relations and justified and naturalized by scientific ‘truth’ and ‘reason.’ This is what he refers to when he observes the creation of “a different kind of pleasure: pleasure in the truth of pleasure, the pleasure of knowing that truth, of discovering and exposing it, the fascination of seeing it and telling it, of captivating and capturing others by it, of confiding it in secret, of luring it out in the open – the specific pleasure of the true discourses on pleasure.”³⁴ The United States in the

³² Michel Foucault, *The History of Sexuality: An Introduction, Vol. 1*, tr. Robert Hurley (New York: Vintage Books, 1990), 24.

³³ *Ibid.*, 23.

³⁴ *Ibid.*, 69.

twentieth century experienced an even further decline of religion as the underlying ideology structuring both societal organization and individual everyday human existence; science increasingly became the new religion and the epistemological vehicle to expose the truths about humanity and the world.

Foucault further argues that “[i]n Western societies since the Middle Ages, the exercise of power has always been formulated in terms of law,” and a juridico-political discourse serves to mask “the facts and procedures of power.”³⁵ He suggests that this discourse renders power acceptable, especially in the monarchical days when the exercise of ‘peace and justice’ justified its own existence.³⁶ Despite the fall of monarchical systems of governance, Foucault claims that “we still have not cut off the head of the king”; law remains the legitimate locus of power, and the domain through which this power is acceptably exercised.³⁷ While Foucault resists this paradigm in his quest to develop an analytics of power, the prevalence of juridico-political discourse is important when examining the way in which pornography is discussed throughout the existence of the two federal commissions. As policy debates around pornography affirm in the 1970s and 1980s, legal institutions continued to be considered of primary importance throughout the twentieth century as a means to limit disorder and protect individuals.

Media

The two federal pornography commissions created a surge of public discourses on pornography that were interpreted to the public largely through the media. By compiling and analyzing articles on the commissions from various media publication sources, the

³⁵ Ibid., 87.

³⁶ Ibid., 87.

³⁷ Ibid., 88-89.

dominant ways in which the issue of pornography was presented to the public can be examined. A quantitative analysis of the articles makes it possible to evaluate their visibility and explore how pornography was classified and categorized at the time. Then, by focusing on the voices that were granted legitimacy, and examining the major ways in which they framed the issue of pornography, I will simultaneously uncover the ways in which the issue of pornography was considered, thought about and expressed to the American public, expose a hierarchization of political and social legitimacy, and reveal the prevailing notions of an idealized nation and normalized identities.

To call a publication “truly national,” as Herbert Gans rightly argues, is a tenuous and erroneous claim.³⁸ No publication reaches the entire American population, and individual tastes and the interests of sub-communities, often based on gender, class and race, must be considered. Indeed, the number of publications in circulation at any one time in the United States speaks to this divergence and multiplicity of tastes, interests, concerns and ideologies. Therefore, this study is of course limited by both the number and the nature of the magazines selected. Its conclusions cannot be considered a definitive claim that runs the gamut of American print media or the beliefs, assumptions, and interests of the entire American population.

Moreover, there is an obvious limitation when solely considering print media to the exclusion of other vehicles of information and news. Television and radio both serve as competing media that reach the American population, and indeed, especially after the advent of television, print media was not the primary vehicle through which Americans kept themselves informed of public events. Unfortunately, limited access to television

³⁸ Herbert Gans, *Deciding What's News: A Study of CBS Evening News, NBC Nightly News, Newsweek and Time* (New York: Pantheon Books, 1979), xi.

and radio archives severely impedes an exploration of these sources. And, despite competition between print and other media, there was an audience for print media such as newspapers, newsweeklies and magazines. In addition, these magazines could be seen regularly on display in newsstands and convenience store magazine racks.

Some important considerations must be taken into account when examining the presentation of the issue of pornography in American print media. One such consideration is the decision-making process that determines which events are newsworthy. This process directly affects the quantity of articles on pornography, as well as the visual emphasis given to the articles. Furthermore, one must understand the limits of the media's influence – they are not omnipotent entities that single-handedly drive reality and determine people's beliefs and worldviews. However, the media not only act as interpreters of the world outside to its consumers, but also offer a constructed view of reality. This construction of reality emanating from the media is directly dependent upon certain assumptions embedded within media practices and institutions, which rely primarily on institutionalized sources. Thus, as some analysts introduced below argue, the media serve to create a reality that legitimizes the status quo and vests authority in institutions of power.

In *Deciding What's News*, Gans explains a number of theories that attempt to explain the determinants of the process of selecting which stories or events are deemed worthy of media coverage. While a journalist-centred theory assumes that individual journalists are the main agents in making issues newsworthy, another set of theories argues that news organizations, often acting on commercial objectives, prioritize certain

issues at the expense of others.³⁹ Some theories, conversely, suggest – perhaps overly optimistically and simplistically – that media merely act as a mirror to the world, and the events themselves are the determinants of story selection. And finally, other theories find these determinants outside of the media structure and organizations, in such things as the technologies, economies, or ideologies that exist in a national culture, politics and society.⁴⁰ James W. Dearing and Everett M. Rogers argue that media attention is a political process that is determined by competition between “issue proponents.” They argue that “[a]ttention to an issue ... represents power by some individuals or organizations to influence the decision process.” Thus, it is the actions and relative power of interest and lobby groups that determine what issues are deemed newsworthy.⁴¹

Richard V. Ericson, Patricia M. Baranek and Janet B.L. Chan offer a sociological analysis of newsmaking, and suggest that journalists and news media exercise “influence in designating deviance and in contributing to control,” and thus are active players in “the reproduction of order.”⁴² Likewise, Gaye Tuchman claims that journalism’s affirmation of a “scientific model” as its foundation necessitates its reliance on reliable sources in order to “present ‘the true account’ to the public.”⁴³ However, she argues, three assumptions that undergird the news media lead to a reliance on institutional sources and

³⁹ Ibid., 78. James T. Hamilton, for example, argues that “the news is principally produced by market forces shaped by the particular economics of information goods.” Thus, rather than being ideologically driven, these publications are primarily motivated by the search for audiences. Therefore, story selection is based on what publishers believe will sell to possible audiences, in order to both attract and retain consumers. Hamilton, *All the News that’s Fit to Sell: How the Market Transforms Information into News* (New Jersey: Princeton University Press, 2004), 1.

⁴⁰ Gans, *Deciding What’s News*, 78.

⁴¹ See James W. Dearing and Everett M. Rogers, *Agenda-Setting* (Thousand Oaks: Sage Publications, 1996), 3.

⁴² See Richard V. Ericson, Patricia M. Baranek and Janet B.L. Chan, *Visualizing Deviance: A Study of News Organizations* (Toronto: University of Toronto Press, 1987), 1.

⁴³ Gaye Tuchman, *Making News: A Study in the Construction of Reality* (New York and London: The Free Press and Collier Macmillan Publishers, 1978), 173

the simultaneous questioning of the reliability of sources outside these institutional structures:

The first generalization, proven reliability of sources, necessarily favors sources met through the institutionalized beats. To prove reliability one must have ongoing contact with reporters. The second generalization, that some sources have more facts than others, draws on the professional assumption that facts are mutually self-validating. The more facts one has access to, the better one's chances of knowing what is going on. The third generalization builds upon the other two and, additionally, assumes the inherent rectitude of legitimated organizations.⁴⁴

Thus, Tuchman, like Ericson, Baranek and Chan, understands the news media as a social institution that upholds the status quo. Tuchman does qualify this assertion by noting that “[c]ommunication researchers have established that news may be of limited force in swaying public opinions and attitudes. Equally well accepted is that mass entertainment, particular television, influences political and social attitudes.”⁴⁵ However, she argues that news media nevertheless “imparts to occurrences their *public character* as it transforms mere happenings into publicly discussible events.”⁴⁶ And indeed, Tuchman argues that “[t]heorists have consistently argued that a society’s mass media necessarily legitimate its status quo.”⁴⁷

While media studies have prioritized one theoretical construct over another at different historical times, all of them contain degrees of legitimacy and elements that, when combined, create a more complete theory of the determinants of story selection. And, regardless of which theory is extolled, many of these analysts argue that the media play an important role in both politics and society. Rodger Streitmatter, in his perhaps overly optimistic view of the altruistic drive of journalists, positively asserts that

⁴⁴ Ibid., 93.

⁴⁵ Ibid., 3

⁴⁶ Ibid., 3. This framing of the “public character” of occurrences is one main reason why Tuchman considers news media primarily as a “social institution.”

⁴⁷ Ibid., 157.

“American news media are one of this country’s most powerful institutions.”⁴⁸ Ericson, Baranek and Chan infuse media with the power to shape both the definitions of deviance and the structure of control.⁴⁹ And Tuchman introduces her study by stating that media “both circulate and shape knowledge.”⁵⁰

However, rather than consider the media simply as vehicles through which an audience is informed of events and issues, more astute studies of media and news organizations suggest that the media is actively involved in the construction of a reality. They deliver culturally produced “stories” about ourselves and the world we live in.⁵¹ Indeed, Tuchman explicitly argues that “the act of making news is the act of constructing reality itself rather than a picture of reality.”⁵²

All of the aforementioned discussion is important to the study of how the issue of pornography, surrounding two federal commissions, was constructed in media accounts. First, it suggests a hierarchy of sources. The legitimacy of ‘truth’ is invested in political and social institutions, and in those that have continuous access to newswriters and media organizations. The voices of authority on pornography are determined by these assumptions, but are then reinforced through its reiteration on the pages of media publications. Second, the media are constructing the ‘reality’ of pornography through constructing stories about it. Thus, what is being presented is not reality itself, but rather an idealized representation of reality. The quantity and characteristics of the coverage of

⁴⁸ Streitmatter’s study of the news media traces fourteen separate events in American history and demonstrates how media played an active, and indeed critical, role in those events. However, as a scholar who was once a journalist himself, his sometimes simplistic view that news media choose principles over financial gain, and are free of corruption, is perhaps overly optimistic. See Roger Streitmatter, *Mightier than the Sword: How the News Media Have Shaped American History* (Colorado: Westview Press, 1997).

⁴⁹ See Ericson, Baranek and Chan, *Visualizing Deviance*, especially Chapter 1.

⁵⁰ Tuchman, *Making News*, 2.

⁵¹ *Ibid.*, 5.

⁵² *Ibid.*, 12.

the issue of pornography result from journalistic and media interest, as well as from the pornography debates that arose around the creation and conclusions of the pornography commissions, all of which were embedded in and reflected an American national culture and ideology. All of these factors shape what issues make it onto the covers and into the pages of magazines and newspapers. However, the stories that were told about the pornography issue create a reality itself and place players in particular positions in those stories that reinforce a hierarchy that accords constructed reality the status of 'truth.'⁵³

The selection of publications included in this study aims to reflect a broad cross-section of American print media and opinion from national newspapers, news magazines and magazines of political opinion, to general-interest lifestyle magazines, magazines that catered primarily to women, and Christian publications. The news magazines *Time*, *Newsweek*, and, to a certain extent, *U.S. News and World Report* all reached a large American audience, often elaborating on stories covered by daily newspapers such as *New York Times*.⁵⁴ While smaller-circulation magazines of opinion fell within a specific point on the ideological spectrum, and catered to a specific audience that shared the ideological viewpoints of the publication, different opinions and approaches can be compared and contrasted with an exploration of *The Nation*, *National Review* and *The New Republic*. General-interest magazines such as *Reader's Digest* and *Life* appeared less politicized but nevertheless extolled an ideology infused with the beliefs and anxieties of

⁵³ While many of the sources cited above refer only to news organizations, such as daily newspapers and television news, similar analyses can be made of magazines that are not necessarily characterized as primarily news magazines. Gaye Tuchman suggests that "free-lancers and staff writers" link news organizations to magazines. He claims that the "world" inhabited by these individuals "extends from magazines ... to the world of daily news. Those worlds overlap, for some daily reporters also write magazine pieces." Tuchman, *Making News*, 137. Furthermore, similar analyses of news media has been applied to general interest magazines, such as Joanne B. Sharp, *Condensing the Cold War: Reader's Digest and American Identity* (Minneapolis: University of Minnesota Press, 2000).

⁵⁴ Gans, *Deciding What's News*, 4.

the American middle-class status quo. *Good Housekeeping*, *Ladies Home Journal*, *Vogue* and *Esquire* were gender-specific publications, while *Christianity Today*, *Christian Century* and *Commonweal* appealed to the more devout Christian American population. Thus, a range of audiences, ideologies, interests and styles is represented by these publications. By juxtaposing them it is possible not only to examine their points of difference but areas of commonality. This study is interested primarily in the common sources, voices of authority and issues of pornography emanating from and embedded within the media publications, rather than on the differences that distinguish these print media publications.

Time, *Newsweek* and *U.S. News and World Report*, throughout the periods surrounding the two federal commissions on pornography, were the three top-selling newsweeklies. *Newsweek* was the most liberal and *U.S. News and World Report* the furthest right on the ideological spectrum and reaching “a smaller and more specialized readership.”⁵⁵ Detailed statistics on the audience and circulation of *Newsweek* and *Time* for the period up to the late-1970s has been archived in Herbert Gans’ *Deciding What’s News: A Study of CBS Evening News, NBC Nightly News, Newsweek and Time*, published in 1979.⁵⁶ His study shows that in 1974 the median age for *Newsweek* and *Time* was roughly 37 years, and the average reader was male (making up a little over half of the regular readership) from the middle class.⁵⁷ According to Gans’s statistics, 47.3 million Americans perused one of the three newsweeklies each week in 1977.⁵⁸ The average

⁵⁵ *Ibid.*, xi-xii. In 1975, *Time* boasted a circulation of 4.3 million, and 21.2 million when the “pass-along” rate is factored in. *Newsweek* had 3 million and 17.8 million, respectively. *Ibid.*, 221-224.

⁵⁶ Much of Gans’ findings and statistics on *Time* and *Newsweek* are reiterated in James L. Baughman, *The Republic of Mass Culture: Journalism, Filmmaking and Broadcasting in America since 1941* (Baltimore and London: The John Hopkins University Press, 1992). See especially Chapters 6 and 8.

⁵⁷ Gans, *Deciding What’s News*, 222-223. For more detailed information on audience, see Chapter 7.

⁵⁸ *Ibid.*, xii.

audience for the television news programs were older (over 50 years old), more likely to be female and less educated. Both the television news and the newsweeklies catered to a predominantly white audience, making up 90% of their consumers.⁵⁹

Information on the readership of *The Nation*, *The New Republic*, and *The National Review* throughout the 1970s and 1980s is more scarce, and no definitive study has so far been conducted for the periods in question. However, they were all magazines of opinion and their commentaries on American politics and culture fell explicitly within certain ideological proclivities. *The Nation* was far left and published weekly, while *The New Republic's* weekly magazine harboured more centrist, although nevertheless liberal and progressive views, and *The National Review* appealed to a more conservative audience and was published bi-weekly. These ideological stances were overtly inscribed within the articles featured in these publications and catered to particular audiences.

Unlike the aforementioned publications, the general-interest magazines *Reader's Digest* and *Life* eschewed an explicit political ideology. They instead attempted to appeal to the American nation as a whole. Simply put, they claimed to present to their audiences a window to the world. In so doing, both publications have been considered an agent in the construction of a perceived united American national identity.⁶⁰ Both of these magazines fed on the rising consumerism, the creation of a strong middle class, and the concomitant changing nature of mass media in early twentieth-century American culture.⁶¹ Indeed, as Joanne P. Sharp argues in her study of *Reader's Digest* during the Cold War, “[p]opular magazines were geared economically toward the American middle

⁵⁹ Ibid., 221-224.

⁶⁰ This argument about *Life* and *Reader's Digest* can be found in Erika Doss, ed., *Looking at Life Magazine* (Washington and London: Smithsonian Institution Press, 2001) and in Sharp, *Condensing the Cold War*, respectively.

⁶¹ Sharp, *Condensing the Cold War*, 1-2.

class and both embodied and reproduced the consumerist beliefs of this social group. In short, these magazines helped to perpetuate middle-class subjects as consumer-citizens.”⁶² Claiming to inform, entertain and educate the public, general-interest magazines featured articles reflecting an idealized, united American nation, often accompanied by glossy pictures of the nation alongside consumer goods that were imagined available to all. And indeed, middle-class Americans consumed these publications avidly: by 1970, *Life* magazine fed over 8 million subscribers, and its high “pass-along” rate brought its general readership to 40 million.⁶³

Along with the rise of general-interest magazines came those that targeted an audience according to gender. The concretization of the public and private sphere, perhaps never more celebrated in the mainstream than during the height of the Cold War, brought such publications as *Good Housekeeping* and *Ladies Home Journal* to the homes of many American homemakers, educating them on the proper role of ‘woman as guardian of private life.’ *Vogue*, reflecting a more liberalized woman’s worldview, also became increasingly popular as the twentieth century progressed, focusing more on the ideal modern woman and the fashions she loves. Articles in these magazines catered specifically to a female audience and claimed to represent women’s interests, concerns and opinions. Men’s magazines tended to celebrate bachelorhood and masculinity, unlike the popular women’s magazines that often located women in domestic bliss. *Esquire*, one such men’s magazine that will be considered in this study, was first published as early as 1933.⁶⁴

⁶² Ibid., 2.

⁶³ Doss, *Looking at Life*, 1.

⁶⁴ David Gauntlett, *Media, Gender and Identity: An Introduction* (London and New York: Routledge, 2002), 50.

The last category of publications explored here are magazines of Christian foundation. While *Christian Century*, *Commonweal* and *Christianity Today* had definite religious persuasions, a perusal of their contents and style quickly demonstrates that their patronage to Christian orthodoxy varied significantly. *Christian Century*, first published in the late-nineteenth century, was Protestant-based, and extolled rather liberal and progressive views. *Commonweal*, on the other hand, was a Catholic publication that, while not overly dogmatic, nevertheless presented an explicitly Christian worldview. In 1956, the evangelist Billy Graham founded *Christianity Today*, and this magazine was a reflection of his beliefs of infusing all aspects of American life with Christian dogma. It appealed to a conservative Christian audience, and its articles continuously advocated for a return to a Christian-based society, blaming increasing secularism for much of the contemporary ills that were found in American society, politics and culture.

All of these media publications varied significantly in their tone, interests, ideologies and concerns, and an exploration and extraction of their commonalities can be suggestive of underlying assumptions that connect their readerships. However, they all catered to a predominantly middle-class, white America, and therefore the range of differences between them is bounded by middle-class morality and sensibilities as seen through a white racialized lens. Thus, as an exploration of the issue of pornography as covered in these publications progresses, what emerges is limited by these necessary considerations. These limitations have implications that become more problematic in the treatment of the pornography issue, as it is a subject that evokes a plethora of reactions, ranging from revulsion to guilt-ridden desire for the perverse. It is a subject that has the power to both attract and disgust, and in itself is a commercial product. Thus,

pornography's power to sell must be tempered with distance that serves to separate it from the identity of the reader.

Scope of Study and Main Arguments

Media accounts of the commissions focused on three constituencies or sets of interest: the institutional response, the pornography industry, and the public interest. The institutional response consisted of 'experts' in the realms of science, law and politics. The pornography industry included both actors and producers of the pornography industry, while the public interest involved interest groups and the general population. These three modes also served to construct particular boundaries of the nation, and justified the role of 'experts' and the legitimate commentators on the nation, while simultaneously consigning others to the fringes of society. Despite real differences that distinguish the two periods, a similar process of the construction of an idealized nation unites them. Scientific, legal and political institutions became the prime voices of the nation, while the pornography industry, feminist and interest groups, and even the general public were placed on a spectrum of legitimacy.

Through an analysis of American print media articles surrounding the two federal commissions, this study explores discourses on pornography as an exercise of the naturalization of political, social and sexual hierarchies. It exposes the value of pornography discourses as vehicles through which ideology and power relations can be masked, by presenting 'truths' on sexuality and human sexual behaviour, and by legitimizing and justifying the regulation of that behaviour through protective laws and societal norms. The legitimization of scientific and legal discourses as the dominant modes in which pornography could be discussed further legitimized broader discourses

that emanated from them, surrounding idealized notions of political and social organization. In so doing, discourses on pornography served to construct an image of the nation bounded within certain notions of 'natural' and 'normal' identities and hierarchies.

Discussing pornography through scientific and legal modes shaped the propagation of prescribed roles and the nature of society, gender, and community and political life. Thus, pornography became no mere commodity or commercial product, but rather the linchpin around which normative identities were constructed and placed in civic and political spheres. The authority vested in scientific, legal, and other institutions of power spoke to and for the nation and the communities within it. Through this hierarchization of legitimacy, the gendered structure of pornography, and thus of sexuality and identities, the prescription of deviant communities and feminist action to the fringes, and the primacy of a middle-class morality were naturalized, masking their construction and histories.

In order to properly assess the media coverage of the commissions, we first need to examine the historical context in which these federal bodies arose. Thus, Chapter One contextualizes the 1960s and explains the emergence and conclusions of the President's Commission on Obscenity and Pornography. Chapter Two then analyzes the media presentation of the commission and the hierarchy of voices that are heard within the articles. It argues that while the discourses on pornography reveal a nation bounded within a state paternalism, discussions on pornography allowed for the placement of specific groups along a spectrum of legitimacy, and propagated normalized identities and societal functions. The more conservative 1980s differed significantly from the 1960s, and this is the focus of Chapter Three. This chapter places the Meese Commission in its

proper context, and suggests that the commission's process, mandate, and conclusions were a product of its time. Chapter Four then explores the print media coverage of the Meese Commission and reveals significant differences between this commission and the President's Commission on Obscenity and Pornography. Although there were continuities between the two debates as interest groups and community members were subsumed by a gendered discourse that relegated certain groups to the peripheries of authority, the focus of attention in the 1980s had shifted from state paternalism to civic participation in the issue of pornography. Connecting these two periods was the use of the pornography issue to summon a broader discussion of sexuality, as well as the construction of authority around these issues in American society.

Chapter One: Liberalizing or Restricting Smut?: The President's Commission on Obscenity and Pornography

The President's Commission on Obscenity and Pornography, created in 1968, was a product of the tensions that characterized the decade. Appealing to the liberalism and increasing sexual permissiveness in American society and culture, the commission recommended the easing of restrictions to access to sexual materials. Sex was regarded as a healthy activity, and an interest in sex considered natural. However, conservative forces continued their attempts to regulate sex and sexual materials based on traditional propriety and morality.

The 1960s: Historical Context

The 1960s was a decade characterized by sexual liberalism and challenges to established notions of Victorian prudery.⁶⁵ This increasing sexual permissiveness and expression was a culmination of expanding dialogues on sexuality, a rising consumerism, changes in legal restrictions to sexual materials, and a general culture of protest and its concomitant sexual revolutions. However, these phenomena always resided in tension with an ongoing conservatism that had cemented in the 1950s and had since found new concerns to propel it forward. Purity crusaders responded to changes with alarm, and encouraged efforts to stem the seemingly omnipresent display of sexual imagery in the American mainstream.

Indeed, sex was on display in the United States throughout the 1960s. From the glossy pages of men's sophisticates, propelled forward by the success of *Playboy*, to the

⁶⁵ A good discussion of some of the tensions that characterized the decade can be found in John D'Emilio and Estelle B. Freedman, *Intimate Matters: A History of Sexuality in America* (New York: Harper and Row, 1988), especially chapters 12 and 13.

increasing pornographic fare found in playing cards and steamy novels, to more mainstream Hollywood movies and advertising, sexual imagery spread throughout American culture. The popularity of *Playboy* was evident from its first issue in 1953, which sold over 50 000 copies, and subscriptions and newsstand sales only increased in subsequent years. By the 1960s, other entrepreneurs had followed suit, and numerous magazines offering nude pictures of young women were made available to male consumers.⁶⁶ The *Playboy* philosophy encapsulated the growing singles culture and invited its readers to “enjoy the pleasures the female has to offer without becoming emotionally involved.”⁶⁷ These magazines had moved into mainstream American homes, and were avidly consumed by upwardly mobile, professional and sophisticated men.⁶⁸ If *Playboy* was pornographic then pornography had clearly emerged from the dark recesses of American culture and increasingly found itself on the bookshelves and in the living rooms of middle-class Americans.

Sexual imagery was also appropriated by Hollywood and mainstream advertising, who took advantage of the laxer moral codes and the selling power of visual titillation. The Production Code was disintegrating in the early 1960s and the Legion of Decency, which had seen earlier success in picketing morally questionable films, was no more by mid-decade.⁶⁹ Hollywood producers gleefully rose to the occasion, and the escalating number of steamy movies gave birth to a new movie rating – the infamous X-rated – by 1969.⁷⁰ Mainstream advertising, which had used promises of sexual fulfillment and

⁶⁶ Kevin White, *Sexual Liberation or Sexual License?: The American Revolt Against Victorianism* (Chicago: Ivan R. Dee, 2000), 113-114. According to D’Emilio and Freedman, the circulation of *Playboy* had reached six million by the early 1970s. D’Emilio and Freedman, *Intimate Matters*, 303.

⁶⁷ D’Emilio and Freedman, *Intimate Matters*, 302.

⁶⁸ White, *Sexual Liberation*, 114.

⁶⁹ *Ibid.*, 139-141.

⁷⁰ *Ibid.*, 142-143.

appeal to entice possible consumers as early as the 1920s, also produced more blatant imagery in the 1960s, exemplifying the liberal sensibilities of the decade.⁷¹

The commodification of sex rose concomitantly with a broadening of discourses on sexual behaviours and attitudes, challenging traditional sexual mores in American society. The Kinsey Reports, the first of which emerged in 1948, suggested that Americans were more sexually active, homo-curious (and, in fact, homosexual) and open to premarital relations than previously believed. This challenge, emanating from the scientific institution, brought both an increased dialogue on sexuality and an added credibility to objective scientific analysis of sexual behaviour in American popular culture.⁷² *Sexual Human Behavior in the Human Male*, and a subsequent study of female sexual behaviour, published in 1948 and 1953, respectively, both garnered much public and popular interest, and spurred like studies for years afterwards.⁷³ Although claiming strict objectivity, written in scientific parlance and plain prose, and riddled with charts and statistics, these studies spoke to the changing social context in the United States. They diverged from earlier studies in their assumption that sex was, in fact, an enjoyable and positive activity that could be enjoyed outside the confines of heterosexual marriage. They also suggested that the public was much more accepting of discussions on sexuality, and of science as a measure of this sexuality.⁷⁴ By 1966, the famous Masters and Johnson publication, *Human Sexual Response*, revealed the secret to women's sexual pleasure in their discovery of the clitoral orgasm. This further propagated the notion that

⁷¹ Ibid., 144.

⁷² D'Emilio and Freedman, *Intimate Matters*, 268-271, 285-287.

⁷³ Ibid.; White, *Sexual Liberation*, 111-112.

⁷⁴ See D'Emilio and Freedman, *Intimate Matters*, 268-271, 285-287.

sex was no longer inextricably tied to reproduction and that women could actively enjoy the pleasures of sex.⁷⁵

These changes in American culture and society also manifested themselves in legal institutions and laxer moral codes coincided with new Supreme Court decisions that narrowed the definition of obscenity.⁷⁶ In the 1930s obscenity law in the United States took its first timid step toward the liberalization of ‘questionable’ material when the *Ulysses* decision (1933) contradicted the *Hicklin* test that had dominated judicial decisions since the 19th century. The 1868 *Hicklin* decision stated that “the test of obscenity is this: whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort might fall.”⁷⁷

The *Ulysses* decision affected obscenity regulation in two ways; on the one hand, the obscene material must be taken “as a whole”; on the other, the author’s intent had to be taken into consideration. Thus, prohibition could not be based on isolated passages or sections of a text that were deemed offensive, nor could the producer be charged if the intention was not primarily to sexually arouse the audience.⁷⁸ Although this liberalizing

⁷⁵ White, *Sexual Liberation*, 149.

⁷⁶ For a good summary of the history of obscenity law in the United States, see Edward de Grazia, *Girls Lean Back Everywhere: The Law of Obscenity and the Assault on Genius* (New York: Random House, 1992); Richard F. Hixson, *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem* (Carbondale and Edwardsville: Southern Illinois University Press, 1996); Thomas C. Mackey, *Pornography on Trial: A Handbook with Cases, Laws and Documents* (California: ABC-Clio, 2002).

⁷⁷ This statement is telling, as it exposes the discursive elements of obscenity law based on Victorian sensibilities. As Donald Alexander Downs rightly argues, “*Hicklin*’s authoritative judicial definition of obscenity” illustrated a shift in focus from obscenity that embodied an attack on institutions of authority to obscenity scrutinized and deemed prohibited materials based on its sexual content alone. Downs states that the underlying “logic favored the moral interest of society rather than liberty of expression.... This conservative approach prevailed for almost one hundred years in England and formed the basis of American law until ... 1933.” Donald Alexander Downs, *The New Politics of Pornography* (Chicago: University of Chicago Press, 1989), 11.

⁷⁸ Mackey, *Pornography on Trial*, 31-32.

trend was not unanimously supported by the American public or institutional hierarchy, it continued throughout the years and coalesced in the landmark *Roth* decision of 1957. This Supreme Court decision created a three-pronged test to evaluate whether material could be considered obscene and thus outside the protection of the First Amendment. *Roth* defined obscenity as material whose “dominant theme ... taken as a whole appeals to the prurient interest” of “the average person applying contemporary community standards.” Furthermore, obscenity had to be “utterly without redeeming social importance.” While this decision made clear that obscene material could be legally prohibited, the *Roth* test was narrow and ambiguous enough as to permit the circulation of material previously labelled obscene, or contrary to local standards of decency.⁷⁹

Sexual liberalization in the United States, embodied in the proliferation of pornographic fare, sexual imagery in the mainstream, and the narrowing definition of obscenity, was directly associated with a culture of protest and the sexual revolutions that typified the 1960s. Previously disenfranchised groups, along with discontented youth, rallied for freedom and rights, questioning the foundations on which the American nation had theretofore rested. Indeed, as John D’Emilio and Estelle B. Freedman rightly suggest, by the 1960s “young radical feminists and gay militants would be mounting political challenges to the liberal consensus on sex, while disaffected middle-class youth would simply turn away from it. In the process they initiated a new era of contention and challenge in the realm of sex.”⁸⁰ The decade began with the availability of the contraceptive pill, which liberated the sexual activity of youth as attitudes towards

⁷⁹ *Ibid.*, 49-55.

⁸⁰ D’Emilio and Freedman, *Intimate Matters*, 302.

premarital sex changed throughout the decade.⁸¹ Reacting against bourgeois materialism, these youth found liberation in the call for greater sexual freedom, which they saw “as vital if Americans were to be liberated from oppressive traditions.”⁸²

Betty Friedan’s popular *The Feminine Mystique*, published in 1963, challenged the domestic bliss that many believed had characterized the 1950s, and encouraged American women to re-evaluate their lives.⁸³ The 1964 Civil Rights Act spawned numerous complaints over gender inequality.⁸⁴ By 1966 the creation of the National Organization of Women signalled the rise of the second wave of feminism as women demanded greater equality for women.⁸⁵ However, more radical women reacted to the sexism that pervaded the civil rights movements and Vietnam War protests, and women’s liberationists targeted the American man as the enemy.⁸⁶ Battling systematized gender oppression, these women actively challenged the socially constructed domestic institutions of motherhood and marriage. Politicizing their cause with the slogan “the personal is political,” these women theorized that the sexual revolution and the increasing public display of female nudity in the United States only served to maintain the subordination of women.⁸⁷

Conservative Americans reacted to the 1960s with alarm. The destabilization of the Cold War cultural ideal, seen in the sexual revolutions that had characterized the 1960s, along with the rise of the feminist and gay rights movements, brought increasing anxiety to some over the changing nature of sexuality and morality in the United States.

⁸¹ White, *Sexual Liberation*, 148.

⁸² *Ibid.*, 134.

⁸³ *Ibid.*, 109-110; D’Emilio and Freedman, *Intimate Matters*, 309.

⁸⁴ D’Emilio and Freedman, *Intimate Matters*, 310.

⁸⁵ *Ibid.*, 310; White, *Sexual Liberation*, 155.

⁸⁶ White, *Sexual Liberation*, 155-160; D’Emilio and Freedman, *Intimate Matters*, 310-315.

⁸⁷ D’Emilio and Freedman, *Intimate Matters*, 311.

The escalating race riots that exploded in 1968 and the Stonewall riot of 1969 accompanied fears of an increasingly violent world and assaults on white, middle-class sensibilities. At the same time, increasing visual explicitness of a growing commercialized sexuality raised concerns about the effects of pornographic fare and the healthy development of American children to the fore. Purity crusaders had been successful in the Cold War atmosphere of the 1950s, linking pornography to subversion and the perversion of American youth.⁸⁸ In 1952, Congress established a commission on juvenile delinquency, which found youth to be the “prime targets” of “immoral” materials such as pornography and comic books.⁸⁹ Yet, the political alliance forged between the White House and religious evangelicals such as Billy Graham, precipitated by Dwight Eisenhower’s election in 1952, proved unstable throughout the 1960s as internal divisions diminished the power of the fundamentalist movement in American society.⁹⁰ By the 1960s, the increasing sexual permissiveness and display forced these activists to recognize that much of the material they sought to confiscate and regulate was in fact legally permissible.⁹¹ Conservative forces remained active nevertheless and continued to battle the changing sexual mores so evident in this decade.

The 1960s was indeed a decade of challenge and change which saw the spread of public sexual display, broader and more open discussions of sexuality and sexual behaviour, diminished legal obstacles to pornographic fare, and a culture of protest and dissent. However, these developments always resided in tension with an ongoing conservatism that reacted with increasing alarm, as purity crusaders advocated a return to

⁸⁸ Ibid., 282.

⁸⁹ Ibid., 283.

⁹⁰ George M. Marsden, *Understanding Fundamentalism and Evangelicalism* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 1991), 73-75.

⁹¹ Ibid., 284.

traditional morality and a repudiation of smut. It is in this social, cultural and political context that the President's Commission on Obscenity and Pornography was created.

The President's Commission on Obscenity and Pornography

The President's Commission on Obscenity and Pornography was created in 1968 by President Lyndon B. Johnson in response to rising concerns over public sexual display in American society and culture. Congress deemed pornography enough of a “matter of national concern” to establish a commission mandated with the responsibility to investigate the spread of questionable materials in the United States.⁹² However, while the commission was created in an era of increasing sexual permissiveness and liberalism, the late-1960s was never a period of consensus on matters of national morality. Thus, the commission's majority report, which based its methodology and conclusions on objective studies and recommended the repeal of all existing legislation concerning adult access to pornographic fare, was challenged by a number of its commissioners. Released in 1970, Republican President Richard M. Nixon denounced the commission's report as ‘morally bankrupt’ and quickly dismissed its conclusions.

The commission, which had a membership of fifteen men and two women, eleven of whom came from legal or scientific backgrounds and two of whom represented organized religion, had a relatively large budget, and a two year mandate.⁹³ As outlined by Congress in Public Law 90-100 (October 1967), the commission was given a number of specific tasks:

⁹² Hawkins and Zimring, *Pornography in a Free Society*, 7.

⁹³ Another member was a professor of library sciences, one was assistant professor of broadcast-film art, one represented the publishing industry, and the last was an assistant professor of South Dakota School of Mines and Technology, and was a member of the National Council of Teachers of English.

with the aid of leading constitutional law authorities, to analyze the laws pertaining to the control of obscenity and pornography; and to evaluate and recommend definitions of obscenity and pornography; ... to ascertain the methods employed in the distribution of obscene and pornographic materials and to explore the nature and volume of traffic in such materials; ... to study the effects of obscenity and pornography upon the public, and particularly minors, and its relationship to crime and other antisocial behavior; ... and to recommend such legislative, administrative, or other advisable and appropriate action as the Commission deems necessary to regulate effectively the flow of such traffic, without in any way interfering with constitutionally rights.⁹⁴

The commission found an “insufficiency of existing factual evidence as a basis for recommendations” and therefore “initiated a program of research designed to provide empirical information relevant to its tasks,” and on which to base its conclusions.⁹⁵

Opinion surveys found that forty to sixty percent of Americans believed that “sexual materials provide information about sex, provide entertainment, lead to moral breakdown, improve sexual relationships of married couples, lead people to commit rape, produce boredom with sexual materials, encourage innovation in marital sexual technique and lead people to lose respect for women.” Despite these diverse opinions – none of which were properly explained or ranked – the report found that, “when questioned about effects, persons were more likely to report having personally experienced desirable than undesirable ones.”⁹⁶

Staffed with a large number of social scientists and legal experts, however, the commission relied heavily on objective measures and evidence from social science studies. Indeed, its prime objective was to measure whether pornography had a causal relationship to antisocial and deviant behaviour. Social science studies found that pornography caused sexual arousal in both males and females, and challenged the notion

⁹⁴ United States, Commission on Obscenity and Pornography, *Report of the Commission on Obscenity and Pornography* (New York: Random House, 1970), 1.

⁹⁵ *Ibid.*, 2

⁹⁶ *Ibid.*, 24.

that women were not equally aroused by sexual imagery.⁹⁷ The commission also argued that younger people who were college educated, sexually experienced and less religious were more open to being aroused by, and more accepting of, sexual materials. Thus, it found that the predisposition of consumers greatly determined the effects of pornography.⁹⁸

Nevertheless, regardless of individual predisposition and beliefs, the commission found that “the majority of persons report no change in ... behaviour” as a product of pornography consumption.⁹⁹ In fact, it concluded that explicit sexual materials even “appear to have little or no effect on already established attitudinal commitments regarding either sexuality or sexual morality.” Even youth, according to the commission report, experienced little negative effect from the consumption of these materials.¹⁰⁰

Growing acceptance of sexual materials in American society, coupled with an increasing scientific literature that uncovered the pleasures of sex, informed both the methodology and the conclusions of the commission. Indeed, the President's Commission on Obscenity and Pornography was a product of its time. After two years of study, it recommended that all prohibitive legislation regarding adult access to explicit sexual materials be repealed. The commission concluded that “empirical research designed to clarify the question has found no evidence to date that exposure to explicit sexual materials play a significant role in the causation of delinquent or criminal behavior

⁹⁷ Ibid., 24.

⁹⁸ Ibid., 25.

⁹⁹ Ibid., 25.

¹⁰⁰ Ibid., 27.

among youths or adults. The Commission cannot conclude that exposure to erotic materials is a factor in the causation of sex crime or sex delinquency.”¹⁰¹

The commission’s recommendation to repeal existing laws was also based on additional findings. It revealed that sexual materials could be “a source of entertainment and information.”¹⁰² Furthermore, it argued that the ineffectiveness of contemporary legislation concerning sexual materials required a response, and it found this response in an elimination of attempts to regulate what Americans could or could not read. This was also motivated by notions of freedom of speech and concerns to uphold the First Amendment. The commission found that “[p]ublic opinion in America does not support the imposition of legal prohibitions upon the right of adults to read or see explicit sexual materials.” Americans believed in the “right of each individual to determine for himself what books he wishes to read and what pictures or films he wishes to see.”¹⁰³ Thus, sexual materials, considered in the realm of speech and communication, could not justifiably be prohibited.

Nevertheless, the majority report did recommend that prohibitive measures be taken regarding public display of sexually explicit materials and access to pornography by youth. The commission rested this decision on public opinion, rather than on any objective conclusions. It found that

[a] national survey of American public opinion sponsored by the Commission shows that a majority of American adults believe that adults should be allowed to read or see any sexual materials they wish. On the other hand, a substantial consensus of American adults favors prohibiting young persons access to some sexual materials.¹⁰⁴

¹⁰¹ Ibid., 27.

¹⁰² Ibid., 53.

¹⁰³ Ibid., 53.

¹⁰⁴ Ibid., 43.

Regarding the youth of the nation, the commission also recommended a massive sex education program to teach American youth about healthy sexuality. It overtly revealed its belief “that interest in sex is natural, healthy, [and] good.”¹⁰⁵ The commission recommended that children be taught to develop a normal and healthy sexuality, and that they be properly equipped with needed “information about sex in order to understand himself, place his new experiences in a proper context, and cope with his new feelings.”¹⁰⁶

The commission report also challenged the widespread notion that the pornography industry catered only to lower-class deviants and sexual offenders. Indeed, the average consumer was found to be middle-class, professional married men. Furthermore, consumption of erotic materials was “voluntary,” and included “85% of adult men and 70% of adult women in the US.”¹⁰⁷ The report also found that the pornography industry was not as large as often believed, and the commission criticized those who incorrectly inflated the industry’s profits. The report commented that “[a]rticles appearing in newspapers, magazines, and in other reports have variously estimated the traffic in the ‘pornography’ or ‘smut’ industry to be between \$500 million and \$2.5 billion per year, almost always without supporting data or definitions which would make such estimates meaningful.”¹⁰⁸ Thus, there was an awareness among the commissioners of the discrepancy between media constructions of the industry and actual data, and they argued that “a monolithic ‘smut’ industry does not exist.”¹⁰⁹

¹⁰⁵ Ibid., 47.

¹⁰⁶ Ibid., 47.

¹⁰⁷ For more discussion on consumption of erotic fare, see Ibid., 7-23.

¹⁰⁸ Ibid., 7.

¹⁰⁹ Ibid., 7.

However, the commission did not venture to define ‘pornography,’ which had been part of its mandate, and admitted that the commission “has been marked by enormous confusion over terminology.”¹¹⁰ While it recognized that ‘pornography’ and ‘obscenity’ were often synonymous and conflated, it tried to distance itself from using the term ‘pornography’ in its report. Instead, it attempted to differentiate between ‘obscenity,’ which referred “to the legal concept of prohibited sexual materials,” and used “explicit sexual materials,” “sexually oriented materials,” or “erotica” when it referred “to the subject matter of the Commission’s investigations.”¹¹¹ This differentiation, however, was ambiguous, and the commission never properly defined any of the terms.

Nor did the commission come to unanimous decisions on the majority of its findings. Eight separate statements were written and appended to the majority report. Commissioners Morris A. Lipton, G. William Jones and Joseph T. Klapper simply announced their agreement with the majority report. Commissioner Irving Lehrman argued against the repeal of existing laws and urged that more research was needed.¹¹² Commissioners and sociology professors Otto N. Larsen and Marvin E. Wolfgang issued a joint statement that called for “the repeal of all existing federal, state, and local statutes that prohibit the sale, exhibition or other distribution of “obscene” material,” including those concerning youth access and public display.¹¹³ However, the three most conservative members of the commission – Reverend Morton A. Hill, Reverend Winfrey C. Link, and Charles H. Keating, Jr. – were vocal and vociferous in their dissent from the majority report.

¹¹⁰ Ibid., 3.

¹¹¹ Ibid., 3.

¹¹² For the complete statements by these three individuals, see Ibid., 373-374, 379-383.

¹¹³ See Ibid., 375-377.

Although the clergymen were Johnson appointees Keating, a Cincinnati lawyer, was chosen in June 1969 by President Nixon following the resignation of one of the original commissioners. Keating was an avid moralist who had led a number of purity crusades in the late-1950s and headed Citizens for Decent Literature. As such, he represented conservatives who actively denounced the ‘smut flood’ that had inundated the nation.¹¹⁴ Allying himself with Reverend Morton A. Hill, a leader of the organization Morality in Media, and Reverend Winfrey C. Link, he continuously dissented from the commission and often refused to participate in discussions. These three commissioners disagreed with much of the majority report’s conclusions and all wrote lengthy minority reports dissenting from the commission.¹¹⁵ Link remarked that “[i]t was evident many months before that unanimity was impossible. Reasons varied from biased, slanted and inadequate studies, to the suppression of reports and information that was not in keeping with the preconceived ideas of the Commission leadership, to the exclusion of those of opposing views from certain decision making.” Thus, he concluded that “any recognition of the validity of the majority report will be to the detriment of our nation.”¹¹⁶ The other two dissents were lengthy, polemical denunciations of the commission, its members, its conclusions, and the assumptions and beliefs on which the majority report rested.

While these dissents challenged many aspects of the commission, they also revealed fundamental differences in beliefs about the purpose of the government commission, and about the ideal regulation of society. Indeed, Hill and Link complained that

¹¹⁴ D’Emilio and Freedman, 283.

¹¹⁵ For their full statements, see *Report*, 377-379 and 383-549. Link issued a solo statement and a joint dissent with Hill. Keating submitted his own report, although all three voiced support for one another’s statements.

¹¹⁶ *Ibid.*, 379.

[t]he Commission has deliberately and carefully avoided coming to grips with the basic underlying issue. The government interest in regulating pornography has always related primarily to the prevention of moral corruption and *not* to the prevention of overt criminal acts and conduct, or the protection of persons from being shocked and/or offended. The basic question is whether and to what extent society may establish and maintain certain moral standards. It is conceded that society has a legitimate concern in maintaining moral standards, it follows logically that government has a legitimate interest in at least attempting to protect such standards against any source which threatens them.¹¹⁷

Thus, Hill and Link argued that the commission erroneously ignored the government responsibility to regulate pornography, and to protect the “social interest in order and morality.”¹¹⁸ However, while they criticized the commission for being biased, misusing evidence, misinterpreting legal decisions, and having pre-ordained conclusions, the dissenters’ arguments were also marred by preconceived notions about the evils of pornography.

Keating’s dissent was similarly based on a moral condemnation of pornography in the United States and a belief in the government’s role as protector of morality and order in American society. Keating invoked the national past and the possibilities of a national future to argue that the majority report signalled something much more dangerous and detrimental than perhaps initially presumed. Indeed, he linked legislation on obscenity and pornography with a national heritage and a healthy future. He argued that

[i]n slightly less than two centuries of existence, the United States has developed from a frontier nation to a position of predominance in the world in commerce and industry, as well as in the arts and sciences. It is no mere coincidence that this period of unparalleled progress was one in which the rule of law prevailed. The fact that we enjoyed a ‘Government of Laws and not of Men’ provided the intellectual and cultural climate in which the American could develop his talents and the resources of his country to their respective peaks. Throughout our history, we have been successful in adapting and shaping our laws to meet the changing circumstances of the times. Our law has been a living thing, a constant companion which has served us well as our nation came into its maturity. Our tradition and, in fact, our genius has been the adaptation of our laws to meet the

¹¹⁷ Ibid., 385.

¹¹⁸ Ibid., 387.

challenges of the times. To renounce law as a solution is to abandon our heritage. Against the general background of the history of nations and against the specific background of the history of the United States, it is apparent that the laws prohibiting obscenity and pornography have played an important role in the creativity and excellence of our system and society – these laws have played an important part in our people coming so far and achieving so much.¹¹⁹

He further warned that unrestricted pornography would lead to the destruction of the nation:

If man is affected by his environment, by circumstances of his life, by reading, by instruction, by anything, he is then certainly affected by pornography. The mere nature of pornography makes it impossible for pornography to effect good. Therefore, it must necessarily effect evil. Sexual immorality, more than any other causative factor, historically speaking, is the root cause of the demise of all great nations and all great peoples.¹²⁰

Thus, Keating found the majority report to be a signal of the possible destruction of everything the United States had built up since its inception, and urged Americans to denounce the report as biased, immoral, and just plain wrong.

The President's Commission on Obscenity and Pornography encapsulated the tensions of the era. Built on social science evidence and responding to increased moral laxity, the commission's majority report argued, in fact, that pornography was not 'a matter of national concern.' It urged the repeal of existing legislation and recommended that youth be educated about the positive benefits of a healthy sexuality. These recommendations met with strong dissent by commissioners who called for a return to tradition, morality, and sexual propriety. These tensions also found their way into the media coverage surrounding the commission, and the debates within the commission found their way into the public arena.

¹¹⁹ Ibid., 513-514.

¹²⁰ Ibid., 544.

Chapter Two: Vile Bodies: Media Coverage of the President's Commission on Obscenity and Pornography

Media coverage of the President's Commission on Obscenity and Pornography presented a society bounded within state paternalism, in which institutions of science and the law dominated discussions on pornography and healthy sexuality. Indeed, these institutions were portrayed as the legitimate commentators on and voices of the American nation. An exploration of these media articles surrounding the pornography commission reveals the propagation of an idealized nation in which authority resided in institutional power, while the rest of the population looked to this authority for guidance and protection from the dangers of pornography. The portrayal of the pornography industry affirmed the gendered structure of the industry, silencing female pornography performers and casting them as lazy, animalistic and devoid of adequate intellectual capacities. The general population consisted of predominantly middle-class American families in which the mother acted as guardian and protector of morality and decency. Furthermore, the women's groups and feminists involved in the debates on pornography in this period were seldom given media coverage, but the attention they did receive served to dismiss them as active and rational players in the national dialogue on pornography. These discussions on pornography thus served to promulgate a hierarchy of authority on the issue, but also reiterated an idealized stratification of social and political participation.

Visibility and Placement of Articles

An exploration of the visibility and placement of media articles on the issue of pornography during the period of the President's Commission on Obscenity and Pornography reveals certain characterizations given to the pornography issue that served

to distance it from the readers and make it a safe subject to consume. Although the commission aroused some media attention, articles on pornography were seldom very prominent in most print publications. Cover stories on the topic were rare and articles about pornography were often buried near the backs of the publications. Indeed, an analysis of the placement and visibility of print coverage of pornography reveals that the issue was also either depoliticized or characterized as an insoluble social issue.

The President's Commission on Obscenity and Pornography served as a catalyst for media discourses on pornography. An examination of *The Reader's Guide to Periodical Literature* reveals a peak in the number of articles on pornography around the time of the commission.¹²¹ 'Pornography,' though appearing as a heading in *Reader's Guide*, had no entries until 1973. However, in 1969, entries could be found under 'United States – Commission on Obscenity and Pornography.'¹²²

Nevertheless, the life of a publication depends on its ability to attract and retain a regular readership. Commercial incentives make pornography a valuable subject for these publications, but it also has the possibility of offending consumers. Pornography has always been a contentious subject for public discussion, with the result that media publications have to consider the possible consequences of drawing attention to the issue. Like many other contentious issues in American politics, culture and society, pornography as a subject of discussion and commentary, and as a strategy to attract consumers, can indeed be a dangerous venture to undertake. For, one of the dangers of

¹²¹ *Reader's Guide to Periodical Literature* (Minneapolis: H.W. Wilson, Co., 1905-).

¹²² There were, however, entries in a related heading, entitled "Obscenity (law)", but the trend outlined here for the heading 'pornography' can also be seen in the former heading. Furthermore, while articles on pornography were listed under "Immoral Literature and Pictures" prior to 1973, the fact that entries under the word 'Pornography' appeared alongside the creation of the commission, and persisted afterwards, suggests that the commissions did play some role in bringing the word into more common usage.

discussing pornography is the perception that a publication is attempting to titillate and excite its readers, rather than offering rational coverage of a social and moral issue.

Although the President's Commission on Obscenity and Pornography sparked media attention, coverage of the topic was not always highly visible. Rarely was pornography deemed worthy of a cover story, although exceptions do exist.¹²³ In *U.S. News and World Report* in late 1969 and in *Christianity Today* in early 1970, the word 'pornography' graced covers of both publications.¹²⁴ However, in neither publication was this issue the predominant story, appearing instead as a small entry overshadowed by issues given higher priority. *New York Times* dedicated part of its front page to articles on pornography twice in 1970, and once in both 1971 and 1972, although again, they appeared as smaller headlines and only in 1971 was the article accompanied by an image.¹²⁵ Nevertheless, despite this general eschewing of a pornography discussion, in 1970 *Life* magazine dedicated an entire cover to this issue. On its white cover appeared a white film reel, a white magazine, and a white envelope, all featuring suggestive pictures of fleshy, vividly-coloured body parts. Indeed, "[i]n an era of sexuality, growing concern about pornography" prompted *Life* to feature this issue on its cover, and the illustration

¹²³ Of course, Media publications are arranged in a conscious order that puts the most important stories on the cover, and thus a cover story would suggest heightened priority of an issue in both the public and media arenas. All news or information media must decide which news is most enticing to its readership and worthy of heightened attention, and then place this item as a headline or cover page. For one reason or another, but never haphazardly, a specific news item is deemed worthy to merit top coverage.

¹²⁴ "Coming Crackdown on Smut Peddlers," *U.S. News and World Report*, 21 July 1969, 84-85; "Pornography in a Free Society," *Christianity Today*, 22 May 1970, 20-21.

¹²⁵ However, the 1971 picture – a photograph of the outside of a live sex show establishment – was small and tucked away in the bottom of the page. Richard Halloran, "A Federal Panel Asks Relaxation of Curbs on Smut," *New York Times*, 1 October 1970, 1, 20; Warren Weaver, Jr., "Nixon Repudiates Obscenity Report as Morally Void," *New York Times*, 25 October 1970, 1, 71; Murray Schumach, "Sex Exploitation Spreading Here," *New York Times*, 11 July 1971, 1, 44; Ralph Blumenthal and Nicholas Gage, "Crime 'Families Taking Control of Pornography,'" *New York Times*, 10 December 1972, 1, 82.

suggests that the dangerous, yet enticing, pornographic was covertly infiltrating and threatening American morality.¹²⁶

Thus, the pornography issue and the federal commissions did make the cover of some American media publications, although the instances were few. And despite the paltry – yet at times highly tantalizing and titillating – attention received on the covers of these print media, the pornography issue did nevertheless appear more often within the publications. Nevertheless, from 1968 to 1972, articles on pornography and the commission were rarely given much prominence, and occasionally even failed to appear in the table of contents.¹²⁷ Furthermore, the placement of the articles further served to domesticate – and thus depoliticize – or distance the issue of pornography from the white middle class, making it safe for middle-class consumption. The placement of numerous articles at the bottom of the table of contents, or in the less politicized ‘Life and Leisure’ and ‘Society’ sections serve to reinforce the argument that the print media examined here did not always seek to make the pornography issue highly visible within their publications.¹²⁸

However, there was also a trend to characterize the issue of pornography in the period of the President’s Commission on Obscenity and Pornography as one among

¹²⁶ The quotation is what appeared on the cover of *Life* along with the image. *Life*, 28 August 1970.

¹²⁷ For example, in the 12 October 1970 issue of *Newsweek* and the 20 October 1970 issue of *National Review*, there is no mention of the articles on pornography that appear within the publications.

¹²⁸ While *Newsweek* listed “Pornography, U.S.A.” second in its ‘Top of the Week’ content, this was indeed an exception (*Newsweek*, 21 December 1970). And occasionally, these articles appeared at the top of a particular section within the table of contents. *Time*, for example, made pornography articles the first entry in its ‘Society’ section on two occasions, and *The Christian Century* gave priority to commentary on pornography in its ‘Editorial’ section (*Time*, 19 October 1970 and 21 November 1970; *Christian Century*, 11 November 1970 and 18 October 1972). However, most common was the placement of the articles at the bottom of a section, or, if the publication did not divide their articles into sections, at the bottom of the table of contents, and thus in the back of the publications (See, for example, *U.S. News and World Report*, 12 October 1970; *U.S. News and World Report*, 19 October 1970; *U.S. News and World Report*, 22 February 1971; *National Review*, 22 October 1971). Moreover, while these articles could be found in more political sections, such as those reserved for national affairs, they were often placed near the end (See, for example, *Time*, 12 October 1970; *Time*, 23 October 1970; *Newsweek*, 21 September 1970).

numerous 'social ills' in American culture and society that seemed to have no easy solution, thus separating it from the mainstream middle class. Indeed, articles on pornography were sometimes featured in close proximity to coverage about youth discontent, embodied in student protests, campus violence and the Kent State incident. Other topics included issues of race, and centered on the contentious subject of busing and other articles about the black population in American society. This categorization placed the issue of pornography outside of the world of mainstream America, distancing it and therefore othering it, and in turn making it safe as a subject to consume. Student activism, racial conflicts and ghetto neighbourhoods were part of a dimension that remained separate from mainstream middle-class morality. These issues became a mirror through which Americans could reify their morality and unity, and assuage their anxieties borne in a time laden with social strife, class conflict and political tensions.

Analysis of articles

An exploration of the discourses found in the articles about pornography and the federal commission reveals a panoply of voices that are represented hierarchically, and thus simultaneously expose both the nature in which the pornography issue is framed and a stratified authority of voices that comment on it. The issue of pornography in the media coverage centered on three areas: institutions of science, law and politics; the industry itself; and the public interest. In the American print media dealing with the President's Commission on Obscenity and Pornography, the pornography issue was used as a linchpin around which discourses of an idealized nation could arise. The American nation was founded on state paternalism, in which institutional authority, vested in science, law and politics, protected the more vulnerable members of society. The public, constructed

as middle-class American families, looked to institutional authority to protect them from the incipient effects of pornography, which threatened the future of the national health and the nation's greatest resources: the American youth. While individual citizens were encouraged to act against pornography, these actions were to take shape in appeals to institutional action. Furthermore, infused within the discourses was a gendered ideology that either subsumed women under the category of motherhood, or cast them as vulnerable members of society in need of protection. These vulnerable women became objects, rather than subjects, of a dialogue that found recourse only through the power of science and law. Science was at the service of women, but only by examining the effects of pornography on men, and men's actions *on* women. Women needed protection, and this was to be gained by restricting men's consumption of pornography and preventing their immoral sexuality.

Media coverage of The President's Commission on Obscenity and Pornography was influenced by the changing political context. President Nixon, having replaced Johnson in 1969, espoused a conservative Republican morality completely opposed to the liberalism that he perceived to inform the report. And indeed, much of the American print media, which ostensibly represented the body politic that had voted Nixon into office in 1968, readily backed him in rejecting the report. Many press reports claiming that "[t]he Report of the Commission on Obscenity and Pornography is a national disgrace" were not uncommon, echoing the report's reception through much of Washington.¹²⁹ Articles repeatedly pointed out that the commission was created under the Johnson administration, that Nixon vehemently denounced the report as "morally bankrupt," and that Charles H. Keating, the most outspoken dissenting member, was the sole commission member

¹²⁹ "Platform for Permissiveness," *Christianity Today*, 23 October 1970, 27-28

appointed by Nixon.¹³⁰ However, in 1970 there still remained proponents of the social revolutions and liberalism that had characterized the 1960s, and the more liberal-leaning American media heartily supported the report, praising its reliance on objective science, rational methodology, and its adherence to the principles of free expression that characterized American democracy and liberty.¹³¹ Thus, lines were drawn between liberal media, who generally supported the majority report, and conservative media, who questioned the wisdom on which the Commission's conclusions and recommendations were based.

Of the four major recommendations found in the final report, the one that created the most heated controversy was the proposed repeal of all prohibitive legislation on pornography concerning adult access to these materials. While the most conservative opponents of the commission warned against the corrupting influence that sexual education necessarily brought to youth, few had any reservations about legislating against public display and the sale of pornography to minors. However, for a commission working under the aegis of the federal government (albeit, created under Johnson), the major recommendation was certainly a sign to conservative commentators of the moral decay that to them had typified the 1960s. And indeed, they labelled the report a "magna carta" for the pornographers.¹³²

¹³⁰ "Pornography Goes Public, *Newsweek*, 21 December 1970, 26-28, 31-32; "The Temptations of Pornography," *Christian Century*, 11 November 1970, 1339; Richard Halloran, "Federal Commission on Pornography is now Divided on the Easing of Legal Controls," *New York Times*, 6 September 1970, 42; Richard Halloran, "Report on Smut Held up by Court," *New York Times*, 10 September 1970, 23; "Nixon Repudiates Obscenity Report as Morally Void," 71; Joseph N. Bell, "Danger: Smut," *Good Housekeeping*, April 1971, 85, 178.

¹³¹ Stanley Kauffman, "Stanley Kauffman on Obscenity," *New Republic*, 17 October 1970, 22, 35; Father Eugene C. Kennedy, "Kind Words for the Porno-Researchers," *Commonweal*, 18 December 1970, 292-293; Jules Witcover, "Civil War Over Smut," *The Nation*, 11 May 1970, 550-552.

¹³² "Smut: A Boom that is Faltering," *U.S. News and World Report*, 10 July 1972, 66-67; *Time*, 12 October 1970; "A Federal Panel Asks Relaxation of Curbs on Smut," 20; "Danger: Smut," 178.

The report rarely ever stood alone in the media. Instead, qualifications were made, constantly referring to the minority reports that became inseparable from the commission's conclusions. Commission members Reverend Morton A. Hill, Reverend Winfrey C. Link and Charles H. Keating, Jr.'s dissent and their accompanying minority reports were repeatedly cited in the articles, emphasizing the lack of consensus among the commission members themselves, and thus serving to further delegitimize the majority report.¹³³ Only one of the articles examined mentioned the Larson-Wolfgang supplement, which called for repeal of all legislation, including those dealing with children and public display, based on an absolutist interpretation of the First Amendment.¹³⁴

Many of the articles that criticized the commission's report charged it with failing to follow the mandate laid out for it by Congress, which, it was said, was to establish constitutional ways to stem the flow of pornography.¹³⁵ However, those in support of the commission phrased this mandate differently, emphasizing that the commission was created in order to recommend legislative action only if deemed necessary following the findings of the studies on pornography's effects. Thus, they argued, the fact that the scientific studies established by the commission had found no "causal relationship" between pornography and anti-social behaviour informed the commission's conclusions.¹³⁶

In the end, however, the report was often decried for failing to provide a resolution to the "debate that was likely to smolder perennially."¹³⁷ Indeed, some articles

¹³³ "Is Smut Good For You?" *Time*, 12 October, 1970, 19; "Smut: A Boom that is Faltering," 19; "A Federal Panel," 20; "Danger: Smut," 85.

¹³⁴ Only article that mentions it is "Stanley Kauffman on Obscenity," 21.

¹³⁵ Charles H. Keating, Jr., "The Report that Shocked the Nation," *Reader's Digest*, January 1971, 37-41; "Danger: Smut," 178.

¹³⁶ "Obscenity Group Set Up," *New York Times*, 3 January, 1968, 30; "Civil War Over Smut."

¹³⁷ "Pornography: The Oldest Debate," *Newsweek*, 12 October 1970, 37.

labelled federal commissions as impotent and superfluous, created by a government when it lacks initiative to act on an issue, and merely able to *advise*, not *create*, laws.¹³⁸ A more pointed critique was that the commission was merely used as a political tool by the White House to bolster its moral standing and denounce its political foes. Commentators pointed out that claiming moral superiority over the ousted Democrats was transparent political demagoguery, as no other politician would threaten his reputation by ever coming out “in support of pornography.”¹³⁹ *Newsweek* asked: “Can you imagine a politician, in the late hours of an overheated election campaign, declaring himself in favor of legalizing the sale of smut? We can’t either – which is why we thought the timing of the report of the Presidential Commission on Obscenity and Pornography was bound to be disastrous. It doesn’t take a whole lot of courage for a President or a preacher to hurl the thunder of his moral indignation against pornography.”¹⁴⁰ One article in *New York Times* suggested that “[i]t is typical of the kind of bankrupt conclusion we have learned to expect from commissions such as these, which invariably see the abdication of all responsibility as the solution of every moral difficulty.”¹⁴¹

The discussions sparked by the commission were bounded in a dominant institutional hierarchy composed of science, academics, politics and the law. While the pornography industry and the general public flavoured these discussions, and thus suggested an arena of public interest, the aforementioned institutional players were represented as the active shapers of the discourse, which was further used as a linchpin to evoke other issues in American society, such as morality and disorder, and gender and

¹³⁸ “Senate Leaders in Both Parties Denounce Findings of Pornography Panel,” *New York Times*, 2 October 1970, 36; “Stanley Kauffman on Obscenity,” 21.

¹³⁹ Andrew Boyd, “Porno Politics,” *The Nation*, 9 November, 1970, 489

¹⁴⁰ “The Temptations of Pornography,” 1339.

¹⁴¹ “Obscenity Report Assailed by Adams as Moral Danger,” *New York Times*, 3 October, 1970, 13.

family. The federal commission that was charged with the task of studying the nature and effects of pornography embodied these opposing forces, and in so doing created numerous debates that took place within the American print media. Because pornography so easily invokes issues of morality and sexuality, the national dialogue facilitated by the commission was infused with these concerns. However, despite the seemingly multifaceted nature of these debates, it was nevertheless bounded by a certain middle-class sensibility and politics that continuously excluded certain communities and left many assumptions and normative values unquestioned. The groups that were given voice in the articles inspired by the federal commission inevitably reflected particular concerns and omitted others.

Thus, only certain issues were considered worthy of debate and challenge; others were normalized and naturalized through silences or unquestioned assumptions. The acceptance of social science as an effective measure of human sexual behaviour came under question. The objectivity that characterized scientific studies and evidence was considered inappropriate in the face of moral questions about sexual propriety. Some politicians rejected the report's conclusions as irresponsible, liberal utopianism that would only breed further immorality, violence, and national decay.¹⁴² Questions of regulation arose, and the Supreme Court's 1957 *Roth* decision were targeted as harbingers of a permissiveness that threatened American society. The Supreme Court decisions were criticized for creating the inability of local law enforcement and courts to stop the flood of smut onto American streets and into American homes. Because some commentators were primarily concerned with pornography's effect on children, there

¹⁴² "Pornography Goes Public," 26-28, 31-32; Arnold H. Lubasch, "Hearing Assails the Smut Flood," *New York Times*, 19 February 1970, 44; "A Federal Panel," 20; "Senate Leaders in Both Parties Denounce Findings," 50.

arose a discourse on the role of the family and the private sphere. These were the issues that dominated the debate on pornography that arose in the wake of the federal commission, and indeed it seemed that the tensions existing throughout the previous decades were finally taken to the national stage and made public.

However, the silences that pervaded these discourses also normalized institutional authority and white, middle-class morality that excluded certain communities. While the federal commission did indeed bring the arguments on pornography to the public, the voices of authority within the media accounts remained largely limited to 'experts' in the field, and thus silenced a large majority of the American population. 'Pornography,' then, remained an issue to be solved by and debated among certain sectors of society, such as the institutions of politics, law and academia. Some segments of the American population were not wholly invisible, yet remained within certain ascribed roles, whereas others were effectively silenced. Thus, the stratification of authority as seen in these articles mirrored that which existed in society, and thus perhaps served to perpetuate this hierarchy. Few voices from the lay population were heard, and thus those in the higher echelons of the social structure were allowed to speak for them, to attempt to frame and guide the concerns of the population, and to shape the definitions, issues, and foundations from which the debate over pornography would arise. While authority to speak on the issue of pornography was vested in institutions of academia, law and politics, these professionals became the shapers and commentators of the discourse to the exclusion of feminists, homosexuals and others who made up the diverse American population. These voices became not only the authority on pornography, but also the shapers of a larger dialogue, on which axes of gender, family, class and morality coincided, and

subsequently shaped an idealized and normative organization of American society. Thus, the assumptions of traditional family organization, gender roles and heteronormativity, and a unified American national identity – values that some groups had increasingly begun to question, confront and dislodge – were cemented through the exclusion of certain voices and the propagation of others.

Definition

One striking characteristic that united the articles surrounding the President's Commission on Obscenity and Pornography was a lack of definition concerning 'pornography.' The term remained ambiguous, and thus allowed commentators to offer arguments concerning questionable materials without setting the terms on which the debates centered. Little differentiation was made between 'obscenity,' 'pornography' and 'sexual materials,' and terms such as 'smut' and 'filth' were used freely and interchangeably. Despite this lack of clarity, there were times – though rare – when distinctions were made between literature and other forms of sexual material. Furthermore, while terms remained undefined, they were often framed around children and healthy development.

Commentators who strove to defend sexual materials nevertheless distinguished between literature and other forms of sexual expression, such as live sex shows and photographs. Indeed, both *New Republic* and *Esquire* contained articles that defended the right to consume sexual materials, but made an implicit or explicit distinction that limited permissiveness to erotic fiction. Stanley Kauffman criticized the minority report for its conservative view of 'smut,' and argued that banning such literature as *Fanny Hill* and *Ulysses* demonstrates a prudery that cannot be defended in a free society. Furthermore, he

supported an individual's right to consume "pornographic books" whose intention is to bring the reader to masturbation. However, despite his relatively liberal argument, he made a clear differentiation between fiction literature and performance, be it still photos of real people, films and stage. He was concerned about the "visual emphasis" sex, and saw a problem with real people having sex in public.¹⁴³ Likewise, *Esquire* criticized those who would ban books, and even offered scathing remarks on self-proclaimed liberals who supported one's right to consume erotic literature while distancing themselves from its consumption. However, while the author extolled the benefits of "writing that is exclusively intended to cause sexual pleasure" he did not extend the discussion of pornography to visual images or live performance.¹⁴⁴

At times, articles sidestepped the need for a definition of pornography by focusing on the growing pervasiveness of pornography and its changing content. *U.S. News and World Report* referred to the "filth flood" that was inundating the nation.¹⁴⁵ It claimed that "[n]ow, as the 1970s approach, nudity plus real or simulated sex acts has become more and more common in movies and plays. Books, magazines, advertisements – and lately some tabloid newspapers devoted entirely to sex – carry photographs as well as illustrations of human beings in a wide variety of sex postures."¹⁴⁶ *Christianity Today* quoted Dr. Spock's reservations about "recent trends in movies, literature and art towards what I think of as shock obscenity, and the courts' acceptance of it" that forced him to question his civil libertarianism.¹⁴⁷ And *Time* magazine focused on the increasing

¹⁴³ "Stanley Kauffman on Obscenity," 21.

¹⁴⁴ Kenneth Tynan, *Esquire*, "Dirty Books Can Stay," October 1968.

¹⁴⁵ "Coming Crackdown on 'Smut Peddlers,'" 52.

¹⁴⁶ *Ibid.*, 52.

¹⁴⁷ "Pornography in a Free Society," 20-21.

presence of dirty magazines on newsstands, “dildos and whips for sale,” “exhibitions of simulated intercourse,” and “[s]kin flicks and their ilk.”¹⁴⁸

The focus on the increasing availability of pornographic fare was reinforced by certain imagery used by American print media in their articles on the commission. Images are an important accompaniment to magazine and newspaper articles, as they serve to both increase visibility and add an element of commentary. One limitation that must be considered in any analysis of magazines and newspapers is the non-linear nature of the way in which these publications are often read. The observation that magazines are rarely from read cover to cover – that readers often scan “bits and pieces” and may ignore uninteresting sections – is an important one that cannot be ignored.¹⁴⁹ However, images are intended to grab a reader’s attention, and the nature of the image will bring to mind certain questions and ideas in the viewer about the issue-at-hand whether they read the article or not. A large proportion of images in this period were of sex establishments, such as shops, movie theatres and live shows, or featured pictures of *Playboy*, and *Penthouse* stacked on magazine racks, or in piles and spreads.¹⁵⁰ These images spoke to a growing perception that pornography was spreading across the American landscape of everyday life. However, they also could serve to confront the pornography commission’s finding that the pornography industry was not very profitable and was largely an underground phenomenon. A *U.S. News and World Report* article challenged the

¹⁴⁸ “Pornography Revisited: Where to Draw the Line,” *Time*, 5 April 1971.

¹⁴⁹ Doss, *Looking at Life*, 6-7.

¹⁵⁰ For examples of these kinds of pictures, see “Pornography Report – Official Findings that Set off a Furor,” *U.S. News and World Report*, 12 October 1970, 60-64; “Smut: A Boom that is Faltering,” 66; “Pornography: The Oldest Debate,” 38; “Pornography Goes Public”; “Pornography Revisited,” 64-65; “Sharp Conflict over Report on Smut,” *New York Times*, 13 September 1970, E5; “Sex Exploitation Spreading Here,” 1; Paul L. Montgomery, “State Loses a Round in Pornography Fight,” *New York Times*, 26 November 1972, 97.

commission's assessment of the pornography industry by offering an image of a sex establishment with the caption: "A multimillion market."¹⁵¹

U.S. News and World Report often referred to questionable material with the pejorative term 'smut,' and stated that the main concern was keeping it out of the reach of American youth.¹⁵² While in general the term 'pornography' remained undefined in articles, the focus often resided on children, and thus on the healthy development of the nation's youth and the stability of the nation's future. The importance, then, was the "emphasis on keeping smut away from children and teenagers under 18."¹⁵³ Indeed, children, and thus the national future and health, were being threatened by pornography, and commentators proclaimed that "nations and civilizations have actually disintegrated when their belief in themselves and their adherence to standards were lost."¹⁵⁴

Social Science

One of the dominant debates given voice and authority by the media coverage surrounding the commission was fought among academics and politicians, and centered on the validity of science as an effective measure of human sexual behaviour and as a methodology used to understand the impact of pornography. The manifestation of pornography, in this discussion, was understood through its effects on the individual, and subsequently, on the behaviour of the individual as a social actor.

The Kinsey Reports had opened the door to scientific discussions on sexuality in American society, and the use of science in the Commission on Obscenity and Pornography as a basis for its conclusions harkened back to this development of the

¹⁵¹ "Pornography Report," 68.

¹⁵² "Coming Crackdown," 52.

¹⁵³ Ibid.

¹⁵⁴ "Pornography in a Free Society," 20-21.

1950s. However, two decades after this surge of scientific authority on sexuality, this methodology had begun to be attacked by different segments of the American population, and was debated in the print media. Not only was the scientific evidence questioned, but the debate also centered on whether science could speak to such moral issues as pornography and its effects on the individual and society.

The print media surrounding the President's Commission on Obscenity and Pornography gave unquestioned priority to 'expert' voices emanating from academia, politics and law. Social science studies, which formed the basis for the conclusions made by the commission report, were often quoted. Indeed, the fact that the commission had found no conclusive evidence of a causal link between pornography and antisocial behaviour was reiterated on the pages of these publications. And many social scientists – and according to certain articles, “most scientists in the field” – “agree that no conclusive evidence is available.”¹⁵⁵ However, some studies, of which the commission took account, found that “[e]laborate procedures to measure the students' reaction to the pornography indicated a 'consistent downward trend' of both interest and sexual arousal.”¹⁵⁶ And scientists such as Asher R. Pacht agreed, stating that “the evidence does not support the contention that exposure to pornography contributes to subsequent sex offenses.”¹⁵⁷ The chairman of the commission, William B. Lockhart, along with W. Cody Wilson, the executive director of the commission, were often represented in these articles, and they fully supported the scientific evidence as a sound basis for their conclusions. Wilson praised the report as an authoritative answer to questions long posed on pornography, and stated that “[t]here have been lots of myths running around concerning pornography.

¹⁵⁵ Steven V. Roberts, “Pornography in U.S.: A Big Business,” *New York Times*, 22 February 1970, 66.

¹⁵⁶ “Psychologists Dispute Report on Smut,” *New York Times*, 12 Aug 1970, 22.

¹⁵⁷ Gladys Denny Schultz, “What Sex Offenders Say About Pornography,” *Reader's Digest*, July 1971.

People discuss it through fear, not fact. Until now there has been little study.”¹⁵⁸ Thus, the commission and its scientific studies were seen as an essential, and objective, approach to the study of the effects of pornography. Science, to Wilson and Lockhart, offered value-free and truthful answers: “There is no other side. We are neutral.”¹⁵⁹ Both commission members were often quoted as strong supporters of the objectivity of science, and stressed that the studies were undertaken “with no preconceived ideas.”¹⁶⁰ While “[t]here were indeed some surprises in it,”¹⁶¹ the commission report offered a definitive look at the question of pornography, and, to Lockhart and Wilson, speaking for the majority of the commission members, rightly concluded that there “simply wasn’t much to worry about.”¹⁶²

However, comments from other psychiatrists, sociologists and psychologists suggested that the inconclusiveness of the evidence had become a point of contention. What was at issue here was not necessarily pornography itself, but its effects. Victor B. Cline, a psychologist, was often heard, decrying the report as “a gross mixture of truth and error, part science fiction, and certainly a travesty as a scientific document.”¹⁶³ He admonished the commission for misusing the information available to them and ignoring evidence to suit their conclusions. Others were more ambiguous in their contention. Dr. Fredric Wertham, for example, differentiated between different kinds of pornography, and whereas “ordinary” pornography was “objectionable, ... it cannot be cited as a cause of sex crimes. Sadistic pornography, however, is definitely contagious. A man or boy

¹⁵⁸ “Civil War Over Smut,” 551.

¹⁵⁹ *Ibid.*, 551.

¹⁶⁰ “Is Smut Good for You?” 19.

¹⁶¹ “Pornography and Politics,” *Newsweek*, 17 August 1970, 81.

¹⁶² “Pornography Goes Public,” 27.

¹⁶³ “Psychologist Disputes Report on Smut.” 22; “Danger: Smut,” 178.

who is introduced to sadistic material may be impelled to tie up a girl or woman, hurt her, perhaps mutilate or kill her.”¹⁶⁴

Some charged that not just the conclusions of scientific studies were faulty, but in fact the use of science as a tool with which to study pornography, which failed to take into account other evidence that pointed to the pernicious effects of pornography. Thus, objective science was in fact questioned by scientists themselves, politicians, and even by some members of the Commission on Obscenity and Pornography. Furthermore, commentators challenged the label of ‘expert’. The scientific studies on pornography, which necessitated the consumption of pornography, signalled to more conservative commentators that science itself was marred by immorality. While social science voices were generally presented as the authoritative figures on the issue of pornography and its effects, science itself at times was deemed ineffective in dealing with such moral issues of concern like pornography. A tension between objective science and subjective morality infused the debate. The psychologist Bernard Boniwell, supposedly speaking on behalf of “a parade of highly qualified commission critics,” argued that “[t]he evaluation of human behavior should no longer be subject to the minutiae of the behavioral sciences, for they are, I believe, seriously incomplete and frequently misleading.”¹⁶⁵ Moreover, while authority was vested in these figures for their credentials as members of the scientific community, the purview of their commentary exceeded that based solely on objective and scientific measures of behaviour. Psychiatrist Charles Socarides suggested, for instance, that “[p]ornography should be censored not because it arouses one sexually but because it is the wrong sort of sex stimulus, a violation of the human being. It is

¹⁶⁴ “What Sex Offenders Say,” 55

¹⁶⁵ “Danger: Smut,” 85.

sneaky and sly, insulting to sex, insulting to the body, ugly and degrading to the sexual act. Morality, conscience, ethics, and standards are the ‘traffic regulators’ of society.”¹⁶⁶

As science was deemed inadequate as a sole measure of pornography’s nature and effect, other academics and intellectuals contributed to the debate, and their arguments were also represented as voices of authority in the print media studied here. Harvard Government professor James Q. Wilson argued that pornography was not a question of harm, but rather is a moral issue, which should be judged solely on “political and philosophical” considerations. He directly questioned the value of scientific studies, observing that “one cannot simulate in the laboratory the existence or non-existence of a lifelong exposure to or preoccupation with obscenity, any more than one can simulate a lifelong exposure to racist or radical beliefs.”¹⁶⁷ Some offered more pithy pronouncements, stating that the commission’s conclusion that free access to objectionable material for adults would not “infect” youth was “just plain stupid.”¹⁶⁸ Others rested their arguments on anthropological evidence, stating, for instance, that “[v]irtually all societies have rules for the concealment of the female genitals and restrictions on the time and manner of female genital exposure.”¹⁶⁹

Politics

These discussions mirrored the debates within the commission itself. The commission members were often portrayed in the media as irreconcilably divided, and the lack of unanimity in the final report was emphasized. Furthermore, some commission members were overrepresented in media accounts, while others were almost wholly

¹⁶⁶ Ibid.

¹⁶⁷ “Pornography Revisited,” 64.

¹⁶⁸ “Obscenity Report Assailed,” 13.

¹⁶⁹ Robert Ward, “Pornography and Politics,” *National Review*, 22 October 1971, 1178.

excluded. The executive director and the chairman of the commission, along with the three most vociferous dissenters, garnered much media play to the omission of their colleagues. W. Cody Wilson and Dean William B. Lockhart supported the majority report and hailed it as a constitutionally valid, scientific document. On the opposing side, Charles H. Keating, and Reverends Morton A. Hill and Winfrey C. Link remained adamantly critical, denouncing the report on moral grounds.

The voices from politicians, however, overwhelmingly presented a unified subjective and moral condemnation of pornography. Ignored were issues of First Amendment rights and scientific findings; instead, pornography, to the Nixon administration, congressmen and senators, was a phenomenon that needed to be annihilated. In fact, some politicians, including the chairman of the House Postal Subcommittee, believed that science itself had a tendency towards immorality. In reference to a scientific study carried out for the commission, which used college boys as subjects, Robert C. Nix repeatedly exclaimed: "Frankly this horrifies me.... I want to know if these boys' parents approved."¹⁷⁰ The scientific leanings of the commission report were equated with support for the pornographer, and politicians decried the "campaign of terror ... against those who seek to improve the moral atmosphere in our community by stemming the public exploitation of filth for profit."¹⁷¹ Indeed, as one politician lamented, the studies undertaken by the commission were a "waste of taxpayers' money."¹⁷² Science was the arbiter, not of objective truths, but merely of

¹⁷⁰ "Pornography and Politics," *Newsweek*, 81; "Concern on Smut Held Unfounded," *New York Times*, 6 August 1970, 22.

¹⁷¹ "Pornography in U.S.: A Big Business," 66.

¹⁷² "Psychologist Disputes Report on Smut," 22

“morally bankrupt conclusions.”¹⁷³ Politicians were represented as an active and vocal group in the debate on pornography, and they offered a united view that subordinated science in favour of morality and national health. To them, “[w]hether or not there is a connection between obscenity and antisocial behavior ... a society owes it to its citizens ‘to encourage the best and discourage the worst’ in human nature.”¹⁷⁴ This issue found no division between Democrats and Republicans; rather, all politicians distanced themselves from the commission report, and the White House denunciation of the Commission on Obscenity and Pornography was said to represent “many, many Americans of both parties.”¹⁷⁵ Vice-President Spiro Agnew assured the American public that “[a]s long as Richard Nixon is President, Main Street is not going to turn into Smut Alley.”¹⁷⁶ And Nixon reiterated that point, stating that “[s]o long as I am in the White House, there will be no relaxation of the national effort to control and eliminate smut from our national life.”¹⁷⁷

Law

However, the national effort to eliminate smut was also a point of contention, pitting the Supreme Court and federal judicial decisions against local law enforcement, politicians and local courts. Regardless of whether science was an effective measure of pornography’s effects, pornographic regulation was deemed a priority issue for these groups, which were represented as active participants in the discourses emanating from American print media. Federal judicial permissiveness was blamed for the increasing

¹⁷³ “Danger: Smut,” 178.

¹⁷⁴ “Pornography Curbs Urged by Mitchell,” *New York Times*, 23 August 1970, 59

¹⁷⁵ “Senate Leaders in Both Parties Denounce Findings,” 50.

¹⁷⁶ “Pornography Goes Public”; “Is Smut Good for You?” 19.

¹⁷⁷ “Nixon Repudiates Obscenity Report as Morally Void,” 71.

flow of smut onto American streets and into American homes, and the issue of pornography, brought to national discourse by the Commission on Obscenity and Pornography, centered on these concerns.

Indeed, the debates emanating from the release of the commission report revealed a context in which local courts and law enforcement attempted to combat pornography in their communities in the face of seemingly insurmountable obstacles produced from Supreme Court decisions that were deemed by some to be too permissive and beyond the bounds of decency. Mayors and local politicians decried the federal decisions, complaining that their own “efforts are frustrated in the courts, and the number of such businesses [dealing in pornography] actually has increased.”¹⁷⁸ The pornographers “operate within the bounds of the law, but probably not within the bounds of propriety.”¹⁷⁹ While the Supreme Court was heard occasionally, stating that “it will back up laws aimed at protecting minors,” these comments were challenged, saying that it had “often ... ruled against general anti-obscenity laws in recent years.”¹⁸⁰ Even former Chief Justice Earl Warren’s statement that “if anyone showed that [pornographic] book to my daughters, I’d have strangled him with my own hands” was contextualized within the Supreme Court decisions that were considered as promoting an increasingly permissive society.¹⁸¹ District Attorney Carl A. Vergari summarized the views of many members of the legal profession when he remarked that “[t]here is confusion, lack of confidence and the rising conviction that our criminal justice system, particularly the Federal judiciary, is responsible for the flood of pornographic magazines, books, newspapers and films, which

¹⁷⁸ “Smut: A Boom that is Faltering,” 67.

¹⁷⁹ “Porno Politics,” 489.

¹⁸⁰ “Coming Crackdown on ‘Smut Peddlers,’” 52.

¹⁸¹ “California Cleans,” *Time*, 23 October 1972, 36.

is seemingly inundating us on every side.”¹⁸² And others concurred, arguing that “all pornography cases should be tried by juries, to reflect the community view, and that the United States Supreme Court should ‘desist from acting as a national censor.’”¹⁸³ A vice squad member proclaimed that “[t]he courts have created so much utter chaos and so many restrictions that they have almost legalized obscenity.”¹⁸⁴

Infused within the debates that were given prominence in American print media – namely the value of science and the effectiveness of pornography regulation – was a broader discourse that centered on issues of gender and the nation, and it is here that normative assumptions that underlie these discussions are brought to the fore. By juxtaposing arguments based on law and science with discourses of gender, class, and the nation, these broader issues become infused with legitimacy. The darker side of pornography was tamed through the ‘expert’ voices which spoke in these articles, but in turn a discourse that prescribed an idealized worldview, emanating from these experts, was given similar legitimacy. The representation of other voices in these articles, namely those in the pornography industry and the general American public, concretized this broader normative narrative, and placed authority in institutions – not only as authorities on the issue of pornography, but as shapers of an idealized American society and culture.

Pornography Industry

Indeed, the pornography industry was seldom analyzed in the media and was largely presented in a negative light. Some of those involved in the industry accepted their roles but felt shame; there were others who were in it for the money; and there were

¹⁸² “Hearing Assails the Smut Flood,” 44.

¹⁸³ *Ibid.*, 44.

¹⁸⁴ “Pornography in U.S.,” 66.

others who argued that they represented the quintessential American capitalist, and felt no qualms about their activities. Producers and distributors of pornography also commented on demand, and thus it was in this group that discussions of the free market and capitalism came to the fore of the pornography discourse. However, the representation of the pornography industry was also a venue in which gender differences could easily be highlighted, in differentiating between male and female performers. Overall, however, the pornography industry was negatively represented in the articles, and thus comments made by members of the industry were not given much legitimacy.

Participating in the pornography industry as a distributor, producer or actor was seen by some of the participants themselves as demeaning and shameful. A salesman in an adult bookstore admitted that “Frankly, it’s a lousy way to make a living.”¹⁸⁵ Similarly, a female performer was quoted as likening her actions to an animal, stating that “[t]he first film I made, it was a real downer. Afterward I started thinking about suicide. But after a while, I got so I could do the Eleanor Rigby thing – you know, leave your mind in a jar by the door. Then I’d know that I’m just an animal, and they’re taking pictures of me, an animal.”¹⁸⁶ For the most part, however, comments such as these, which reflected participants’ capacity for deeper thought about the consequences of their actions were treated as anomalies; in general, actors in the pornography industry, as one article put it, “betray no such crises of sensibility; they simply say they are in it for the money.”¹⁸⁷

¹⁸⁵ “Smut: A Boom that is Faltering,” 67.

¹⁸⁶ “Pornography Goes Public,” 31.

¹⁸⁷ Ibid.

The pornography industry was profitable. Estimates about its revenue were anywhere from \$500 million to \$2 billion a year.¹⁸⁸ This vast range of estimation highlighted the negative character of the industry: it was dark, mysterious, secretive, and obviously did not properly report its revenue to the IRS. Law enforcement officials argued that most pornographers remained in the industry because, simply, there was money to be made.¹⁸⁹ Those in the pornography industry supported this argument, and often their comments tended towards giving a vision of the small American entrepreneur seeking profits, and succeeding financially. One owner was open about the profits he made when he opened his bar to live sex performances: “I had a regular bar here, and I was lucky if I took in \$80 a night. Now I get a couple onstage, pay them \$10, charge a \$3 cover and \$1.25 for a glass of tap beer that costs me a nickel. Even on a bad night I come out with \$600.”¹⁹⁰ Indeed, many of these ‘entrepreneurs’ had started off in a more legitimate way, but found the profits to be made from pornography hard to resist. Thus, these commentators likened their industry to American capitalism, confronting anti-pornographers’ charges and stating that: “Some people say we’re part of the Communist conspiracy ... but we’re really classic American capitalists.”¹⁹¹ The American free market was being upheld by these entrepreneurs, and they were simply following this practice. As one theater owner explained: “I built a brand new theater and played the “Sound of Music,” and I lost money. I switched to an adult policy, and the first week I made \$4,000.”¹⁹² A publisher agreed, stating that

¹⁸⁸ “The Rich Pornocopia,” *Time*, 16 November 1970, 92.

¹⁸⁹ “Smut: A Boom that is Faltering,” 66.

¹⁹⁰ “The Rich Pornocopia,” 92.

¹⁹¹ “Pornography in U.S.,” 66.

¹⁹² *Ibid.*, 66.

When I first started, we published a book about Harry Truman and the Prendergast machine.... I thought it was great, and I set up a \$10,000 advertising budget. The book lost \$40,000. A few years later, we did a big book about Vietnam, with an introduction by Senator Fulbright. It laid the biggest egg of the year.... But when we brought out "Candy," people were lined up to buy it. I was as stupid as any publisher who thinks he can create a market. I can't make you want to read anything; all I can do as a publisher is exploit your need. I've never lost money on a sex book – and that should be some indication of what the public wants.¹⁹³

Profit is of course dependent on demand and these voices became the source for discussions on consumer desire, thus serving to delegitimize this discussion. Little analysis was offered about the difficult contradiction between a general distaste for pornography and the exorbitant profits that could be gained. The analysis went only so far as, simply put, "[i]f the public practiced what it preached, we would be out of business tomorrow."¹⁹⁴ The Commission on Obscenity and Pornography reported that the average buyer of pornographic fare consisted of white, middle-class, middle-aged married men, an observation that would make many uneasy and blemish the idealized notion of middle-class morality and sensibility. However, when representatives of the pornography industry expressed these views their observations did not hold much weight. While the consumer was seldom discussed in these articles, "general agreement among those who work in the porno-sex field" found "that customers are middle-class and well-dressed."¹⁹⁵ Many in the pornography industry confirmed this by stating that "[m]y customers include all kinds, but there are plenty of businessmen who come in and carry out the books in their briefcases."¹⁹⁶ One salesman narrowed the consumer to "lonely,

¹⁹³ Ibid., 66.

¹⁹⁴ Ibid., 66.

¹⁹⁵ "Sex Exploitation Spreading Here," 44.

¹⁹⁶ Ibid., 44.

frustrated men who use this to stimulate themselves,”¹⁹⁷ and thus freed the middle-class family man from possible guilt.

While producers and distributors in the pornography industry were seldom reflected in the debates, performers’ voices were heard even more rarely. Aside from Georgia Stark, who commented earlier on how performing debased and animalized her, and a few others, this group was virtually absent from the discourse. However, there were comments, mostly made by those higher in the pornography industry hierarchy, that explained why some people were driven to perform live sex shows, or strip for the camera. A manager of a nude model agency summarized the objective of the performers:

The simple and most important reason is that they’re looking for bread.... If they have a rent payment due, and they need decent money fast, this is one of the few legal ways they can get it.... A girl doesn’t need reference or skills – just a good body – and she can get the money right away. Most of the girls who come in here are too lazy to hold down a regular job. This is easy money - \$50 a day – and they have no inhibitions about taking their clothes off. A few are rebelling against their parents, or the Puritanic ethic, but not many.¹⁹⁸

The average performers “are in their early 20’s, [and] are paid between \$5 and \$25 each time they appear,”¹⁹⁹ while others estimate “that the girls who worked as models in such places earned between \$350 and \$500 a week.”²⁰⁰

Noteworthy is the total attention given to the female performers, to the complete omission of any male performer. Pornography, then, was a completely gendered industry: while those in the higher echelons of the business were predominantly male, the performers were constructed as solely female. These females were young and debased, working not from any conviction or pleasure, but rather simply because it was the easiest way for them to make money. Moreover, there was a “general agreement among those

¹⁹⁷ Ibid., 44.

¹⁹⁸ Ibid., 44.

¹⁹⁹ “Live Sex ‘Exhibitions’ Present Problem Here,” *New York Times*, 2 October 1970, 36.

²⁰⁰ “Sex Exploitation Spreading Here,” 44.

who work in the porno-sex field that a substantial number of the women are drug addicts.”²⁰¹ By taking voice and representation away from female performers, and by gendering pornography performers as solely female, women once again became objects, not subjects, of a discourse on pornography.

Public Interest

Interest groups, whether anti-pornography or anti-censorship, such as the American Civil Liberties Union, women’s groups and feminists, were poorly represented in print coverage of the pornography debate. Conservative groups were represented by the dissenting commissioners, while women’s groups, feminists, and the general public were portrayed in such a way as to reinforce a hierarchy of authority in American society and politics.

Morton Hill and Charles Keating were leaders in *Morality and Media* and *Citizens for Decent Literature*, respectively, and thus their voices represented these interest groups. As the anti-pornographers were represented through Hill and Keating, these two figures were given the authority to frame the points of contention emanating from these groups. Furthermore, Hill and Keating lent credibility to the anti-pornography arguments because they were first-hand witnesses to the making of the report and of the studies that were commissioned. Therefore, their arguments that “the torrent of sex-oriented material in turn set the stage for a ‘sex revolution in the 1960s’” and that the report should be “file[d] in the wastebasket” were supposedly based on knowledge derived from their experiences with the Commission on Obscenity and Pornography.²⁰² Feminist groups were virtually invisible in this period. However, what representation they did have served

²⁰¹ Ibid., 44.

²⁰² “Coming Crackdown on ‘Smut Peddlers,’” 52.

to accentuate their subservient roles. Women and feminist groups were represented in such a way that reaffirmed traditional gender assumptions. While the General Federation of Women's Clubs were subsumed under the role of motherhood and guardians of morality, the more radical feminists were delegitimized through their representation as militant and irrational.

Women's groups were represented in two ways in the American print media surrounding the Commission on Obscenity and Pornography. On the one hand, the General Federation of Women's Clubs called for a return to traditional morality and focused mainly on more mainstream fare and the movie ratings system; on the other, more radical women, also known as "the new feminists," were connected with militant groups such as the S.D.S. and assumed the "fiery rhetoric of today's militant black and student movements."²⁰³ The representation of these two groups, which formed a binary of traditional and radical women, created a picture of female participation that omitted a more rational middle-ground; whether they were traditionalists or radicals, their arguments were portrayed as being based on purely on emotional arguments that were dismissed in the articles as irrational.

The GFWC was an organization of women who continued the traditionally female endeavour of guarding morality and protecting society from vice.²⁰⁴ While it was active in this period, only *Good Housekeeping* gave them media coverage in the debates on pornography in this period. This publication was virulently anti-pornography, targeted at a suburban female readership, and was speaking to an audience that most likely agreed

²⁰³ "The New Feminists: Revolt Against 'Sexism,'" *Time*, 21 November 1969, 53.

²⁰⁴ For a good discussion of the activities of women's groups such as the GFWC, see Andrea Friedman, "Sadists and Sissies: Anti-pornography Campaigns in Cold War America," *Gender and History* 15 (2) (August 2003): 201-227.

with the concerns of middle-class mothers over their children's exposure to sexual materials.

The GFWC decried the pornography that was being shown on mainstream theatre screens and in media and was particularly concerned about youth's access to this fare, targeting the MPAA and its movie rating for being too permissive. They called on the public to partake

in a great sweeping, nationwide crusade to re-establish the meaning of the American home; to reaffirm the basics of the good life ... honesty, forthrightness, decency, peacefulness, respect for others ... until our voice is heard and heeded by those responsible for the current rash of violence, crime, and lurid sex in our entertainment media.²⁰⁵

Their answer to the problems of increasing sexual permissiveness and violence was a return to tradition. They asked

When morality goes by the board, when all values, all decency are discarded, when we permit pornography on our movie screens and in our mass-media magazines and in books and on our legitimate stage, how can we expect otherwise of our youth? Everywhere young people turn, they are confronted with examples of immorality.²⁰⁶

While these women did participate in the debates surrounding the release of the commission report, they were more concerned with the tamest side of pornography, rather than the explicit material strictly dealing with the portrayal of sex, which was the main concern of the report and related scientific studies. Furthermore, MPAA Vice-President Jack Valenti, in response to the women's efforts to tighten the ratings system, suggested that their actions were based on a misunderstanding of the contemporary American social and cultural context. He argued flatly that "[t]hese ladies simply don't understand."²⁰⁷

²⁰⁵ "Danger: Smut," 178.

²⁰⁶ Ibid., 178.

²⁰⁷ Ibid., 178

Not all women were subsumed under the banner of motherhood. Indeed, *Time* dedicated an entire article to a new breed of women: “angry young women ... [who] abhor *Playboy* as well as most women’s magazines.”²⁰⁸ These women, who were labelled “militants” or, more simply, “the angries,” kidnap, picket beauty pageants and burn bras, all in an attempt to “demonstrate their disgust and alienation from sexist society.”²⁰⁹ Yet these stories delegitimized these women’s roles and beliefs and thus constructed this group outside the bounds of the middle-class sensibility that was the foundation of American society. Indeed, the oppression against which they rebelled was questioned by the use of inverted commas and references to banal items as “lingerie, false eyelashes and steno pads.”²¹⁰ The victim of one of their kidnapping schemes was not characterized as a pornographer, but rather as an “entrepreneur,” and the feminists were described as “surprisingly violent in mood.”²¹¹ The women who made up this group were overwhelmingly “younger women, part of a rebellious generation,” and their movement was disregarded, denounced, or simply unknown to “most middle-aged or older women.”²¹² This violent, radical group was composed of “politically radical ... white college students or recent graduates, unmarried or divorced,” and found inspiration in such organization as the S.D.S. and the black power movement.²¹³ Thus, this movement was implicitly delegitimized through association with other traditionally perceived militant and violent movements. While these women were described as being a splinter group of the Women’s Liberation movement, and “[t]he more pragmatic sector of the

²⁰⁸ “The New Feminists,” 53.

²⁰⁹ *Ibid.*, 53.

²¹⁰ *Ibid.*, 53.

²¹¹ *Ibid.*, 53.

²¹² *Ibid.*, 53.

²¹³ *Ibid.*, 53.

new movement is the National Organization for Women, or NOW,” the article chose to focus on the most radical women at the exclusion of any analysis of NOW’s philosophy.²¹⁴

The *Time* article gave a tacit explanation for the anger that motivated these women, namely the absence of healthy love relations with men. In fact, one “unhappy young demonstrator” complained that “[a]ll there is to fall in love with is sexual racists.”²¹⁵ One of the movement’s leaders stated that “[s]ex is just a commodity,” and another explained that “[l]ove between a man and a woman is debilitating and counter-revolutionary.”²¹⁶ However, the article went on to state that “sexual freedom has never been a primary concern of women’s movements,” and quoted a “militant feminist” who complained that “the relaxation of sexual mores just makes a woman’s life more difficult.... If she is not cautious about sex, she is likely to get hurt; if she is too cautious, she will lose her man to more obliging women.”²¹⁷ Thus, while some of these women were protesting patriarchal society, it was suggested that they perhaps simultaneously desired a return to traditional sexual meanings.

The general population was virtually excluded from media coverage of the pornography issue, barely to be heard from within the articles. However, when individual Americans were given voice in the media coverage, they largely spoke as members of middle-class families concerned with pornography’s impact on their family. Their concern was commonly directed towards their children and the more vulnerable members of their family. The voices of the general public were overwhelmingly in the form of

²¹⁴ Ibid., 53.

²¹⁵ Ibid., 53.

²¹⁶ Ibid., 53.

²¹⁷ Ibid., 53.

mothers, looking to institutional authorities and asking them to do something about the smut that was infiltrating the tranquility of their homes.

Pornographers were mailing advertisements for their products that contained pictures of nudity and sexual acts to American homes. The public reacted to this with alarm and wrote letters to authorities, which were then published in some media articles in this period. Some letters, written to the President and the Postmaster General, were quoted, as in one letter from a mother in Boston, who stated that

This rot has been coming in the mail addressed to my seven-year-old daughter.... I pray to God something can be done, as the porno gets worse and worse. My daughter has opened the past two mailings – both from California – but this time I got to it first. I beg you, with all my heart, DO SOMETHING ABOUT THIS.²¹⁸

Another letter was written by a 64-year-old grandfather, who addressed concern over this material falling into the hands of the more vulnerable family members:

I can take this stuff, but I have grandchildren in and out of my house, and I also have a daughter who is a nun and visits home. How do you think I'd feel if any of them stumbled on this? If you think I'm narrow-minded, that's your privilege, but you have an obligation to your people to stop this flow of filth. At my age, I'm wondering what's happening to our country.²¹⁹

Thus, the general public, bounded within the frame of family, concretized the legitimacy of institutional authority by implicitly vesting them with the power to act on such moral concerns as pornography.

This power given to state authorities also took form in their ability to speak for the general public. Politicians and academics were represented as spokesmen for popular concerns. One politician stated that: "My mail from constituents who are very upset about the pornographic smut they receive through the mails has increased That stuff tears

²¹⁸ "Danger: Smut," 85.

²¹⁹ Ibid, 85.

my stomach to see.”²²⁰ Charles H. Keating, the most vociferous dissenter on the commission, decried that the majority report was “repugnant to the American people.”²²¹ And, he said, the report “flouts the underlying opinions and desires of the great mass of the American people.”²²² One police inspector in Washington stated that “the public really isn’t aware of this stuff. When I show them what’s on the newsstands, I get a helluva reaction.”²²³ This statement suggested the ignorance of the American people and in so doing justified state institutions as the leaders of society and the authority on social and moral issues, capable of making decisions for everyone because only they had complete information and knowledge.

However, while authority was vested in the institutions, responsibility was also put on the individual citizen to act against pornography, as well as ensure the healthy sexual development of their children. The President himself stated that the “[g]overnment can maintain the dikes against obscenity, but only people can turn back the tide.”²²⁴ And, while local authorities continued efforts against the spread of pornography, they demanded support from their citizens. One mayor complained that he had been trying to get his community “to demand that our laws [against pornography] be reinstated,” but his efforts had come to nought.²²⁵ Dr. Edward Greenspan, given legitimacy as both an “amiable, middle-aged psychiatrist” and as the commission’s “primary expert on children” put the onus on parents, but particularly the mother, to ensure their child’s healthy sexual development:

²²⁰ “Coming Crackdown on ‘Smut Peddlers,’” 85.

²²¹ “Odd Man In,” *Newsweek*, 21 September 1970, 44.

²²² “Is Smut Good for You?” 19.

²²³ “Pornography Goes Public,” 32.

²²⁴ “Pornography in U.S.,” 66.

²²⁵ “Pornography Goes Public,” 32.

Sex education ... must begin with parents. We must convince them, first, that their children are sexual beings. We can either help our children or we can send them underground for information. I wish that, instead of getting so uptight about pornography, more mothers would get concerned about the normal development of their child's understanding of his own sexuality.²²⁶

There are two possible interpretations of these remarks: one is that the mothers were the ones who should be taking care of their children and are responsible for their development and upbringing, and the second is that the mothers were the ones getting uptight about pornography. Furthermore, note that the child is male, which could be because boys were seen as needing guidance in their sexual development; girls either naturally develop properly, or they should not be developing sexually at all.

Conclusion

The 1960s was a decade of challenge and change to traditional notions of sexual mores in the United States. The 1970 report of the President's Commission on Obscenity and Pornography, a product of its time, recommended the eradication of legislation pertaining to sexual materials, and called for a massive sex education program for American youth. Indeed, the report seemed to suggest a victory over the prudery of the 1950s. However, the liberalism that infused the report was not unanimously accepted, and conservative commissioners adamantly opposed the majority report and its conclusions.

Print media articles surrounding the President's Commission on Obscenity and Pornography also typified this historical period, and an exploration of the portrayal of the commission and the debates that ensued reveal the assumptions that characterize this moment in time. The articles presented debates found within politics, science and the law.

²²⁶ "Danger: Smut," 178.

However, the presentation of voices revealed the construction of an idealized nation that vested authority in institutional power and subsumed others under the banner of state paternalism. Discussions of science and the law dominated, but these discussions nevertheless infused broader discourses of gender and the nation with legitimacy. The presentation of the pornography industry silenced female pornography performers, and women's groups were dismissed or ridiculed. The general public looked to institutional power to help stem the flow of smut that was threatening the stability of their middle-class homes, but politicians and other authorities were also given legitimacy as spokespersons for this public. Therefore, not only the issue of pornography, but also the broader construction of the nation, was placed in the hands of institutional authority.

The President's Commission on Obscenity and Pornography was rejected by President Nixon as symbolic of a liberal ethos that bred only immorality and perversion in American society. The federal pornography commission was discarded, only to resurface in another form under the Attorney General's Commission on Pornography in 1986.

Chapter Three: The Meese Commission: Pornography in the Service of Morality

American society and politics had taken a conservative turn in the 1980s, and many Americans sought a return to traditional morality and family values. The Republican emphasis on civic participation facilitated this development, and interest groups across the United States began to organize and take action on issues they deemed important. Pornography, which had become more pervasive and graphic since the 1970s, once again became a national issue as the Attorney General's Commission on Pornography was created to examine the presence on pornography in the United States. Based on conservative beliefs and antipornography feminist rhetoric, the commission deemed pornography a causal factor in the violence against women and children, and stressed civic participation in eradicating pornography.

The 1980s: Historical Context

The political and cultural landscape of the United States changed dramatically in the period following the release of the President's Commission on Obscenity and Pornography and prior to the Attorney General's Commission on Pornography. While a liberal ethos dominated American political life during the 1960s, by the 1980s these sensibilities had waned. The election of Ronald Reagan in 1980 signalled the political rise of the Moral Majority and the New Right, and ushered in a social agenda of national renewal.²²⁷ This conservatism changed the nature of political governance in the United States. As Charles W. Dunn and J. David Woodard suggest, “[t]he political success of Ronald Reagan supplanted the liberal and Democratic ethic of public supervision with

²²⁷ Charles W. Dunn and J. David Woodard, *The Conservative Tradition in America* (Maryland: Rowman and Littlefield Publishers, 1996), 6.

one emphasizing private and local initiatives.”²²⁸ However, growing concomitantly with this rise of conservative political power was the presence of different strands of feminism, which became increasingly vocal and public throughout the 1980s, and an activism from civil libertarians that forced issues of free speech and expression into the political discourses. Thus, while conservatives stressed values of tradition, morality, and local control, civil libertarians and feminists directly challenged the foundations upon which these assumptions rested, and questioned the normative values undergirding the conservative state.

Although put on the defensive by the liberalism of the 1960s, by 1980 purity advocates and conservative fundamentalists experienced a resurgence in membership and influence. The election of Ronald Reagan, who actively sought support of the New Right and the Moral Majority, complemented their foray into the political world. Indeed, as George Marsden argues, “[t]he Moral Majority rode the Reagan wave to success, a strategy apparent from their almost uncritical endorsement of the new president’s domestic and foreign policies. The Reagan administration, in turn, adopted some of the rhetoric of the religious Right.”²²⁹ The alliance between conservative religious groups and the Reagan administration brought the issue of pornography to the fore. Jerry Falwell, having created the Moral Majority in 1979, actively sought to intercede in politics, and the eradication of pornography was one focus of his “moral-political impulse.” Reacting against the secular humanism that he blamed for the degradation of American moral values, Falwell sought a resurgence of spirituality and a return to

²²⁸ Ibid., 6.

²²⁹ Marsden, *Understanding Fundamentalism*, 77.

traditional morality.²³⁰ And this campaign came at a fortuitous time in 1980, amassing over four million lay members disillusioned by the destabilization and radicalism of the two previous decades.²³¹ Reagan found support among this membership, as he campaigned for a similar moral rejuvenation in American society and specifically targeted sexuality as an indicator of national health. Reagan blamed pornography for debasing American families, morals and healthy sexuality.²³²

However, these purity crusaders worked amidst and against a highly sexualized society and culture by the 1980s. Not only had the pornography industry become a multi-billion dollar venture, but highly sexual imagery seemed to pervade every corner of American culture. D’Emilio and Freedman suggest, in fact, that “[f]rom the mid-1960s to the 1980s, as the liberal consensus disintegrated, the nation experienced perhaps the greatest transformation in sexuality it had ever witnessed.”²³³ Triple-X movie houses, bookstores openly selling “hard-core sex magazines and paperbacks without the literary pretensions or journalistic substance to which *Playboy* and its competitors aspired,” the advent of VCRs and adult home movies, and the introduction of cable television facilitated the spread of pornographic fare onto American streets and into American homes.²³⁴ While the 1960s had already witnessed an influx of these materials, by the 1980s they became even more available and visible.

Sexual imagery was not confined to the pornography industry, however, as mainstream culture became even more inclined towards visual titillation. The developments in the 1960s in movies and advertising continued well after the sexual

²³⁰ Ibid., 106-108.

²³¹ D’Emilio and Freedman, *Intimate Matters*, 349.

²³² Ibid., 344-345.

²³³ Ibid., 327.

²³⁴ Ibid., 327-328.

revolutions had waned. Newspapers and magazines carried advertisements that “featured pre-pubescent girls in flirtatious poses,” while music albums enticed consumers with “sexually suggestive” covers.²³⁵ Americans coming home from a day’s work found relaxation in front of a television offering sexy game show girls or situation comedies based on the adventures of obtaining sex.²³⁶ The sex-advice columns of Ann Landers and Dear Abby accompanied the morning coffee, while Dr. Ruth offered explicit sexual advice on American radios.²³⁷ Indeed, by the 1980s the United States had seemingly become obsessed with sex, and offered much fodder for conservative groups.

The sexual experimentation that had characterized the 1960s and 1970s was, by the 1980s, restricted by a state-sanctioned emphasis on family stability and traditional morality. The boundaries of the nation tightened their reigns to even further exclude presumed deviant sexualities and identities that were seen as destroying the moral fabric of the American nation. However, a concomitant sexualization of society challenged official rhetoric, and alarmed many conservatives. The pornography industry was growing and moving out of the dark alleys and back streets, and mainstream media and advertisers were increasingly profiting from sexual imagery. The political and social conservatism clashed with a cultural sexual liberalism, and this tension characterized American society throughout the 1980s.

And indeed, these transformations and tensions infused the debate on pornography and changed the terms of the discourses. The official narrative located the dangers of pornography in violence against women and children, and thus against the foundations of the nuclear family, whose stability was necessary to the health of the

²³⁵ Ibid., 329.

²³⁶ Ibid., 329.

²³⁷ Ibid., 329.

nation. Reacting to the increasing sexualization of mass media and culture, this discourse conflated all sexual imagery with dangerous pornography, which was seen as a poison that would erode all the values that conservatives cherished. Not only did it destroy individual privacy, it also led to the downfall of monogamy and the eventual collapse of American society, through increased divorce and decreased morality. Thus, the conservative economic rhetoric of free market paradoxically created fear of what this free market would bring, and was coupled with increased intervention in American social life.²³⁸

Radical feminist voices interceded on the issue of pornography and offered a new view of pornography that culminated in the increasing challenge of what they considered to be the patriarchal foundations of the modern American state. The pornography debate in the late 1960s and early 1970s pitted liberals against conservatives, the former advocating the right to free speech and expression, the latter condemning pornography on the basis of its corruption of community morality. As the earlier discussions of the President's Commission on Obscenity and Pornography demonstrate, the debates were predominantly framed by the two central issues of effects and regulation. While the second wave of the feminist movement gained momentum in the mid-1960s, it did not intercede in the pornography issue until the mid-1970s. Six hundred charter members announced the creation of the National Organization of Women in 1966, but it was not

²³⁸ Conservatives disliked government interference and wanted "local communities [to] solve their own problems." Dunn and Woodard, *The Conservative Tradition*, 11. They also disliked government interference in the market. However, these priorities clashed with their belief that government should act to rectify moral decay. See *Ibid.*, chapter 1. Furthermore, D'Emilio and Freedman argue that "[d]espite their rhetorical opposition of big government, conservatives were prepared to sanction state intervention in issues of sexual morality and family life." D'Emilio and Freedman, *Intimate Matters*, 349.

until ten years later that Women Against Pornography was formed.²³⁹ Their foray into the pornography debate radically influenced the terms of the debate, as it shifted even more towards the theme of harm against women.²⁴⁰

However, the feminist movement was not a homogenous entity, and by the early 1980s an incommensurable split occurred, creating a strict division on the issue of pornography. In April 1982, the annual Barnard Conference erupted in a confrontation that pitted antipornography feminists against anticensorship feminists. This division characterized feminist politics throughout the decade.²⁴¹ Antipornography feminists were represented by individuals such as Andrea Dworkin, Catharine MacKinnon, Robin Morgan and Susan Brownmiller, who challenged the First Amendment's protection of pornography by claiming that pornography was inherently censorship itself because it actively silenced women. It desensitized men to harms against women, increased aggression, and propagated and encouraged woman-hating. Laura Lederer, editor of the antipornography compilation *Take Back the Night*, outlined the important feminist incursion into the pornography debate:

Until recently there have been only two sides to the pornography issue: the conservative approach, which argues that pornography is immoral because it exposes the human body; and the liberal approach, which presents pornography as just one more aspect of our ever-expanding human sexuality. This book presents a third and feminist perspective: That pornography is the ideology of a culture which promotes and condones rape, woman-battering, and other crimes of violence against women.²⁴²

²³⁹ Nan D. Hunter, "Contextualizing the Sexuality Debates: A Chronology," in Lisa Duggan and Nan D. Hunter, eds., *Sex Wars: Sexual Dissent and Political Culture* (New York: Routledge, 1995), 16.

²⁴⁰ There are a number of studies that follow the progression of feminist incursions into the pornography debate, including Michael S. Kimmel, "Introduction: Guilty Pleasures – Pornography in Men's Lives," in Kimmel, ed., *Men Confront Pornography* (New York: Penguin Books, 1991), 1-23; Lynne Segal and Mary McIntosh, eds., *Sex Exposed; Downs, The New Politics of Pornography*, to name only a few.

²⁴¹ Betty-Carol Sellen and Patricia A. Young, *Feminists, Pornography, and the Law: An Annotated Bibliography of the Conflict, 1970-1986* (Connecticut: Library Professional Publications, 1987), 3; Hunter, "Contextualizing the Sexuality Debates," 25.

²⁴² Laura Lederer, "Introduction by Laura Lederer," in Laura Lederer, ed., *Take Back the Night: Women on Pornography* (New York: William Morrow and Company), 1980, 19-20.

Thus, unlike socialist feminists who argued that pornography was a product of sexism in society, antipornography feminists located sexism within pornography itself.²⁴³

Confronting the claims of FACT and other opponents of the antipornography feminists,

Susan Brownmiller proclaimed that:

[t]here can be no 'equality' in porn, no female equivalent, no turning of the tables in the name of bawdy fun. Pornography, like rape, is a male invention, designed to dehumanize women, to reduce the female to an object of sexual access, not to free sensuality from moralistic or parental inhibition. The staple of porn will always be the naked female body, breasts and genitals exposed, because as man devised it, her naked body is the female's 'shame,' her private parts the private property of man, while his are the ancient, holy, universal, patriarchal instrument of his power, his rule by force over her. Pornography is the undiluted essence of anti-female propaganda.²⁴⁴

While the WAP headquarters served as a resource and support center for battered women and rape victims, antipornography feminists also forced their way into the political world.

Andrea Dworkin and Catharine MacKinnon, two of the most active figures in the antipornography feminist movement, politicized pornography by arguing that pornography and power are mutually-constituting entities. MacKinnon explained that

[o]nce power constructs social reality, as ... pornography constructs the social reality of gender, the force behind sexism, the subordination in gender inequality, is made invisible; dissent from it becomes inaudible as well as rare. What a woman is, is defined in pornographic terms; this is what pornography *does*. If the law then looks neutrally on the reality of gender so produced, the harm that has been done *will not be perceptible as harm*. It becomes just the way things are. Refusing to look at what has been done substantively institutionalizes inequality in law and makes it look just like principle.²⁴⁵

²⁴³ Michael S. Kimmel offers a succinct discussion of the different views of feminists on pornography in Kimmel, "Pornography in Men's Lives."

²⁴⁴ Susan Brownmiller, "Excerpt on Pornography from *Against Our Will: Men, Women and Rape*," in Laura Lederer, ed., *Take Back the Night*, 32.

²⁴⁵ Catharine MacKinnon, "'Francis Biddle's Sister: Pornography: Civil Rights, and Speech,'" in Susan Dwyer, *The Problem of Pornography* (California: Wadsworth Pub. Co., 1995), 55.

MacKinnon argued that the construction of women in pornography is supported by law and the official rhetoric of freedom and equality.²⁴⁶ Dworkin and MacKinnon sought new strategies with which to attack pornography, and devised a civil ordinance through which women could charge pornographers on the basis of the abrogation of their civil rights.²⁴⁷

These feminist antipornography incursions into the debate came at a fortuitous time for the movement, as politics had itself taken a conservative turn and the New Right harboured strong antipornography sentiments. Donald Alexander Downs, in *The New Politics of Pornography*, looks at the alliance between antipornography feminists and the New Right, and suggests that this created a “new politics of pornography”:

Efforts to censor sexual materials in previous decades had been dominated by conservative forces, but now radical feminists, usually considered part of the Left, were leading a call for censorship. The new politics of pornography soon forged unusual alliances between the Right and Left in a revived challenge to the availability of sexually explicit materials.²⁴⁸

And indeed, the Attorney General's Commission on Pornography appropriated the theories of antipornography feminists, fusing them to their conservative ideology.²⁴⁹

However, represented by the creation of the Feminist Anti-Censorship Taskforce (FACT) in 1984 and joining alliance with the ACLU, anticensorship feminists such as Lisa Duggan, Barbara Ehrenreich, and Nadine Strossen espoused a liberal concern for freedom of expression.²⁵⁰ Strossen, a feminist and leading member of the ACLU, admonished antipornography feminists for supporting a conservative cause that

²⁴⁶ A more detailed argument is presented in Catharine MacKinnon, *Only Words* (Cambridge, Massachusetts: Harvard University Press, 1993). Judith Butler also offers a good analysis of MacKinnon's arguments, along with a sophisticated challenge to her linking of pornography with hate speech in Butler, *Excitable Speech*, especially on pages 63-68, 82-86, 92-95.

²⁴⁷ For a discussion of the civil rights ordinances, see Downs, *The New Politics of Pornography*; and Catharine MacKinnon and Andrea Dworkin, eds., *In Harm's Way: The Pornography Civil Rights Hearing* (Cambridge, Massachusetts: Harvard University Press, 1997).

²⁴⁸ Downs, *The New Politics of Pornography*, xiii.

²⁴⁹ *Ibid.*, 2.

²⁵⁰ Hunter, “Contextualizing the Sexuality Debates,” 25.

advocated a return to tradition in which women remained subordinate.²⁵¹ Anticensorship feminists further claimed that pornography offered positive benefits and was a “vital element in a woman’s reclaiming of a vital sexuality.”²⁵² Fusing feminist arguments with those of free expression, they contended that

In the women’s rights context, freedom of speech consistently has been the strongest weapon for countering misogynistic discrimination and violence, and censorship consistently has been a potent tool for curbing women’s rights and interests. Freedom of sexually oriented expression is integrally connected with women’s freedom, since women traditionally have been straitjacketed precisely in the sexual domain.²⁵³

Thus, the issue was both women’s rights and freedom of expression, and anticensorship feminists claimed that this interconnection was vital.

Furthermore, they claimed, antipornography feminists and their fundamentalist brothers mistakenly defined pornography as speech in an effort to justify their campaign of censoring ‘sexpression.’ Indeed, Strossen argued that they erroneously relied on the “use of the stigmatizing term ‘pornography’ to condemn an increasingly broad range of sexual expression, extending far beyond the scope of constitutionally unprotected obscenity to encompass virtually all sexual imagery.”²⁵⁴ Antipornography feminists, then, were not advocating ‘feminism,’ but rather a return to the feminine ideal. For, anticensorship feminists remarked, “[h]istory shows that when women’s rights advocates form alliances with conservatives over an issue such as pornography, prostitution, or temperance, they promote the conservative antifeminist goals, relegating women to traditional sexual and gender roles.”²⁵⁵ The ACLU and the anticensorship feminists

²⁵¹ Nadine Strossen, *Defending Pornography: Free Speech, Sex, and the Fight for Women’s Rights* (New York: New York University Press, 2000), 12.

²⁵² Kimmel, “Pornography in Men’s Lives,” 18.

²⁵³ Strossen, *Defending Pornography*, 30.

²⁵⁴ *Ibid.*, 91.

²⁵⁵ *Ibid.*, 91.

continued to battle the influential antipornography feminists on these terms, despite the increasing success of the latter's rhetoric in a political world dominated by Reagan and his conservative allies.

Appropriating the rhetoric of equal civil rights, radical feminists, led by Dworkin and MacKinnon, framed the issue of pornography as an attack on the civil rights of women. While the official conservative rhetoric elevated local and private groups to the responsibility of regulating social conduct and cultural values, however, it simultaneously sought to subsume these groups under an idealized notion of American society. Thus, while radical feminists were indeed given voice, their roles as 'women' were given primacy, and therefore served to delegitimize their claims and the challenge they offered to prescribed norms. In a time of increasing public discourses that challenged the idealized structure of American culture, politics and society, the boundaries of the nation remained confined to middle-class morality and values of family, tradition and heteronormativity. It was in this historical context that the Attorney General's Commission on Pornography was created.

The Attorney General's Commission on Pornography (The Meese Commission)

The Meese Commission was created in February 1985 "at the specific request of President Ronald Reagan"²⁵⁶ and worked under the aegis of the Attorney General and the Justice Department. From the start the commission was driven by legal concerns, and concentrated heavily on law enforcement. Reagan, who raised the issue of sexuality and the dangers of pornography throughout his electoral platform of 1984, sought to implement his program of moral rejuvenation, and creating a commission to target

²⁵⁶ United States, Attorney General's Commission on Pornography, *Final Report*, v. 1, (Washington, D.C.: U.S. Department of Justice), 215.

pornography was one step in this campaign. The commission seemed a direct response and challenge to the 1970 pornography commission report. While the earlier commission relied heavily on social science evidence and considered the positive benefits of sexuality, the later commission was infused with a moralizing tendency befitting the contemporary climate. The commission report concluded that pornography was a moral evil. It appropriated feminist antipornography rhetoric to justify its decisions, and focused on the harms against women, children, and vulnerable members of society. It conflated all sexual materials under the banner of immorality and perversion, and called for the eradication of smut in American society. The commission report was indeed a product of the conservative climate undergirding the American state in the 1980s, and was a reaction against the rampant sexual imagery and the sexualization of contemporary society.

The Meese Commission was given a much smaller budget and only 6 months to recommend constitutional ways to stem the flow of pornography in the United States. The commission consisted of seven men and four women. Like the earlier commission, most of its members represented institutions of law or science, and two of its members came from organized religion. Its mandate was to “determine the nature, extent, and impact on society of pornography in the United States, and to make specific recommendations to the Attorney General concerning more effective ways in which the spread of pornography could be contained, consistent with constitutional guarantees.”²⁵⁷

Furthermore, it was to

study ... the dimensions of the problem of pornography; ... review the available empirical evidence on the relationship between exposure to pornography materials and antisocial behavior; ... explore possible roles and initiatives that the Department of Justice and agencies of local, State, and federal government

²⁵⁷ Ibid., 215.

could pursue in controlling, consistent with constitutional guarantees, the product and distribution of pornography.²⁵⁸

Like the earlier commission, the Meese Commission conceded that “questions of terminology and definition have been recurring problems.”²⁵⁹ However, while it recognized these problems, it consistently conflated the terms throughout the report. It attempted to differentiate between four categories of sexually explicit material: “sexually violent material,” “non-violent materials depicting degradation, domination, subordination, or humiliation,” “non-violent and non-degrading materials,” and “nudity.”²⁶⁰ However, even with the tamest category of mere ‘nudity,’ the commission’s majority report concluded that “[t]here may be instances in which portrayals of nudity in an undeniably sexual context, even if there is no suggestion of sexual activity, will generate many of the same issues discussed in the previous sections.”²⁶¹ This conflation justified actions against producers of tamer pornographic fare, and allowed the commission to target materials that the report had at times somewhat legitimized. Indeed, in tune with its antipornography bent, the commission wrote a letter to convenience stores selling *Playboy*, *Penthouse*, and other magazines of their ilk, warning them that failure to take the magazines off their shelves would result in their inclusion on the list of pornography purveyors. The letter was later rescinded as a result of a lawsuit by the Playboy Foundation, but this incident reveals the commission’s antipornography objectives.

While the commission called on scientific experts and evidence, it felt confident enough to draw conclusions about the effects of pornography based on the

²⁵⁸ Ibid., 215-216.

²⁵⁹ Ibid., 227.

²⁶⁰ Ibid., 323-349.

²⁶¹ Ibid., 347.

commissioners' own 'common sense.' It relied more heavily on testimony of personal experiences from 'victims' of pornography, law enforcement officials, antipornography feminists and the beliefs of clinical professionals. Furthermore, the report distinguished between "primary and secondary harms."²⁶² While primary harms were intrinsic, such as rape and murder, secondary harms were construed "in the sense that the concern is not with what the act *is*, but where it will lead," and thus did not rely on scientific evidence as did the 1970 commission.²⁶³ In fact, the report criticized the notion of 'conclusive' evidence, and stated that

[w]henever a causal question is even worth asking, there will never be *conclusive* proof that such a causal connection exists, if 'conclusive' means that no other possibility exists. We note that frequently, and all too often, the claim that there is no 'conclusive' proof is a claim made by someone who disagrees with the implications of the conclusion.²⁶⁴

The commissioners "reject[ed] the suggestion that a casual link must be proved 'conclusively' before we can identify a harm."²⁶⁵ This qualification facilitated their conclusions "that some forms of sexually explicit material bear a causal relationship both to sexual violence and to sex discrimination."²⁶⁶ Unlike the 1970 report, the Meese Commission proclaimed a direct link between the consumption of pornography and antisocial and deviant behaviour, including violence against women and children.

The report, released in 1986, called for stronger sentences and confiscatory powers against pornographers and pornographic materials. Although the commissioners were unpersuaded by the arguments of those who believe "that pornography should not

²⁶² Ibid., 303

²⁶³ Ibid., 304

²⁶⁴ Ibid., 306-307

²⁶⁵ Ibid., 307.

²⁶⁶ Ibid., 309.

be regulated by law”²⁶⁷ and made 93 recommendations to stem the flood of pornography, the commission did not propose significant changes to already existing legislation. Rather, it criticized the lack of enforcement of these already-existing laws, pointing fingers at law enforcement and judges, as well as the lack of public protest against pornography. Indeed, many of its 93 recommendations focused on increased law enforcement and prosecution. However, a large portion of the report, including 49 of the 93 recommendations, was also dedicated to child pornography. And while the commissioners did not explicitly advocate censorship in abrogation of First Amendment rights, it did outline a detailed recipe of civic action that could, and should, be implemented to stop the flood of smut in American society.

The Meese report painted a grim picture of pornography in the United States and suggested that pornography fuelled violence and danger. Furthermore, the report focused on graphic, explicit and violent sexual materials, and its presentation suggested that these forms of pornography were ubiquitous. Filling a portion of its almost 2000 pages with detailed excerpts of pornographic novels and films, as well as explicit descriptions of pornographic images found in magazines, the report also offered a comprehensive bibliography of adult movies, magazines, and titles of pornographic novels.

Two dissenting members, Ellen Levine and Judith Becker, suggested that the commission had focused on the most vulgar material at the exclusion of tamer forms of sexually explicit materials, and thus argued that the majority report could not be taken as a definitive look at the pornography issue. Like the President's Commission on Obscenity and Pornography, the Meese Commission included individual statements by commissioners, of which Levine and Becker's offered the most disagreement with the

²⁶⁷ Ibid., 355.

majority report. Indeed, they charged that the commission was inherently flawed by limitations that could not be ignored, and stated that “the Commission’s methods themselves have hindered the adequate pursuit of information.”²⁶⁸

First, they claimed that the reliance on witness testimony, on which the commission heavily relied for its conclusions,

naturally inhibit[ed] a frank and full discussion of a subject as personal, private and emotionally volatile as the consumption of pornography.... To find people willing to acknowledge their personal consumption of erotic and pornographic materials and comment favorably in public about their use [was] nearly impossible.²⁶⁹

Second, they charged that the limitations of financial resources and time left the project unfinished and prevented a full study of pornography and its effects.²⁷⁰ Third, they criticized the overemphasis on legal issues surrounding pornography and the concentration on law enforcement, and suggested that viewing pornography as a “health and welfare” issue would be more productive.²⁷¹ Fourth, they admonished the commission for concentrating almost solely on “very violent and extremely degrading” sexual materials to the omission of “most of the pornographic and obscene material in the market.”²⁷² Fifth, they claimed that the failure to properly define terms such as ‘pornography,’ ‘erotica,’ and ‘antisocial behavior’ prevented rational discussion and consensus. Sixth, they revealed that only the issue of child pornography was given proper time and focus.²⁷³ And, they argued that the commission had misused social science

²⁶⁸ *Final Report of the Attorney General’s Commission on Pornography* (Nashville, Tennessee: Rutledge Hill Press, 1986), 541. For their full statement, see 540-546.

²⁶⁹ *Ibid.*, 541.

²⁷⁰ *Ibid.*, 541.

²⁷¹ *Ibid.*, 541.

²⁷² *Ibid.*, 542.

²⁷³ *Ibid.*, 542-543.

evidence to fit its conclusions.²⁷⁴ Levine and Becker, then, disagreed with much of the commission's process, objectives, focus and conclusions. Like the earlier commission, the Meese Commission was characterized by a lack of consensus on numerous and important issues.

The Meese Commission was created by President Reagan in an effort to curtail the spread of pornography. Born in a time of increasing conservatism amidst a growing sexualization of American society and culture, the commission advocated the elimination of smut and recommended that obscenity laws be enforced and strictly applied. Concentrating on the most violent and degrading forms of pornography, it claimed that there was indeed a direct causal link between pornography and sexual violence and antisocial behaviour. Furthermore, it called on local groups to actively prevent the existence of pornography in their communities. Pornography was a moral evil and a social harm, and responsibility was largely placed on American citizens to prevent the degradation and decay of society brought on by sexual materials.

²⁷⁴ Ibid., 543-544.

Chapter Four: The Oral Majority: Confronting Pornography in the 1980s

By the 1980s, the pornography issue and its related commission received more media coverage than in the earlier period, and the emphasis had shifted towards local participation and involvement. Although the pornography issue presented by the Meese Commission centered largely on legal restrictions to pornography, both the commission and media attention looked to community interest groups to participate in stemming the flood of sexual materials. However, over and above a discussion on pornography was a dialogue that continued to construct an ideal social and political hierarchy in the United States on issues of normative identities and sexuality.

Institutions of science and the law continued to dominate discussions on pornography, but the rise of interest groups such as the Moral Majority and various feminist groups added to the debates and changed the terms of the discourse. An emphasis on the victimization of women and children underlined much of the discussions, while the absence of female pornography performers in the media coverage silenced any challenge to the notion that the industry itself was based on the abuse and forced participation of vulnerable women. Conservative groups were portrayed as moral leaders in the pornography issue, voicing the importance of individual action based on traditional mores and sexual propriety against an increasingly sexualized society. Feminist groups, especially anticensorship and antipornography feminists, received some media coverage, but were nevertheless prescribed to the periphery of the larger discussions. And the voices of the general population reiterated the importance of

middle-class values on the nuclear family as a way to preserve normative sexualities and healthy identities.

Visibility and Placement of Articles

The increasing pervasiveness of sexual imagery in American society, the growth of the pornography industry, as well as the changing nature of the reactions to these shifts in the 1980s led to more priority given to the issue of pornography in print media. Both *Newsweek* and *Time* featured pornography as a major cover story. The former included on the cover a morbid image of the bottom part of a woman, her ankles encased in rope above her stiletto heel-adorned feet; a somewhat humorous cartoon depiction of a censor, a judge and a bible-thumper charged out of the cover of the latter.²⁷⁵ And while *The Nation* displayed a satiric article by Kurt Vonnegut on the Meese Commission and a lengthy summation of the commission's weakness and oversights on its cover,²⁷⁶ *Christianity Today* dedicated its entire 7 March 1986 cover to "Pornography: The Human Tragedy," featuring a demure woman sitting on a bed with her back to the camera.²⁷⁷ *New York Times* twice gave front page space to the pornography issue in 1986, although neither was accompanied by images for increased visibility.²⁷⁸ *U.S. News and World Report* deemed the issue of pornography important enough to put on its cover, but, like in the earlier period, this appeared as the smallest and last heading.²⁷⁹ While pornography

²⁷⁵ Aric Press et al., "The War against Pornography – Feminists, Free Speech and the Law," *Newsweek*, 18 March 1985; Richard Stengel, "Sex Busters," *Time*, 21 July 1986.

²⁷⁶ Kurt Vonnegut, "God Bless You, Edwin Meese!" *The Nation*, 25 January 1986; "Porn in the U.S.A.: The Meese Commission on the Road," *The Nation*, 2-9 August 1986.

²⁷⁷ Tom Minnery, "Pornography: The Human Tragedy," *Christianity Today*, 7 March 1986.

²⁷⁸ Daniel Goleman, "Researchers Dispute Pornography Report on its Use of Data," *New York Times*, 17 May 1986; Robert Pear, "Panel Calls on Citizens to Wage National Assault on Pornography," *New York Times*, 10 July 1986.

²⁷⁹ Joseph L. Galloway and Jeannye Thornton, "Crackdown on Pornography – A No-Win Battle," *U.S. News and World Report*, 4 June 1984.

seldom figured explicitly as the topic of cover stories, the period in which the Meese Commission carried out its work was marked by a noticeable change in both the quantity and quality of coverage.

The covers that featured illustrations reveal the use of the commercial power of pornography to entice readers. *Newsweek* and *Christianity Today* portrayed the same notions of gender and power that were conveyed through the pornography they sought to denounce. Featuring women in a position of subservience and powerlessness, they displayed women in much the same style as the pornographic publications they admonished. Women, imprisoned and demure, caught within the bounds of their own female sexuality, were presented as bodies to which ideas of the erotic were applied. While these images were supposedly presented in order to exemplify the pornographic images to which they applied moral judgments, in so doing these publications took on the same characteristics of the pornographic. Thus pornography became a subject that could be both commented upon and deployed, expressing normative morality while offering the consumption of the erotic.

The differences in the importance given to, and the characterization of, the issue of pornography between the two commissions are also revealed by an exploration of the placement of articles within the publications. In general, articles were given more prominence in this later period.²⁸⁰ The greater visibility in the 1980s relative to the earlier period is suggestive, as it highlights the evolving nature of the perception of pornography

²⁸⁰ However, there were still articles on pornography that did not get featured in the table of contents. *Time*, for example, did not list two articles in its table of contents, in its 21 April 1986 and 26 May 1986 issues. Also, at times the articles were given low priority, such as being listed 13th in the October 1985 issue of *Ladies Home Journal*, and being placed near the bottom of a section in 14 July 1986 edition of *Newsweek* (4th article in its 'National Affairs' section), and in 2 issues of *Christianity Today*: 3rd out of 5 articles in the 'News' section of 18 October 1985 and 2nd out of 4 articles in the 'News' section of 19 September 1986.

in the print media. Moreover, the coverage of pornography-related topics appeared in the more serious sections of many magazines, such as 'National Affairs' in *Newsweek*, 'Currents' in *U.S. News and World Report* and 'Nation' in *Time*, suggesting a shift in both the characterization and growing priority given to the pornography issue by the public and the media in the 1980s.²⁸¹

Furthermore, in the mid-1980s, articles on pornography were in closer proximity to a growing number of articles that took the issue outside of its prior characterization of a 'social ill with no solution,' and placed it in a more politicized sphere. While they could still be found among articles on neighbourhoods, problematic dogs, and domestic race relations, they could also be found near such articles on South Africa and American relations with the Soviet Union. Noteworthy, however, were the articles that spoke more to the growing radical feminist movement, and focused on such individuals as Andrea Dworkin. These were most often placed in such sections as, for example, the 'style and relationship' page of *New York Times*, thus serving to depoliticize the feminist movement and its leaders.²⁸²

Analysis of articles

Characterising the debates on pornography emanating from the Attorney General's Commission on Pornography was the presence of numerous groups advocating their own ideologies, and an array of competing arguments that rarely argued on the same terms. However, the voices heard in the articles surrounding the Meese Commission and

²⁸¹ See, for example, *Newsweek*, 28 April 1986 and 21 July 1986; *U.S. News and World Report*, 21 July 1986; *U.S. News and World Report*, 3 November 1986; *Time*, 26 May 1986 and 21 July 1986. While there was a similar shift in the *New York Times* during this period, there were some articles that nevertheless continued to appear in the more insipid sections such as 'Births and Deaths' and 'Style and Relationship.'

²⁸² "Joining Hands in the Fight Against Pornography," *New York Times*, 26 August 1986, B7.

its report presented this diverse and divisive collection of commentators, albeit within an overarching prescription of normative values and roles. Unlike in the late 1960s and early 1970s, public policy in this period could no longer ignore the presence of different subcommunities. The heightened public presence of these groups, along with the increased emphasis on civic and local action, necessitated their inclusion in the articles on pornography in order to maintain the rhetoric of neutrality and balance on which the success of American media relied. However, the nature of the presentations, and the different levels of authority and legitimacy assigned to each group, suggests that the propagation of middle-class morality and values continued to dominate the discourses surrounding pornography in this period.

The debates within the institutions of science shared similarities with those characterizing the earlier period, and they were given the same prominence and legitimacy. However, a new strand of pseudoscientific discourse, centering on the benefits of pornography and fantasy, infused the discussion with a sexualized edge. Nevertheless, this consumption of pornography and the sexual experimentation of fantasy, while they offered women a sense of their own sexual freedom, were confined to a heterosexual union based on monogamy. Pornography regulation also shared similarities with the legal discussions surrounding the President's Commission on Obscenity and Pornography, but this period was further characterized by a heightened sense of civic and individual action on the issue of pornography, thus eschewing possibly contentious challenges to First Amendment rights. Indeed, much of the focus in this period was directed towards the public and the public interest. This necessitated

confronting the rise of interest groups that challenged the official status quo. In particular it demanded that the terms of the pornography debate take account of feminist arguments.

However, the nature of the media portrayals of feminists characterized them in such a way as to separate them from the overall discussions. While antipornography feminists did receive media attention in this period, the views of anticensorship feminists were rarely found within these publications. And, by simplifying the arguments of radical antipornography feminists, their views were shorn of depth and portrayed as irrational and overly emotional. Thus, the views of these women were subordinated under the more 'rational' discussions emanating from the institutions of science and law.

Definition

While antipornography feminists offered one view of pornography, an ongoing and defining characteristic of the discourses was the myriad ways in which various commentators constructed the nature of pornography. The confusion, ambiguity and incommensurability of different definitions informed the discussions surrounding both the President's Commission on Obscenity and Pornography and the Meese Commission, and made consensus on broader issues impossible. However, the heterogeneous definitions allowed these commentators to frame pornography in such a way as to support and legitimize their arguments for or against certain forms of pornography. The 1986 commission report itself identified four different categories of pornography, differentiating between varying degrees of explicitness and violence found therein. While it claimed to differentiate between them, in the end these distinct categories were often conflated. Thus, the recommendations it offered to combat pornographic materials, and the characteristics ascribed to the most violent forms of pornography, could easily be

ascribed to all sexual imagery. Men's magazines such as *Playboy* and *Penthouse*, materials that the commission had at times characterized as safe and within the bounds of the acceptable, were later equated with the more violent, hard-core pornography that the commission deemed unhealthy, dangerous and inappropriate. One commission member proclaimed that "Playboy has published the healthiest nude sexy pictures in America. It should have a larger share of the sex picture market. The commission's factual findings suggest that there ought to be more Playboy-like nudes available in our society and fewer X-rated slasher films."²⁸³ While rhetorically distancing *Playboy* from the label of the obscene, the commission simultaneously contradicted this claim by sending a letter of warning to stores selling the magazine that they were targeted as purveyors of pornography.²⁸⁴

These contradictions and indeterminacy over the definition of pornography also characterized the articles on pornography in the American print media. Many commentators, while eschewing a concrete definition, and even failing to make clear what form of pornography they were referring to, defined pornography on the basis of the changes that had occurred since the 1970s in both the industry and the material. Despite the lack of consensus, one dominant uniting factor was the need to protect women, children and youth.

Many commentators spoke of the changes in pornographic content and explicitness, and in so doing dismissed the 1970 commission as inapplicable to the contemporary context. Pornography was no longer the 'tame' variation of earlier, safer

²⁸³ "Playboy and Justice Dept. Trying to Settle Lawsuit," *New York Times*, 8 November 1986, 50.

²⁸⁴ This is known as the Sears letter, named after the commission's executive director Alan Sears, who penned the letter.

days. “Pornography is no longer downtown. It’s downstairs,”²⁸⁵ and it is no longer “a dirty book under Daddy’s mattress.”²⁸⁶ Pornography was now more violent and graphic, and thus new studies, discussions, and actions were needed to combat the dangerously changing materials. Researchers commented that materials “depicting bondage and domination of women, though rare in 1970, increased markedly over the decade.”²⁸⁷ Some estimated that “5 to 30 percent of the work ... is what is known as ‘the eroticization of violence.’”²⁸⁸ Others estimated higher, finding violent themes in more mainstream publications such as *Playboy* and *Penthouse*. Neil Malamuth, a social scientist vociferously opposed to pornography, found “it interesting that *Penthouse* calls this the ‘new magazine of contemporary man.’ What it shows on its pages is either violence, women’s bodies, or a fusion of both.”²⁸⁹ And while the American population still regarded pornography with disdain, pornography had infiltrated the private lives of individuals regardless of their attempts to ignore it: “it’s not that people today have a greater desire to view pornography, but that porn is more available, and there’s more freedom to look at it.”²⁹⁰

Changes in pornography necessitated a reconsideration of the conclusions of the 1970 commission, as “[t]he meaning of ‘hard core’ has changed, at least in the United States. The boundaries have expanded. The term now embraces urination on children, Nazi sadomasochism and oral sex with goats.”²⁹¹ Publications graphically described the

²⁸⁵ “Crackdown on Pornography: A No-Win Battle,” 84-85.

²⁸⁶ “The War Against Pornography,” *Newsweek*, 18 March 1984, 58.

²⁸⁷ Hillary Johnson, “Violence Against Women – Is Porn to Blame?” *Vogue*, September 1985, 678.

²⁸⁸ “The War Against Pornography.”

²⁸⁹ “Violence Against Women,” 679, 750.

²⁹⁰ Beth Charles, “The Pornography Explosion,” *Ladies Home Journal*, October 1985, 162

²⁹¹ “The War Against Pornography,” 61.

new forms of pornography, and almost gleefully offered explicit definitions. *Newsweek* contended that

[i]n addition to the gynaecological photograph known as 'beaver shots,' the standard categories include films and magazines devoted to group sex, oral sex, anal sex, gay and lesbian sex, sex with pregnant women, sex with crippled women, bestiality, child porn and sadomasochism. S&M in turn has its own peculiar racial subcategories, including black women bound and struggling against their tormentors, [and] Asian women bound and hung from various objects.²⁹²

President Reagan, who called for the creation of the Attorney General's Commission on Pornography, justified the need to rethink the conclusions of the 1970 commission: "I think the evidence has come out since that time, plus the tendency of pornography to become more extreme, shows that it is time to take a new look at this conclusion."²⁹³

In many of the discussions emanating from this period, pornography was simply used as an ambiguous umbrella term that encompassed all forms of sexual representations. This allowed commentators to equate the amorphous term 'pornography' with violent pornography and sexual materials depicting children. Indeed, pornography was typically defined in these terms and the focus was largely on the harm done to women and children. According to Dr. Judith Reisman, a principal researcher at The American University who examined the contents of *Playboy*, *Penthouse* and *Hustler* under the auspices of the US Justice Department, harmful imagery was everywhere.²⁹⁴ She and others challenged the notion that these more mainstream publications must be separated from the more extreme sexual images, as she "found that from the first issue of *Playboy* in 1954, children in cartoons (or photographs of adults dressed to suggest older

²⁹² Ibid.

²⁹³ "Child Pornography Law Enacted," *New York Times*, 22 May 1984, A20; Walter Goodman, "Battle on Pornography Spurred by New Tactics," *New York Times*, 3 July 1984.

²⁹⁴ For this report, see Judith A. Reisman, *Images of Children, Crime and Violence in Playboy, Penthouse, and Hustler* (Lafayette, La.: Huntington House, Inc., 1987).

children) have appeared in sexual contact with adults, and the frequency and intensity of these contacts have increased through the years.”²⁹⁵ “New research” was summoned to indicate that “[p]ornography materials frequently depict women and children as ‘willing’ victims.”²⁹⁶ And the advent of home video inspired fear of possible abuse of new technologies. As one legislator exclaimed, “[o]ne of the things we are worried about in home video is people getting children and making their own films. This has increased tremendously in the last year.”²⁹⁷ Assistant Attorney General Lois Herrington exemplified the conflation of pornography with the abuse of women and children in her definition of pornography, stating that “[i]t can be a crime committed against children. It can be the depiction of women as sexual objects to be used, abused and tossed aside. It can be an anesthetic, desensitizing people to violence and sexual deviance in society. Pornography victimizes both those whose abuse it depicts and those whose abuse it provokes.”²⁹⁸ This definition, whose malleability and vagueness characterized the majority of the definitions of pornography, simply equated pornography with victimization and abuse.

Thus, the terms of the debates remained undefined, and a marked characteristic of this period – opposing sides talking passed each other – was a product of this lack of consensus. Those who would define pornography as “merely a form of entertainment”²⁹⁹ met with vociferous opponents who termed pornography the abuse of women and children, leading to incommensurable positions and arguments.

²⁹⁵ “Pornography: The Human Tragedy,” 20.

²⁹⁶ Michael Cromartie, “Reagan Administration Names Panel to Study Pornography,” *Christianity Today*, 14 June 1985, 46.

²⁹⁷ “Crackdown on Pornography.”

²⁹⁸ “The Pornography Explosion.”

²⁹⁹ *Ibid.*

Social Science

While voices from the social sciences were still prominent in this period, there appeared even more incongruence amongst the various commentators found in American print media. Indeed, science was again found inadequate to deal with the issue of pornography, mirroring the conclusions of the federal commission report of 1986, which explicitly stated that science alone could not legitimately answer the myriad questions that arise when dealing with pornography. Some social scientists argued that all pornography was causally linked to violence and antisocial behaviour, and they were predictably welcomed and celebrated by the more conservative print media.³⁰⁰ But other scientists drew a distinction between sexual images and violent pornography. These commentators insisted that a causal relationship, or at least a connection, could be found only when violence and pornography were joined in the sexual representations.³⁰¹ This was perhaps a product of the increasing acceptance of sexual imagery in American society. Indeed, some sex researchers in fact suggested that pornography could be beneficial and that fantasy was both acceptable and healthy.³⁰² Thus, the presentation of these scientific, 'expert' voices in the articles surrounding the Attorney General's Commission on Pornography had transformed since the earlier period. Alongside social science expertise was a pseudoscientific discussion among sex experts who offered Americans advice on intimacy. While objectivity and neutrality was the label of expertise in 1970, in this later period the voices of sex researchers and therapists also infused the discussion with more explicit and sexual language, and offered their own advice on

³⁰⁰ This is especially true of *Christianity Today*.

³⁰¹ As seen in, for example, "Battle on Pornography."

³⁰² As we shall see shortly in, for example, Kathryn Lance, "Your Secret Sex Life," *Ladies Home Journal*, January 1985.

sexual intimacy. However, this advice, and the human subjects they used as examples, remained bound within a monogamous, domestic setting, and thus nevertheless reinforced heteronormative values and behaviour. While female sexuality seemed to have become more acceptable, it was only safe if practiced within the confines of a legitimate, domestic, and heterosexual union.

Social scientists in this period made an explicit distinction between different kinds of pornography, and in fact the majority of these experts asserted that the differentiation was essential. Some social scientists were cited as authorities on a supposed causal link between violent pornography and aggressive behaviour, stating that “laboratory experiments ... suggested that viewers of violent sexual depictions might be more willing to inflict pain on others or become jaded about sex crimes in general.”³⁰³ The conservative, fundamentalist publication *Christianity Today* willingly and enthusiastically accepted the tentative claim made by some social scientists that pornography had a direct causal link to aggressive and antisocial behaviour. In fact, articles found in the pages of this fundamental Christian publication made no distinction between different forms of pornography, labelling all sexual materials deviant and dangerous. The articles pointed to “new research” that had arisen since the 1970 commission as an explicit refutation of the findings in the earlier period. While some of the *Christianity Today* articles did cite scientists who made a distinction, they pointed to other ‘equally valid’ studies that “indicate that repeated exposure – even to non-violent, soft-core pornography – can produce negative effects.”³⁰⁴

³⁰³ Aric Press with Ann McDaniel, “Hard-Core Proposals,” *Newsweek*, 28 April 1986, 38.

³⁰⁴ “Reagan Administration Names Panel,” 46.

However, these claims were not to be found in most of the articles during this period. Instead, the target was violent pornography. Victor Cline, a vocal critic of the 1970 commission, was oft-cited in the articles surfacing in the mid-1980s, and he confidently presented his conclusion that “the harmful effects of pornography are no longer debated in academic circles.” In refutation of the 1970 studies, he declared that “[n]o one denies it [a causal link] anymore Too many scientific articles prove it.”³⁰⁵ Professor Edward Donnerstein nevertheless cautioned that “[i]f you take the violent content out of pornographic films and leave only the explicit sex, there is no effect.... It’s the violence, whether connected to sex or not, that results in a desensitizing to violence.”³⁰⁶

Social scientists themselves made qualifications about the validity of their own studies. While the Attorney General's Commission on Pornography heartily appropriated recent social science studies on pornography as testimony to a causal link, some of the social scientists whose work was cited found the “commission’s conclusions bizarre.”³⁰⁷ In fact, some prominent researchers from the scientific community charged the commission with abusing and misusing their studies in order to support its antipornography stance. Like in the earlier period, the commission’s objectivity was questioned, although this time it was not seen as delivering a ‘magna carta’ for the pornographer, but rather the commission was charged with having a preconceived objective of blaming all of society’s ills on pornography.³⁰⁸ To these researchers, whose

³⁰⁵ Tom Minnery, “Antipornography Conference Signals Growing Commitment to Combat Obscenity,” *Christianity Today*, 18 October 1985, 37.

³⁰⁶ “Battle on Pornography,” A8.

³⁰⁷ *Ibid.*; “Pornography in the U.S.A.”; and Philip Shenon, “A Second Opinion of Pornography’s Impact,” *New York Times*, 18 May 1986, E8.

³⁰⁸ “Naughty Photos: A Panel Links Porn to Violence,” *Time*, 26 May 1986, 27; “Researchers Dispute Pornography Report on its Use of Data,” 35.

voices riddled the pages of American print media, “the panel [had] ignored important data that are not in keeping with their conclusions.”³⁰⁹ Indeed, they claimed, “no study has yet found the direct causal link between viewing sexual violence and committing such violence that the panel concluded existed.”³¹⁰ Donnerstein himself cautioned that a distinction must be made between attitudes and behaviour,³¹¹ and admitted that scientific studies have an inherent weakness. For, “[c]aution is required in interpreting the necessarily artificial laboratory findings to naturalistic settings and to populations other than college boys.”³¹²

However, these scientists did make an association between pornography and more mainstream mass media, and charged that pornography should not be the scapegoat for the problems of a highly sexualized society. To some, “[a]ggressive imagery and mainstream media are more worrisome than sexual imagery and X-rated channels.”³¹³ The political conservatism of the 1980s existed in tandem with the rise of a sexualized culture that saw the growing popularity of sex manuals and advice experts such as Dr. Ruth, and while conservatives berated the latter with moralizing condemnation, others in fact claimed that some pornography and fantasy was healthy. Even the traditionally conservative *U.S. News and World Report* conceded to the ‘expert’ opinion that “mild pornography can be a helpful stimulus in cases of sexual dysfunction,” and others advocated the beneficial role that fantasy can play in the sex life of individuals.³¹⁴ This liberal view of sexuality and experimentation was nevertheless prescribed to only those in

³⁰⁹ “Researchers Dispute,” 35.

³¹⁰ Ibid, 35.

³¹¹ “The Pornography Explosion.”

³¹² “Porn in the U.S.A.”

³¹³ Ibid.

³¹⁴ “Crackdown on Pornography,” 85.

healthy, monogamous relationships. Dr. Alexander Levay explained that “[s]exual fantasies are a natural, normal part of our sex life.” However, he confined this statement to the institution of marriage, and stated that “if you have a satisfying marriage, think of fantasy as an enrichment. It is a reflection of being alive and being involved.”³¹⁵ Furthermore, a study in the mid-1970s found that “65 percent of the women reported frequent sexual fantasies during intercourse. Neither the occurrence nor the content of these fantasies was found to be indicative of psychological problems, personality flaws or marital difficulties.”³¹⁶ Noteworthy is that this study was restricted to married women, thus excluding those outside the bonds of heterosexual marriage as subjects.³¹⁷ Even a “more recent study,” published in 1986, which came to the same conclusions, consisted only of “married university women.”³¹⁸ It further found that both women and men “tend to fantasize most often about someone they love.”³¹⁹

Ladies Home Journal published an article entitled “Your Secret Sex Life” in its January 1985 issue that focused on the sex lives of women and the fantasies they have. While the article included numerous voices of sex therapists and social scientists extolling the positive benefits of fantasy, these remarks were restricted to monogamous heterosexual relationships.³²⁰ Included in the article was an array of women’s voices offering first-hand testimony to the world of fantasy, albeit within the confines of domestic life. All of the women quoted were wives, and many of them mothers, thus excluding any non-normative lifestyle from the discussions.³²¹

³¹⁵ Kathryn Lance, “Your Secret Sex Life,” *Ladies Home Journal*, January 1985, 141.

³¹⁶ Jane E. Brody, “Personal Health,” *New York Times*, 27 August 1986, C8.

³¹⁷ *Ibid*, C8.

³¹⁸ *Ibid*, C8.

³¹⁹ *Ibid*, C8.

³²⁰ “Your Secret Sex Life.”

³²¹ “Your Secret Sex Life.”

Politics

Unlike the earlier period, the Meese Commission was not denounced by congressmen, senators, or the White House. Indeed, President Reagan wholeheartedly supported the report, and politicians were identified in the media as speaking out against the report. However, nor did the print media give much coverage to the dissent of the two female commissioners, Levine and Becker, unlike the large focus given to Keating, Hill and Link's dissent from the 1970 majority report. Levine and Becker were heard occasionally, however, and commented that "no self-respecting investigator would accept the panel's findings as scientific."³²² Indeed, they claimed, "to say exposure to pornography ... causes an individual to commit a sexual crime is simplistic."³²³ Nevertheless, the attention they received was paltry when compared to the coverage given to the lack of consensus among the 1970 commissioners.

Furthermore, an exploration of the visual portrayal of the commission members suggests that the issue of pornography and authority was seen through a gendered lens. A common image that accompanied articles in both periods was of the commission members or those directly involved in the creation of the commissions. In the articles surrounding the President's Commission on Obscenity and Pornography, the photographs – often a close-up or a portrait – of the commission chairman William Lockhart and of the dissenting members Keating, and Hill abounded. The other commission members were simply made invisible.³²⁴ In the period of the Attorney General's Commission on

³²² Ted Gest and Cynthia Kyle, "An X-Rated Report that has the Capital Buzzing," *U.S. News and World Report*, 9 June 1986, 20

³²³ Ted Gest, "A Bugle Call for a War on Porn," *U.S. News and World Report*, 21 July 1986, 6.

³²⁴ For examples, see "Pornography Report – Official Findings that Set off a Furor," *U.S. News and World Report*, 12 October 1970; Morton A. Hill, "An Insider's Attack on Obscenity Report," *U.S. News and World Report*, 22 February 1971; "Odd Man In," *Newsweek*, 21 September 1970, 44; "Pornography: The Oldest Debate," *Newsweek*, 12 October 1970; "Federal Commission on Pornography is Now Divided on

Pornography, however, photographs of those involved in the commission were mostly restricted to Attorney General Edwin Meese III and the commission chairman Henry E. Hudson.³²⁵ Although this is consistent with the earlier period's exclusion of a majority of the commission members, the absence of the dissenting members of this commission, Ellen Levine and Judith Becker, is striking. Their visual omission gave the impression that the commission reached a consensus, which was not the case. Furthermore, the exclusion of Levine and Becker, as well as the other female commissioners, reveals the gendered structure of authority. While the male dissenters on the earlier commission were a large visual component in the articles during that period, the female dissenters on the later commission were erased as members of a federal commission created as an authoritative body mandated to comment on pornography and American society, and thus the politicization of this issue fell within an exclusively male purview.

Law

Pornography regulation was again an issue of debate in this period. The presence of the American Civil Liberties Union and anticensorship feminists, however, raised a vociferous challenge to possible regulation that could in any way hint of censorship. Civil libertarians, whose leftist ideology clashed with the rise of the Reagan administration, dismissed the report as blatant moralizing that went beyond the bounds of acceptable

the Easing of Legal Controls," *New York Times*, 6 September 1970, 42; "Panelists Agree on Smut Report," *New York Times*, 15 September 1970; "The Members of the Commission," *New York Times*, 1 October 1970, 20.

³²⁵ For examples, see "A Bugle Call for a War on Porn," *U.S. News and World Report*, 21 July 1986; "Pornography Panel's Objectivity Disputed: Critics Call Meese Commission Overzealous," *Washington Post*, 15 October 1985, A4; "A Salvo in the Porn War," *Newsweek*, 21 July 1986, 18; "Meese Reveals Plan to Combat Obscenity," *Christianity Today*, 21 November 1986, 40; "Porn Again," *Christianity Today*, 16 January 1987, 62; "Q & A: Is New Action Needed on Pornography," *New York Times*; "A Tale of Two Views on Erotica," *New York Times*, 15 September 1985; "Justice Department Study Finds Material is Tied to Violence," *New York Times*, 14 May 1986; "Excerpts from Final Report of Attorney General's Panel on Pornography," *New York Times*, 10 July 1986, B7.

government advocacy. Supporters of the report repeatedly assured the public that the commission's conclusions deliberately strayed from possible censorship, and instead focused on encouraging civic action and public protest against the growing pornography industry and pornographic content. Furthermore, while those in the pornography industry were profiting from their immoral activities while hiding under the cloak of First Amendment rights, discussions arising within the legal institutions revealed the difficulties in preventing the spread of these materials. Like in the earlier period, legal obstacles remained, but more often police officers and courts complained of a lack of resources and public apathy. The conservative Republican ethos of local action infused this discussion, and responsibility for acting against pornography was placed on the American public. This allowed for the denunciation of pornography in the official rhetoric, while eschewing possible charges of censorship and betrayal of constitutional rights.

Attorney General Edwin Meese III was often heard defending the commission report against charges of advocating censorship. He dismissed the charges, claiming, "I'm not concerned about any censorship being fostered by this document.... I can guarantee to you that there will be no censorship ... in violation of the First Amendment."³²⁶ Commission chairman Henry E. Hudson agreed, stating that the "report would not be used as a basis for censorship."³²⁷ These remarks were a counterattack against charges laid by civil libertarian organizations, headed by the ACLU. Barry Lynn, the organization's legislative counsel, participated in these discussions, claiming that the

³²⁶ Carline Rand Herron and Michael Wright, "Final Report on Pornography Prompts Debate," *New York Times*, 13 July 1986, E4.

³²⁷ Robert Pear, "Panel Calls on Citizens to Wage National Assault on Pornography," *New York Times*, 10 July 1986, 1.

report was “little more than prudishness and moralizing masquerading behind social-science jargon.”³²⁸ While commission supporters “emphasized that they had refrained from advocating any form of censorship,” Lynn countered that “whenever you use the power of the state or Federal Government to punish, criminalize, to imprison people who sell certain kinds of sexually explicit material, that is censorship.”³²⁹

The tone and the nature of the recommendations offered by the commission suggest that its members were aware of possible violations to First Amendment rights. Rather than advocate changes to obscenity laws, the commission report emphasized increased enforcement of laws already in place. James C. Dobson, an active member of the commission, and one of its most conservative, clearly stated that “[w]e have not recommended that the definition of obscenity be changed. We have only recommended that the laws be enforced.”³³⁰ This strategy thus allowed the commission to sidestep possible First Amendment issues, and dismiss the ACLU charges. Supporters and members of the commission anticipated the ACLU’s attack, and enthusiastically claimed that “[t]hose people that anticipated a document supporting censorship are going to be disappointed.”³³¹ The Supreme Court’s 1957 finding that “obscene material is unprotected by the First Amendment” was used to show that laws were in place.³³²

The voices of law enforcement officials also participated in this discussion, albeit only to a small extent. Basically, they spoke of the obstacles preventing effective pornography regulation, and thus facilitated the encouragement of civic action against questionable material. A lack of resources, the ambiguity of obscenity laws, and both

³²⁸ Richard Stengel, “Sex Busters,” *Times*, 21 July 1986.

³²⁹ *Ibid.*

³³⁰ Philip Shenon, “Obscenity Report Nears Completion,” *New York Times*, 3 May 1986, 36.

³³¹ “Sex Busters.”

³³² “Panel Calls,” B7.

legal and public apathy were judged obstacles towards effective enforcement. While both the commission report and the Supreme Court claimed that proper obscenity laws did exist, law enforcement officials commented on the continuing inadequacy of the legal institution to stop the flood of pornography. Some police officers in the vice department complained that “current obscenity laws aren’t enforced because of negligence on the part of prosecutors and judges.”³³³ They also blamed the increasing sexualization of American culture, and complained that “[w]hat used to be pornography is now perfectly legal.”³³⁴ Despite their continued efforts, police officers voiced frustration: “Most obscenity trials take as long or longer than a homicide or robbery trial, and obscenity is only a misdemeanor.... We have to keep trying because if we quit, the pornography people would do whatever they want.”³³⁵ Furthermore, the lack of resources prevented any serious action against pornography. Senior law enforcement officials testified that “they would not be able to justify a major effort against pornography. The resources ... were better aimed against other crimes.”³³⁶ Indeed, in an increasingly violent world, law enforcement had to prioritize and pornography offences took a backseat to more serious violations of the law.

Difficulty in judging obscenity remained a problematic legal issue. The FBI stated that “[t]he investigation of obscenity is in a holding pattern until the courts give us a better definition.”³³⁷ In response to these various obstacles, then, the commission report, as well as the supporters of its recommendations, turned to the public as regulators of

³³³ “Porn in the U.S.A..”

³³⁴ “Crackdown on Pornography,” 84.

³³⁵ *Ibid*, 84.

³³⁶ Philip Shenon, “Justice Department to Form Team to Handle Obscenity Cases,” *New York Times*, 18 Oct 1986, 6.

³³⁷ Betty Wein, “Pornography on the March,” *Reader’s Digest*, November 1987.

questionable material and defenders of societal morality. A New York police captain, commenting on the laxity of enforcement, simply stated that “[t]he community doesn’t complain,” suggesting that increased public protest would necessitate action and bring forth stronger measures to curb pornography.³³⁸ Speaking to the ambiguity of Supreme Court decisions on and definitions of obscenity, one lawyer remarked that “[w]hen Supreme Court Justices disagree among themselves on an issue, everyone else doesn’t have to roll over and play dead.”³³⁹ Indeed, it was not the Supreme Court that set community standards; rather, it was the responsibility of the community itself to regulate and act against those materials they deem offensive.

Pornography Industry

Like in the earlier period, voices of those involved in the pornography industry were rarely heard in public at the time of the Meese Commission. Performers in the pornography industry – performers of adult films, models of pornographic magazines, and dancers in live adult shows – were effectively silenced. Rendered inaudible by the nature of the press coverage, they became objects rather than subjects of the discourse. While some groups representing pornography performers actively sought to make their careers and rights legitimate, the absence of such organizations from the dialogue facilitated the illusion that all pornography involved the abuse of vulnerable and unaware women and children.

However, those in the upper echelons of the industry, such as executives and producers, spoke alongside the ACLU in defense of their First Amendment rights. Furthermore, many of these voices attempted to distance themselves from violent

³³⁸ “The War Against Pornography.”

³³⁹ “Edwin Meese Lifts his Lance,” *U.S. News and World Report*, 3 November 1986, 9.

pornography, and thus presented their products as a sanitized and healthy depiction of sexual beauty. By focusing mainly on child pornography, they too were able to join in the derision of pornography. They attempted to make clear the distinctions between ‘good’ and ‘bad’ sexual images. The Adult Film Association of America defended its industry by separating itself from the more objectionable material, stating that it had “voted unanimously to oust any member involved in child pornography.”³⁴⁰ And the Playboy Foundation even more explicitly attempted to sanitize its product, boasting that “in 30 years of publishing there has never been a successful legal action branding *Playboy* as pornography.”³⁴¹ Christie Hefner, CEO of the Playboy Foundation, reiterated this claim, and exclaimed that “[t]he idea that Playboy, which has stood for positive, healthy sex for three decades, should be linked to violent pornography is absurd.”³⁴² She criticized the commission report for conflating all pornography under one banner, stating that “[w]hat the report does ... is condemn everything that has a sexual content.”³⁴³ And Al Goldstein of *Screw* magazine asked that his magazine be called a “journal,” while proclaiming his objection to any form of child pornography.³⁴⁴ Thus, these representatives of the pornography industry attempted to separate themselves from the more extreme forms of pornography by defending their actions as sanitized portrayals of sexual beauty.

While many of the articles surrounding the Attorney General's Commission on Pornography did indeed differentiate between the extremes of pornography, members of the pornography industry were nevertheless most often portrayed negatively in the

³⁴⁰ “The Pornography Explosion.”

³⁴¹ “Crackdown on Pornography,” 85.

³⁴² “No More Adults,” *Time*, 21 April 1986.

³⁴³ “Sex Busters.”

³⁴⁴ Walter Goodman, “Pornography: Esthetics to Censorship Debated,” *New York Times*, 13 August, 1984, C21.

articles. They were typically presented as immoral abusers of the capitalist system who chose profits over the healthy development of the nation's youth and the protection of its most vulnerable members. Thus, while capitalism remained revered and exalted in the United States, limits to free market and the search for profit had to be tempered by consideration for the national health. The pornography industry was paradoxically situated as a quintessential capitalist success which had amassed a fortune selling products to American consumers, as well as a violator of the nation's moral code. Purveyors and supporters of pornography were portrayed as uncaring capitalists who made no attempt to shelter the vulnerable from the onslaught of their products. Indeed, commentators labelled "those who sell such services [dial-a-porn]," when questioned what actions they take to protect children, answered simply "that it is up to those on the other end of the line to prevent youngsters from calling."³⁴⁵ Al Goldstein was quoted as stating that "[f]rankly I don't think it matters whether porn is degrading to women."³⁴⁶ The Playboy Foundation was charged with "defend[ing] even the vilest obscenity."³⁴⁷ And a *New York Times* article featuring an interview with Denis Sobin, a trade representative for the pornography industry, ended by commenting that Sobin allowed his adolescent daughter to view pornography at home.³⁴⁸ They were presented as sarcastic, aloof, and dismissive of possible dangers inherent in their industry. Christie Hefner characterized "citizen vigilantism against magazines, books, films or videocassettes" as reminiscent of "Nazi Germany,"³⁴⁹ while Nina Guccione, daughter of the founder of

³⁴⁵ "Crackdown on Pornography," 85.

³⁴⁶ "The War Against Pornography."

³⁴⁷ "Pornography: The Human Tragedy."

³⁴⁸ Francis X. Clines, "A Tale of Two Views of Erotica," *New York Times*, 15 September 1985, 62.

³⁴⁹ Barbara Gamarekian, "Report Draws Strong Praise and Criticism," *New York Times*, 10 July 1986, B7.

Penthouse, sarcastically “warns that the censors’ next target may be *Reader’s Digest*. Then – who knows? – Norman Rockwell calendars.”³⁵⁰

While pornography performers were silenced and other voices in the pornography industry were generally ridiculed and rendered base, voices of the ‘victims’ of pornography were heard, which was a marked difference from the articles surrounding the 1970 commission. This was perhaps a reflection of the Meese Commission’s reliance upon witness and victim testimony in the hearings. Indeed, a characteristic of this period was the victimization brought on by pornography: the emphasis on child pornography emphasized the abuse of children, while violent pornography relied on the abuse of women. And performers were not the only victims; consumers of pornography were also constructed as victims.

Although more liberal publications such as the *Nation* cast victim testimonies as extreme misuse of the studies on pornography, these magazines nevertheless included these witnesses of pornography’s detriment and danger. And the more conservative publications included this group as testament to the harm inherent in pornographic material. The Meese Commission interviewed over two hundred witnesses to pornography’s harm, thirty of which included individuals “who reported that they and others with whom they had special relationships had been harmed in some manner by or as a result of pornography.”³⁵¹ The story of Larry Madigan, a witness at the commission hearings, was a favourite amongst the articles surrounding the Meese Commission.

I am a victim of pornography.... At age 12, I was a typical normal, healthy boy. My life was filled with normal activities and hobbies. All that changed the following summer when I went to visit relatives, a married couple, who decided

³⁵⁰ “None Dare Call it Sleaze,” *National Review*, 18 July 1986, 18.

³⁵¹ *Final Report*, 197. These thirty offered first-hand testimony, but over hundred others were individuals “with considerable experience in dealing with trauma victims.”

to teach me about sex.... I saw a *Playboy* magazine for the first time in my life.... All the trouble began a few months later, back at my mother's home. The house we rented had a shed out back, and that's where I found a hidden deck of cards. All 52 cards depicted hard-core pornography – penetration, fellatio, and cunnilingus. These porno cards highly aroused me and gave me a desire I never had before.³⁵²

After these fateful experiences, the victim of pornography “descended to masturbation, and intercourse with another teenage boy, peeping on his mother ... reading sex magazines ... and drug addiction.”³⁵³ Falling outside the bounds of stable, middle-class family life, he was vulnerable to pornography's detrimental effects. His mother, a single parent living in a rented home, was unable to ensure the development of her son's normal, healthy sexuality before his exposure to pornographic materials.

Peggy Davis, another quoted victim of pornography, “was first sexually abused by a neighborhood man who had a workshop full of pornographic pictures. As an adult she discovered that her live-in lover was sexually abusing her own two children and using porn as a teaching tool.”³⁵⁴ Pornography, then, destroyed the lives of children and rendered them forever vulnerable to vice. Exposed as a child, pornography haunted Peggy into adulthood, and found its way into her children's lives. Again, this woman fell outside familial norms: she was unmarried and the father of her children was absent. Living with a man outside the bonds of marriage, her children were vulnerable to attack and abuse.

Public Interest

Many of the witnesses who testified at the Meese Commission hearings were allied with interest groups, and public participation was encouraged by the commission

³⁵² Hendrick Hertzberg, “Big Boobs,” *New Republic*, 14 & 21 July 1986; “Sex Busters.”

³⁵³ “Big Boobs.”

³⁵⁴ “The War Against Pornography.”

and reflected in the media coverage. One method of examining the presentation of public participation is through an analysis of the images that accompanied these articles. An exploration of the images of interest groups and the public that were included in the articles on pornography suggests a hierarchy of authority on the issue, and further reveals an idealized structure of participation in American society. While in the 1970s, interest groups – albeit restricted to conservative groups – were visually represented by the dissenting commission members, in the 1980s members of New Right groups, such as Jerry Kirk and Jerry Falwell, graced the pages of some of the publications alongside articles on pornography.³⁵⁵ Interestingly, photographs of feminist supporters of the commission’s final report, as well as its opponents from the more leftist or libertarian groups in existence, were rarely left to stand alone. Organizations and groups such as radical and anticensorship feminists were much more involved in the pornography debates during the 1980s, yet they received little visual emphasis in media articles on pornography. Photographs of Barry Lynn from the ACLU, Christie Hefner of Playboy Enterprises, or Andrea Dworkin of the radical antipornography feminist movement, for example, did grace the pages of these publications, but only when accompanied by other images.³⁵⁶ Thus, never were they able to visually represent the issue of pornography, and they were always presented as only one voice in the debate.³⁵⁷ This may be justified along the lines of neutrality and balance, yet this coupling ran alongside other articles that

³⁵⁵ However, this was often restricted to conservative publications that supported this New Right view, such as *Christianity Today*. See, for example, “Antipornography Conference Signals Growing Commitment to Combat Obscenity,” *Christianity Today*, 18 October 1985, 37; “How Harmful is Pornography,” *Christianity Today*, 11 July 1986; “Friends and Foes of Pornography Commission Try to Sway Public Opinion,” *Christianity Today*, 19 September 1986.

³⁵⁶ These images were also not very numerous, but can be found, for example, in “A Tale of Two Views on Erotica,” *New York Times*, 15 September 1985, 62; “Sturm und Drang und Pornography,” *New York Times*, 15 April 1986, B6; “Report Draws Strong Praise and Criticism,” *New York Times*, 10 July 1986, B7.

³⁵⁷ Interestingly, images of anticensorship feminists, such as members of Feminist Anti-Censorship Taskforce (FACT), were never included.

showed only pictures of Hudson or Meese, thus offering a strong challenge to this justification. One exception was a photograph of Andrea Dworkin and her partner, John Stoltenberg, that was published in *New York Times*. However, this image accompanied an article in the 'Style and Relationship' page and featured them in their living room, a domestic position in a section of the newspaper that basically depoliticized them.³⁵⁸

The articles surrounding the Meese Commission were accompanied more often by images of public involvement in the pornography issue than the earlier period. In fact, photographs of citizen action in the earlier period are extremely rare, save one image of protestors in England denouncing a call for stiffer penalties for pornography distributors.³⁵⁹ However, by the 1980s, photographs of Americans reacting to pornography abounded in many publications, a tendency that was perhaps a reflection of the increased public interest and participation of interest groups claiming to speak for grassroots movements and the average American in this later period. Indeed, images of this nature gave the impression that pornography more greatly affected the general population, and outraged citizens could be found in these publications making their protests and opinions seen. Images of Americans bearing signs calling for the eradication of pornography in the United States gave the 'Silent Majority' – though nevertheless still silent – a visual presence. Picketers are seen in front of convenience stores, while protestors show off their homemade "Stop Porn" signs to passers-by.³⁶⁰ These images included both male and female, but when examined more closely, a gendered discourse comes to the fore. For instance, one image depicted Cabinet wives entering a sex

³⁵⁸ "Joining Hands in the Fight," B7.

³⁵⁹ "'Lord Porn' Makes his Report," *New York Times*, 24 September 1972, E4.

³⁶⁰ "Hard-Core Proposals," *Newsweek*, 28 April 1986, 38; "A Salvo in the Porn War," *Newsweek*, 21 July 1986.

establishment, doing their wifely duties as “antismut crusaders.”³⁶¹ Thus, while their husbands were positioned in the realm of politics, as commission members or politicians, the women filled their role of citizen-guardians and ‘anti-smut crusaders.’ While the vast majority of these Americans were obvious supporters of the antipornography argument, at least one image alluded to the reality that all debates need at least two sides. The public was encouraged to make their voices heard, as seen in one image of a man putting a ballot in a box bearing the sign “Lawsons values our customer’s opinion: should Lawsons sell adult magazines such as Penthouse and Playboy?” A caption explained that “Caught between opposing forces in porn war, store bucks issue to consumers.”³⁶²

There were, however, striking consistencies that bridged the two periods, above and beyond the gendered issues already discussed in the foregoing analysis. These centered on the portrayal of race and class, and have important implications on the visual discourse of pornography as reflected and reinforced in these publications. If a reader were to flip through one of these publications and stumble upon an article about pornography, perhaps having been enticed by a colourful image or the word ‘pornography’ in bold, he or she would find no image of a body other than that of a white American. Indeed, the only non-white bodies would be found in nearby articles on ghetto neighbourhoods or racial strife, but not as an accompaniment to an article on pornography. The commentators, actors and participants in the pornography issue, as seen through the images in these publications, are purely white, middle-class Americans. The images of middle-class participation, and morality in action, make up the visuals of civic action. Therefore, while pornography could be perhaps classified and categorized

³⁶¹ “Hard-Core Proposals.”

³⁶² “An X-Rated Report that has the Capital Buzzing,” *U.S. News and World Report*, 9 June 1986, 20

as, or alongside, the other, it was the white middle class that had the right – and the responsibility – to react, act, and comment against it.

Above and beyond the images included in the articles about pornography, there was a distinct move towards focusing on public participation in the war against smut in American society, and voices of public interest groups were included in many of the articles surrounding the Meese Commission. A tension can be seen, however, between the conservative focus on local action, and the attempt to control these groups. Fundamentalist Christian groups like Morality in Media and the National Coalition Against Pornography reiterated the conclusions found in the commission report, and in turn were bolstered by support from officials in the Reagan administration. However, antipornography feminists, whose rhetoric was largely appropriated to justify conservative programs and a general stance against pornography, were constructed in such a way as to dismiss them, and feminist organizations in general were largely excluded as shapers of the pornography discourse.

Antipornography groups, most often fundamentalist Christian organizations, were presented as active and dominant players in the pornography issue, especially in the religious publications and the more conservative magazines, such as *U.S. News and World Report* and *Christianity Today*. Furthermore, fundamentalists were represented in the commission itself, and Father Bruce Ritter, of Covenant House, and James C. Dobson, who headed Focus on the Family, were active members of the commission who made known their antipathy towards pornography. “Religious groups” were praised in *U.S. News and World Report* for “taking aim at the problem.”³⁶³ Groups such as Morality in Media, Citizens for Decency through Law and the National Coalition Against

³⁶³ “Crackdown on Pornography,” 85

Pornography were often heard in the media articles, and they spoke on an array of issues relating to pornography. These voices were most often portrayed as authorities on the issue and as longstanding actors against pornography and the decline of morality in American society. The general public, according to these groups, knew little about the truth of pornography – either its contents or its pervasiveness – and representatives of these organizations claimed to have the responsibility to inform and guide the public. For, they claimed, it was up to individual citizens to join their cause and take a stand against immoral material.

At the same time, however, leaders of conservative antipornography interest groups praised those who had joined their ranks, and commented that public action was indeed on the rise as a reaction to the increasing onslaught of pornography into private homes and communities. They optimistically asserted that the release of the commission's findings of a direct causal link between pornography and sexual violence and antisocial behaviour signalled a transition from the earlier permissive days, and that the report's recommendations would bolster law enforcement. Indeed, the focus was civic involvement, and while the left-leaning publication *The Nation* did not give direct voice to these groups in their articles, even the more liberal *New York Times* presented these groups as a positive presence in the discourses and on the issue of pornography, and portrayed them as respectful of First Amendment issues. Thus, they were legitimate authorities on the issue, and this legitimacy facilitated the power of these groups as shapers of a narrative in which pornography was framed in moral terms. Pornography was denounced by these organizations as an evil and an assault to human dignity, the family, and most especially to women and children.

Indeed, leaders of conservative and fundamentalist groups often presented the public as ignorant to the kinds of material that were increasingly perverting American society. Jerry Kirk, president of the NCAP, an umbrella organization of anti-pornography groups, claimed that “[i]f Americans know what obscenity is, and know that the key to law enforcement is contemporary community standards, and know that those standards are established by citizens, they will rise up en masse.”³⁶⁴ The report signalled a step towards public engagement, as it was regarded as a vehicle with which to raise public awareness: “Many citizens had believed that pornography was a victimless crime – now they know better.”³⁶⁵

According to these groups, public action was growing, and Kirk praised those who protested the presence of pornography, boasting that “his office is inundated with calls from people who want to join the fight.”³⁶⁶ Leaders of fundamentalist organizations interpreted these calls to be a symbol of changing sensibilities in American society, and one that signalled a conservative transformation that was much needed to rehabilitate national morality. Jerry Falwell proclaimed: “I see a definite spiritual revival that is touching the standards of conduct of the entire society, which has gone too far toward sexual freedom.... Americans perceive a serious crisis to the long-range stability of the American family. The American people are looking for a return to moral values that strengthen the family.”³⁶⁷ Indeed, “[p]eople in the communities are reawakening and reaffirming their commitment to values.”³⁶⁸ These voices reasserted the assumption that ‘values’ are found within strong familial foundations, and that communities are the

³⁶⁴ Beth Spring, “How Harmful is Pornography,” *Christianity Today*, 11 July 1986

³⁶⁵ “A Bugle Call for a War on Porn,” 6.

³⁶⁶ “Antipornography Conference Signals Growing Commitment to Combat Obscenity,” 41.

³⁶⁷ “Sex Busters.”

³⁶⁸ *Ibid.*

regulators of these values. It was through community action that these traditional values were maintained and protected. Thus, according to these groups, the pornography problem was not primarily resolved through law or censorship; rather, it was resolved by cementing traditional morality through the protection and regulatory functions of community life.

Therefore, while these moral organizations lauded the report released by the Justice Department as a positive step towards “eliminating [*sic*] the plague of pornography pollution which has ravaged our society,” and as a boon towards enforcing laws already in place, the primary function of the report was to increase public awareness and make clear that citizens have both a right and a responsibility to act as moral regulators.³⁶⁹ These organizations would join the crusade to educate the public, and “the leaders would fulfill their responsibility of teaching, motivating and helping people understand the moral dimensions of the problem of pornography and what each individual’s responsibility is.”³⁷⁰ Indeed, official censorship was unnecessary because of the “increased vigilance by citizens groups.”³⁷¹ These groups emphasized that they “are not shock troops leading an assault on the First Amendment,”³⁷² and made clear that they shunned extremists, stating that “[t]he medicine should not be worse than the disease.”³⁷³ Jerry Falwell, an active participant in the pornography debates, stressed that the report was simply mirroring desires vocalized by the public:

I believe that it is a good and healthy report that places the United States Government clearly in concert with grass-roots America. The recent move by retailers to eliminate pornography from their inventories is not a result of government intervention, it is a result of grass-roots repudiation of the garbage

³⁶⁹ “Report Draws,” B7.

³⁷⁰ Jesus Rangel, “Church Leaders Make a Target of Pornography,” *New York Times*, 26 July 1986, 31.

³⁷¹ *Ibid.*, 31

³⁷² *Ibid.*, 31.

³⁷³ *Ibid.*, 31.

called pornography, which has too long exploited the women and children of America.³⁷⁴

However, not everyone agreed with these fundamentalist, antipornography groups. Feminist groups especially, which had long been fighting for emancipation from the bonds of patriarchy, resisted falling prey to conservative rhetoric that placed women and children as objects in need of protection. Three main characteristics defined how feminists were presented in the print media. First, the placement of the articles about feminists separated them from the other participants of the pornography debate by casting them as women first, subsuming their activism and participation in the discourses under the category of gender. Second, the articles gave greater voice to the extreme strands of the feminist movements, which served to delegitimize them by presenting them as overly emotional and irrational. And lastly, their various arguments were simplified, shorn of depth and characterized simply as antipornography or anticensorship.

While feminist arguments were often based on institutional sexism, the media emphasis was instead placed on pornography's nature and effects. Pornography can often be used as a linchpin around which to comment on other issues, as seen through the analysis of other voices heard in the pornography debates. By commenting on pornography, participants offer an idealized notion of society and the nation, and thus boundaries are etched which include some groups while omitting others. However, the feminists in these articles were not given the same power as shapers of a larger discourse. By restricting their focus on pornography and eschewing other broader issues, the existence of feminists were proscribed within narrower boundaries. Some articles did convey the sense of division and antipathy between the various feminist organizations.

³⁷⁴ "Report Draws," B7.

However, this portrayal, rather than show the complexities of the arguments, further placed feminists outside the main discourses by presenting them as overridden with infighting and subsequently unable to enter the dialogue on a cohesive, united ground.

One of the traits of the media coverage was the separation of feminist contributions from the main discussion. On 21 July 1986, *Time* magazine devoted its weekly cover story to the issue of pornography.³⁷⁵ “Sex Busters” examined many sides of the pornography issue, and included voices from the commission, civil libertarians, lawyers, law enforcement officials, politicians, conservative antipornography groups and juridical, scientific and legal experts. However, missing from this article, which presented itself as a definitive exposé on the pornography debate, were the feminists who had been actively participating in the discourse since the mid-1970s. *Time* did not wholly ignore this group, however, and an article entitled “Pornography: The Feminist Dilemma” followed the main article.³⁷⁶ The main focus of this article was to present the tensions between the feminist groups. By separating these feminists physically, the magazine thus withdrew them from the main discourse, and positioned them in the peripheral fringes of the issue. In a similar vein, the *New York Times* presented an article on Andrea Dworkin in its 13 August 1984 publication.³⁷⁷ This article was depoliticized – placed in the Style and Relationship section – and focused on her relationship with fellow activist Jon Stoltenberg. While the article gave Dworkin voice on the pornography issue, it did not delve into her particular ideology, and instead spoke of the charges laid against her for allying herself with the conservative right. Half of the article, however, was dedicated to

³⁷⁵ “Sex Busters.”

³⁷⁶ John Leo, “Pornography: The Feminist Dilemma,” *Time*, 21 July 1986, 18.

³⁷⁷ Judy Klemesrud, “Joining Hands in the Fight Against Pornography,” *New York Times*, 26 August 1985, B7.

her relationship with Stoltenberg, and described their housework, the possibilities of marriage and their domestic life. They concurred that home life is important, and that it was a refuge from the outside, politicized world: “Our home is just for us, and we try to lead a gentle life here.”³⁷⁸

Furthermore, as had been the case in 1970, the ‘feminist movement’ in the mid-1980s was characterized as extreme to the exclusion of the more moderate positions. While groups such as the Feminist Anti-Censorship Taskforce (FACT) and the National Organization of Women (NOW) were not wholly omitted, their presence and arguments on pornography were lost amongst the heightened attention devoted to radical antipornography feminists such as Dworkin, MacKinnon and Susan Brownmiller from Women Against Pornography, who were quoted using subjective, emotional language. They were also seen as irrational players in the pornography debate, whose rhetoric was facilitated by the conservative leanings of the commission report. The *Nation* criticized these radical feminists, and lambasted them for corrupting any possibility of rational arguments in the pornography hearings that were held under the auspices of the federal commission. It also charged feminist commentators with unduly influencing the debate by ensuring that the graphic testimony of individual witnesses garnered more attention than the supposedly unbiased views of social scientists. Indeed, “witnesses provided by women’s antipornography groups proved more useful than social scientists. They were eager to cast their personal experiences of incest, childhood sexual abuse, rape and sexual coercion in terms of the ‘harm’ and ‘degradation’ caused by pornography.”³⁷⁹ Thus, the participation of these antipornography feminists in the pornography discourse was

³⁷⁸ Ibid, B7.

³⁷⁹ “Porn in the U.S.A.”

criticized by some commentators. One *US News and World Report* article commented that “[a]mong those most upset [about pornography] are women’s groups.”³⁸⁰ However, their arguments about pornography’s harms were dismissed, and commented that “[t]he women’s movement has reacted most strongly against this kind of material because in it women are usually the ones dominated.”³⁸¹ Thus, women’s concerns were presented as being based on a subjective, personal level, rather than on any sophisticated, rational argument. It was in fact a psychologist who spoke for them in this article, and therefore even women’s voices were taken away. He further dismissed women’s claims, stating that “mild pornography can be a helpful stimulus in cases of sexual dysfunction and ... it has yet to be proved that even more violent forms contribute to attacks on women.”³⁸²

The pornography issue was a source of tension among the various feminist organizations, and opposing sides had all constructed intricate arguments in support of their respective views. However, the articles that gave voice to women presented these arguments too simplistically, and thus did not do justice to the involvement of feminists on the pornography debate. Feminists were constructed as either antipornography or anticensorship, and the presentation of these groups was based solely on these grounds. The emphasis of media coverage, then, was placed on pornography, rather than on broader ideas of institutional sexism, which, to many feminists, formed the foundations of a patriarchal society.

The antipornography feminists generally supported the federal commission’s conclusions and their voices were widely cited in praise of the report. Dorchen Leidholt, of WAP, was directly quoted as stating simply “I’m not embarrassed at being in

³⁸⁰ “Crackdown on Pornography,” *U.S. News and World Report*, 85.

³⁸¹ *Ibid.*

³⁸² *Ibid.*

agreement with Ed Meese.”³⁸³ The ideology of the antipornography feminists was reduced to catchphrases, such as Robin Morgan’s well known “Pornography is the theory and rape is the practice.”³⁸⁴ Their arguments were shorn of complexity and offered no challenge to the gendered structure that characterized the pornography discourse. Women were still characterized as vulnerable and in need of protection against men and society *because* of their sexuality. While there was the occasional voice that challenged this notion, such as Nan Hunter’s comment that “Protectionist attitudes ... ultimately hurt women,”³⁸⁵ the general portrayal of feminist arguments centered on Dworkin and MacKinnon’s claims that pornography requires institutional responses that would protect those demeaned by pornography, namely women. And indeed, the report was hailed as one positive step towards this protection, and antipornography feminists congratulated themselves for their contribution: “Today could be a turning point in women’s rights,” proclaimed MacKinnon. “Women actually succeeded in convincing a national governmental body of the truth that women have long known: pornography harms women and children.”³⁸⁶

The nature of the representation of feminist participation in the pornography debate, along with the portrayal of feminist movements in general, tempered their radicalism and constructed them as ‘women’ first, and ‘activists’ only second. Their challenges to the patriarchal foundations of American politics and society were sanitized and simplified, and they were represented as unequivocally supporting the commission report. While radical feminists, led by Andrea Dworkin and Catharine MacKinnon,

³⁸³ “Porn in the U.S.A.”

³⁸⁴ “The War Against Pornography.”

³⁸⁵ “Pornography: the Feminist Dilemma,” 18.

³⁸⁶ *Ibid*, 18.

sought to destabilize heteronormative assumptions undergirding American social foundations, there was in fact little depth to the presentation of their approach to pornography. Their portrayal in the media accounts, then, reinforced a gendered hierarchy and ideology that joined women and children under the category of the vulnerable in need of official protection from men, society, and capitalism.

Furthermore, feminists who opposed the approach of Dworkin and MacKinnon were virtually invisible in the print media, and thus the radical feminist movement came to represent the different feminist organizations. The radicalism of such women as Dworkin, MacKinnon and Brownmiller, whose rhetoric was often infused with highly emotional language, served to some extent to delegitimize feminist claims. While some articles did portray the opposition and antipathy between various organizations such as WAP and FACT, this presentation facilitated the dismissal of these groups as legitimate agents in the discourses, as the feminist movement – often presented in the singular – was represented as too fragmented and disparate to function as responsible spokespeople on the issue of pornography.

Conclusion

Many of the terms of the pornography debate had shifted by the 1980s, as seen in the discussions surrounding the Meese Commission. The changing political ethos sought to usher in a new social agenda of national renewal that located this moral regeneration in local groups. The regulation of pornography, as seen in the debates on the law, located the responsibility to act against pornography in the civilian population, thus eschewing possible charges of censorship laid by anticensorship feminists.

The definition of pornography, always ambiguous and unresolved, nevertheless shifted towards an emphasis on victimization. Because pornography performers were seldom heard from in the media it was nearly impossible to challenge claims about this victimization, and lent legitimacy to the arguments of those who focused solely on the abuse of vulnerable members of society.

The debates on pornography continued to be dominated by discussions on its effects, and the place of social science as authority on these effects. However, in an increasingly sexualized society, sex therapists and counsellors entered into the scientific discourse on pornography, and suggested the possibility of female sexual freedom and experimentation through the use of fantasy. Nevertheless, this new sexual freedom remained confined to heterosexual, monogamous relationships, and thus erased non-normative lifestyles from the discourse.

The rise of antipornography feminists introduced a new facet to the pornography debates. While the pornography issue in the early-1970s was characterized by a battle pitting liberals against conservatives, feminists represented a third force that became increasingly vocal throughout the late-1970s and early-1980s, and shifted the focus to pornography's harm against women. However, the presentation of feminists in the media constructed them in such a way as to dismiss their concerns and arguments.

Conclusion

Pornography is a contentious issue that has historically pitted conservatives against liberals, moralists against civil libertarians, and feminists against institutionalized sexism in debates that talk past each other and are always left unresolved. Pornography is a flashpoint to evoke broader issues of morality, sexuality and freedom. However, it is through the media that Americans learn about these debates.

Gaye Tuchman argues that the media is actively involved in creating a reality to their audiences. Through the media, Americans learn about themselves and the world in which they live. And indeed, the print media articles surrounding the 1970 President's Commission on Obscenity and Pornography and the 1986 Meese Commission constructed a reality on the issue of pornography. While American print media is only one vehicle through which Americans are kept informed, an exploration of the articles contained therein exposes a process by which discussions of pornography constructed an idealized notion of the world in which a hierarchy of voices and issues were presented. Three lenses through which pornography can be viewed – the institutional response, the pornography industry, and the public interest – dominated both periods, but the discussions emanating from these channels were subsumed under overarching assumptions and values, and constructed particular boundaries of the nation.

The articles surrounding the 1970 commission report fastened the issue of pornography to a world of 'experts' and institutional authority, while the latter period emphasized the role of civic action and responsibility. However, despite these transformations, an analysis of the groups that were given voice through media articles in

both periods reveals a consistent hierarchization of legitimacy and authority that undergirded the structure of American politics, society and culture.

The President's Commission on Obscenity and Pornography represented the culmination of tensions that characterized the 1960s. In an increasingly sexualized society, Congress found pornography to be enough of an issue of national concern to warrant a federal investigation into its existence. The Meese Commission, on the other hand, was a product of rising conservatism in both politics and society, albeit produced in a sexualized culture in which mass media and advertising portrayed sexual imagery that would have never been acceptable two decades before. President Reagan and his conservative allies, reacting to the continuing spread of sexual imagery in American society and culture, sought ways to eradicate pornography from national life. Both commissions were mandated with the responsibility to examine the nature, meaning and effects of pornography and to recommend possible responses to its presence in American society. They were both products of their time. The 1970 commission rested on social science, focused on sexuality and behaviour in society, and eschewed a moral condemnation of pornography. One of the important issues was whether pornography could be restricted without infringing on civil rights and the First Amendment. By 1986, however, pornography had become a moral issue, framed largely on the views of fundamentalist Christian and feminist antipornography groups. The Meese commission focused primarily on child pornography, extreme and violent sexual imagery, and the victimization of women. It based its conclusions on witness testimony of victims of pornography as well as frustrated law enforcement officials, and dismissed the need for scientific 'proof' of a causal relationship. And while the 1970 report emphasized science

and constitutional law, the latter report found the answer to pornography largely in increased enforcement and local community action.

Indeed, in the latter period pornography regulation was left largely to local entities and individual participation, as seen from the debates between institutions of law and justice in the articles surrounding the Meese Commission. Pornography regulation manifested itself in debates between institutions of justice and law, and the media articles generally presented a feud between federal juridical decisions and local law enforcement and courts. However, an awareness of the dangers of censorship brought issues of civil rights to the fore, and extra-judicial actions, such as those of community interest groups, offered a way to dismiss possible charges of infringements to the First Amendment. Responsibility to respond to the existence of pornography and prevent its spread was placed largely in the hands of American communities.

Pornography could be understood through the methodology and tools offered by the realm of science, and social scientists and medical experts were deeply involved in the discussions throughout both periods. Much of the discussion centered on pornography's effects on individual behaviour, and voices from scientific institutions were given heightened legitimacy as commentators on the issue of pornography. Although commentators – including scientists themselves – questioned the efficacy of science as a tool with which to understand pornography, there was an unquestioned assumption in both periods that the effects of pornography should be studied primarily through its impact on men, and through men's actions on women. Thus, science and pornography were fused within a gendered foundation. Science may be deployed as a service to women by finding a plausible causal connection between pornography and

violence against women, but this necessitated placing women as objects, and as passive recipients of male action.

The 1980s saw the addition of sex advice and sex therapists to the discussions of pornography, culminating in a pseudoscientific dialogue. This seemed to offer a degree of sexual emancipation for women, as these commentators extolled the benefits of fantasy to women's sexual lives. However, this new discourse lay solely within the bounds of normative sexuality. Left unquestioned was that these women's sexual experimentation was practiced within the safe bounds of heterosexual, monogamous relationships. Excluded were those who led non-normative lifestyles.

Members of the pornography industry were generally presented in negative terms in both periods. However, the portrayal of the industry was also highly gendered. By taking voice and representation away from female performers, and by gendering pornography performers as solely female, women once again become objects, not subjects, of a discourse on pornography.

The pornography debate throughout the 1960s and much of the 1970s was characterized by a binary feud pitting liberals and conservatives. However, by the 1970s feminists were increasingly venturing into the pornography issue. They initially presented a united front, challenging institutionalized sexism in American political and social life. The feminist movement by the 1980s was rife with tension and factionalism. Feminists made important incursions into the pornography debate throughout the 1980s. However, the representation of these women in media articles in both periods restricted their participation in the pornography debates. In the earlier period, women's groups were presented as either wives or mothers, or as activists whose radicalism justified ridicule

and dismissal. In the 1980s, the heightened feminist participation and presence necessitated inclusion in media accounts of the commission. Nevertheless, by keeping articles on feminists separate from the other articles on pornography, by casting them as women first, activists second, or by representing the feminist groups as primarily radical antipornography feminists, the media articles restricted feminist contribution to the discourses. Thus, feminist existence remained confined, unable to partake in discussions of broader issues.

Pornography has always been a divisive and controversial issue, and the periods surrounding the President's Commission on Obscenity and Pornography and the Meese Commission are no exception. Despite the creation of two federal pornography commissions, the debates that arise over the issue have yet to be settled. While the 'problem of pornography' remains unresolved, however, its presence allows commentators to construct idealized visions of American society and create a hierarchy of authority over issues of sexuality.

Bibliography

Primary Sources

- Bell, Joseph N.. "Danger: Smut." *Good Housekeeping*. April 1971, 85, 178.
- Blumenthal, Ralph and Nicholas Gage. "Crime 'Families Taking Control of Pornography.'" *New York Times*. 10 December 1972, 1, 82.
- Boyd, Andrew. "Porno Politics." *The Nation*. 9 November, 1970, 489.
- Brine, Ruth. "Pornography Revisited: Where to Draw the Line." *Time*. 5 April 1971, 64-65
- Brody, Jane E.. "Personal Health." *New York Times*. 27 August 1986, C8.
- Buckley, William F. "The Porn Report: How to Evaluate It." *National Review*. 15 August 1986, 54-55.
- "California Cleans." *Time*. 23 October 1972, 36.
- Charles, Beth. "The Pornography Explosion." *Ladies Home Journal*. October 1985, 104-105, 162-163.
- "Child Pornography Law Enacted." *New York Times*. 22 May 1984, A20.
- Clines, Francis X.. "A Tale of Two Views on Erotica." *New York Times*. 15 September 1985, 62.
- "Coming Crackdown on Smut Peddlers." *U.S. News and World Report*. 21 July 1969, 52.
- "Commissioning Hard Truths." *New York Times*. 17 July 1986, A22.
- "Concern on Smut Held Unfounded." *New York Times*. 6 August 1970, 22.
- "Congress is Advised to Junk Smut Study." *New York Times*. 24 September 1970, 39.
- Cromartie, Michael. "Reagan Administration Names Panel to Study Pornography." *Christianity Today*. 14 June 1985, 46, 48.
- "Defeated by Pornography." *New York Times*. 2 June 1986, A16.
- "Detailed Descriptions in Pornography Report." *New York Times*. 27 May 1986, A17.

- “Edwin Meese Lifts his Lance.” *U.S. News and World Report*. 3 November 1986, 9.
- “Excerpts from the Panel’s Majority Report, Dissenting Opinions and Other Views.” *New York Times*. 1 October 1970, 20.
- “Further Adventures in the Skin Trade.” *Newsweek*. 14 July 1986, 40.
- Galloway, Joseph L. and Jeannye Thornton. “Crackdown on Pornography: A No-Win Battle.” *U.S. News and World Report*. 4 June 1984, 84-85.
- Gamarekian, Barbara. “Report Draws Strong Praise and Criticism.” *New York Times*. 10 July 1986, B7.
- Garvey, John. “Tolerance Limits: Pornography and the Risks of Censorship.” *Commonweal*. 26 Septembers 1986.
- Gest, Ted. “A Bugle Call for a War on Porn.” *U.S. News and World Report*. 21 July 1986, 6.
- Gest, Ted and Cynthia Kyle. “An X-Rated Report that has the Capital Buzzing.” *U.S. News and World Report*. 9 June 1986, 20.
- Goleman, Daniel. “Researchers Dispute Pornography Report on its Use of Data.” *New York Times*. 17 May 1986, 1, 35.
- Goodman, Walter. “Pornography: Esthetics to Censorship Debated.” *New York Times*. 13 August, 1984, C21.
- Goodman, Walter. “Battle on Pornography Spurred by New Tactics.” *New York Times*. 3 July 1984, A8.
- Halloran, Richard. “A Federal Panel Asks Relaxation of Curbs on Smut.” *New York Times*. 1 October 1970, 1, 20.
- Halloran, Richard. “Dissenter Seeks Smut Report Ban.” *New York Times*. 9 September 1970, 3.
- Halloran, Richard. “Federal Commission on Pornography is now Divided on the Easing of Legal Controls.” *New York Times*. 6 September 1970, 42.
- Halloran, Richard. “Report on Smut Held up by Court.” *New York Times*. 10 September 1970, 23.
- Halloran, Richard. “Sharp Conflict over Report on Smut.” *New York Times*. 13 September 1970, E5;

- Herron, Carline Rand and Michael Wright. "Final Report on Pornography Prompts Debate." *New York Times*. 13 July 1986, E4.
- Hertzberg, Hendrick. "Big Boobs." *New Republic*, 14 & 21 July 1986, 38.
- Hill, Morton A.. "An Insider's Attack on Obscenity Report." *U.S. News and World Report*. 22 February 1971, 78.
- "House Panel Opens Obscenity Hearing." *New York Times*. 18 November 1970, 93.
- Johnson, Hillary. "Violence Against Women – Is Porn to Blame?" *Vogue*, September 1985, 678-679, 750-752.
- Kantzer, Kenneth S.. "The Power of Porn." *Christianity Today*. 7 February 1986, 18-20.
- Kauffman, Michael T.. "Live Sex 'Exhibitions' Present Problem Here." *New York Times*. 2 October 1970, 36, 50.
- Kauffman, Stanley. "Stanley Kauffman on Obscenity." *New Republic*. 17 October 1970, 22, 35.
- Keating, Jr. Charles. "The Report that Shocked the Nation." *Reader's Digest*. January 1971, 37-41.
- Kennedy, Father Eugene C.. "Kind Words for the Porno-Researchers." *Commonweal*. 18 December 1970, 292-293.
- Klemesrud, Judy. "Joining Hands in the Fight Against Pornography." *New York Times*. 26 August 1985, B7.
- Kristoff, Nicholas D.. "X-Rated Industry in a Slump." *New York Times*. 5 October 1986, I36, 6.
- Lamar, Jr., Jacob V.. "Reagan's Moral Point Man." *Time*. 21 July 1986, 16.
- Lance, Kathryn. "Your Secret Sex Life." *Ladies Home Journal*. January 1985, 64-68, 140-141.
- Lawton, Kim A.. "Friends and Foes of Pornography Commission Try to Sway Public Opinion." *Christianity Today*. 19 September 1986, 44.
- Leo, John. "Pornography: The Feminist Dilemma." *Time*. 21 July 1986, 18.
- Lubasch, Arnold H.. "Hearing Assails the Smut Flood." *New York Times*. 19 February 1970, 44.

McDaniel, Ann. "A Salvo in the Porn War." *Newsweek*. 21 July 1986, 18.

"Meese Reveals Plan to Combat Obscenity." *Christianity Today*. 21 November 1986, 40.

"Meese v. Playboy." *National Review*. 1 August 1986, 13-14.

Minnery, Tom. "Pornography: The Human Tragedy." *Christianity Today*. 7 March 1986, 16-22.

Minnery, Tom. "Antipornography Conference Signals Growing Commitment to Combat Obscenity." *Christianity Today*. 18 October 1985, 37, 41.

Montgomery, Paul L.. "State Loses a Round in Pornography Fight." *New York Times*. 26 November 1972, 97, 111.

"Naughty Photos: A Panel Links Porn to Violence." *Time*. 26 May 1986, 27.

"No More Adults." *Time*. 21 April 1986, 62.

"None Dare Call it Sleaze." *National Review*. 18 July 1986, 18.

"Obscenity Group Set Up." *New York Times*. 3 January, 1968, 30.

"Obscenity Panel Head Says Report Will Help Society." *New York Times*. 4 November 1970, 22.

"Obscenity Report Assailed by Adams as Moral Danger." *New York Times*. 3 October, 1970, 13.

"Odd Man In." *Newsweek*. 21 September 1970, 44.

"Panel Calls on Citizens to Wage National Assault on Pornography." *New York Times*. 10 July 1986, A1, B7.

"Panel's Draft Urges Liberal Pornography Laws." *New York Times*. 9 August 1970, 22.

"Panelists Agree on Smut Report." *New York Times*. 15 September 1970, 23.

Pear, Robert. "Playboy and Justice Dept. Trying to Settle Lawsuit." *New York Times*. 8 November 1986, 50.

Pear, Robert. "Excerpts from Final Report of Attorney General's Panel on Pornography." *New York Times*. 10 July 1986, B7.

Pear, Robert. "Panel Calls on Citizens to Wage National Assault on Pornography." *New York Times*. 10 July 1986, A1, B7.

"Platform for Permissiveness." *Christianity Today*. 23 October 1970, 27-28.

"Porn Again." *Christianity Today*. 16 January 1987, 62.

"Porn in the U.S.A.: The Meese Commission on the Road." *The Nation*. 2-9 August 1986, 1, 76-82.

"Pornography: The Oldest Debate." *Newsweek*. 12 October 1970, 37-38.

"Pornography and Politics." *Newsweek*. 17 August 1970, 81.

"Pornography Curbs Urged by Mitchell." *New York Times*. 23 August 1970, 59.

"Pornography Goes Public." *Newsweek*. 21 December 1970, 26-28, 31-32.

"Pornography in a Free Society." *Christianity Today*. 22 May 1970, 20-21.

"Pornography Report – Official Findings that Set off a Furor." *U.S. World and News Report*. 12 October 1970, 60-64.

"Pornography Report Delayed." *New York Times*. 20 August 1970, 26.

Press, Aric and Ann McDaniel. "Hard-Core Proposals." *Newsweek*. 28 April 1986, 38.

Press, Aric et al. "The War Against Pornography." *Newsweek*. 18 March 1984, 3, 58-67.

"Psychologists Dispute Report on Smut." *New York Times*. 12 Aug 1970, 22.

"Q & A: Is New Action Needed on Pornography?" *New York Times*. 23 June 1985, E24.

Rangel, Jesus. "Church Leaders Make a Target of Pornography." *New York Times*. 26 July 1986, 31.

"Reagan's Pornographers." *New Republic*. 30 June 1986, 4.

Roberts, Steven V. "Pornography in U.S.: A Big Business." *New York Times*. 22 February 1970, 1, 66.

Schultz, Gladys Denny. "What Sex Offenders Say About Pornography." *Reader's Digest*. July 1971, 53-57.

Schumach, Murray. "Sex Exploitation Spreading Here." *New York Times*. 11 July 1972, 1, 44.

“Senate Leaders in Both Parties Denounce Findings of Pornography Panel.” *New York Times*. 2 October 1970, 36, 50.

Shenon, Philip. “Sturm und Drang und Pornography.” *New York Times*. 15 April 1986, B6.

Shenon, Philip. “Justice Department to Form Team to Handle Obscenity Cases.” *New York Times*. 18 Oct 1986, 6.

Shenon, Philip. “Justice Department Study Finds Material is Tied to Violence.” *New York Times*. 14 May 1986, B20.

Shenon, Philip. “Obscenity Report Nears Completion.” *New York Times*. 3 May 1986, 36.

Shenon, Philip. “A Second Opinion of Pornography’s Impact.” *New York Times*. 18 May 1986, E8.

Shenon, Philip. “Playboy and Booksellers Suing Pornography Panel.” *New York Times*. 20 May 1986, A24.

Shuster, Alvin. “‘Lord Porn’ Makes his Report.” *New York Times*. 24 September 1972, E4.

“Sex as a Spectator Sport.” *Time*. 11 July 1969, 61-63, 66-67.

“Smut: A Boom that is Faltering.” *U.S. News and World Report*. 10 July 1972, 66-67.

“Smut Hearing Planned.” *New York Times*. 23 September 1970, 30.

“Smut Laws Repeal for Adults Backed.” *New York Times*. 28 August 1970, 30.

“Smut Panelist Sees Politics in Rebuke.” *New York Times*. 26 October 1970, 74.

Spring, Beth. “How Harmful is Pornography.” *Christianity Today*. 11 July 1986, 26-27.

Stengel, Richard. “Sex Busters.” *Time*. 21 July 1986, 12-18, 21.

“Text of Nixon’s Statement Rejecting the Report of the Obscenity Panel.” *New York Times*. 25 October 1970, 71.

“That Porno Report.” *National Review*. 20 October 1970.

“The Members of the Commission.” *New York Times*. 1 October 1970, 20.

“The New Feminists: Revolt Against ‘Sexism.’” *Time*. 21 November 1969, 53.

- “The Power of Pornography.” *Christianity Today*. 11 September 1970, 35.
- “The Rich Pornocopia.” *Time*. 16 November 1970, 92.
- “The Temptations of Pornography.” *Christian Century*. 11 November 1970, 1339.
- Tynan, Kenneth. “Dirty Books Can Stay.” *Esquire*. October 1968, 168-170, 258-260.
- Vonnegut, Kurt. “God Bless You, Edwin Meese!” *The Nation*. 25 January 1986, 1, 81-82.
- Ward, Robert. “Pornography and Politics.” *National Review*. 22 October 1971, 1178-1179, 1194.
- Weaver, Jr., Warren. “Nixon Repudiates Obscenity Report as Morally Void.” *New York Times*. 25 October 1970, 1, 71.
- Wein, Betty. “Pornography on the March.” *Reader’s Digest*. November 1987, 153-158.
- “What’s Happening to American Morals.” *U.S. News and World Report*. 25 January 1971, 68-74.
- “Which Way on Pornography?” *New York Times*. 3 October 1970, 30.
- Witcover, Jules. “Civil War Over Smut.” *The Nation*. 11 May 1970, 550-552.

Secondary Sources

- Arcand, Bernard. *The Jaguar and the Anteater: Pornography and the Modern World*. Trans. Wayne Grady. Toronto: McClelland and Stewart, 1993.
- Barber, D.F.. *Pornography and Society*. London: Charles Skilton, Ltd., 1972.
- Baughman, James L.. *The Republic of Mass Culture: Journalism, Filmmaking and Broadcasting in America since 1941*. Baltimore: The John Hopkins University Press, 1992.
- Baughman, Linda Lee. PhD Dissertation. “What are we Protecting Here? The Cultural Construction of Gender in Obscenity Law.” 1999. University of Illinois at Urbana-Champaign.
- Bosmajian, Haig A.. Editor. *Obscenity and Freedom of Expression*. New York: Franlin, 1976.

- Brigman, William E.. "Politics and the Pornography Wars." *Wide Angle* 19(3) (Jul 1997): 149-170.
- Brod, Harry. "Eros Thanatized: Pornography and Male Sexuality." In Kimmel, Michael S.. Editor. *Men Confront Pornography*. New York: Penguin, 1991, 190-206.
- Brownmiller, Susan. "Excerpt on Pornography from *Against Our Will: Men, Women and Rape*." In Lederer, Laura. Editor. *Take Back the Night: Women on Pornography*. New York: William Morrow and Company, 30-34.
- Burley, Laurel. Compiler. *President's Commission on Obscenity and Pornography: Preliminary Bibliography*. Berkeley: California Library Association, 1971.
- Butler, Judith. *Excitable Speech: A Politics of the Performative*. New York: Routledge, 1996.
- Cameron, Deborah. "Discourses of Desire: Liberals, Feminists, and the Politics of Pornography in the 1980s." *American Literary History* 2(4) (1990): 784-798.
- Clor, Harry M.. *Obscenity and Public Morality: Censorship in a Liberal Society*. Chicago: University of Chicago, 1969.
- Cotham, Perry C.. *Obscenity, Pornography and Censorship*. Grand Rapids: Maker Book House, 1973.
- D'Emilio, John and Estelle B. Freedman. *Intimate Matters: A History of Sexuality in America*. New York: Harper and Row, 1988.
- Daily, Jay E.. *The Anatomy of Censorship*. New York: Marcel Dekker, 1973.
- de Grazia, Edward. *Censorship Landmarks*. New York: R.R. Bowker, 1969.
- de Grazia, Edward. *Girls Lean Back Everywhere: The Law of Obscenity and the Assault on Genius*. New York: Random House, 1992.
- Dean, Carolyn J.. *Sexuality and Modern Western Culture*. New York: Twayne Publishers, 1996.
- Dearing, James W. and Everett M. Rogers. *Agenda-Setting*. Thousand Oaks: Sage Publications, 1996.
- Doss, Erika. Editor. *Looking at Life Magazine*. Washington: Smithsonian Institution Press, 2001.

- Downs, Donald Alexander. *The New Politics of Pornography*. Chicago: University of Chicago Press, 1989.
- Drakeford, John W. and Jack Hamm. *Pornography: The Sexual Mirage*. Nashville: Thomas Nelson, Inc., 1973.
- Duggan, Lisa and Nan D. Hunter. Editors. *Sex Wars: Sexual Dissent and Political Culture*. New York: Routledge, 1995.
- Dunn, Charles W. and J. David Woodard. *The Conservative Tradition in America*. Maryland: Rowman and Littlefield, 1996.
- Dwyer, Susan. Editor. *The Problem of Pornography*. Belmont, California: Wadsworth Publishing Co., 1995.
- Ericson, Richard V., Patricia M. Baranek and Janet B.L. Chan. *Visualizing Deviance: A Study of News Organizations*. Toronto: University of Toronto Press, 1987.
- Ernst, Morris L. and Alan U. Schwartz. *Censorship: The Search for the Obscene*. New York: MacMillan Co., 1964.
- Final Report of the Attorney General's Commission on Pornography*. Nashville, Tennessee: Rutledge Hill Press, 1986.
- Foucault, Michel. *The History of Sexuality: An Introduction, Vol. 1*. Robert Hurley. Translator. New York: Vintage Books, 1990.
- Friedman, Andrea. "Sadists and Sissies: Anti-pornography Campaigns in Cold War America." *Gender and History* 15(2) (August 2003): 201-227.
- Friedman, Leon. Editor. *Obscenity: The Complete Oral Arguments Before the Supreme Court in the Major Obscenity Cases*. New York: Chelsea House, 1970.
- Funston, Richard. "Pornography and Politics: The Court, the Constitution, and the Commission." *Western Political Quarterly* 24(4) (1971): 635-652.
- Gans, Herbert. *Deciding What's News: A Study of CBS Evening News, NBC Nightly News, Newsweek and Time*. New York: Pantheon Books, 1979.
- Gauntlett, David. *Media, Gender and Identity: An Introduction*. London: Routledge, 2002.
- Gerber, Albert B.. *Sex, Pornography and Justice*. New York: Lyle Stuart Inc., 1965.
- Hamilton, James T.. *All the News that's Fit to Sell: How the Market Transforms Information into News*. New Jersey: Princeton University Press, 2004.

- Hawkins, Gordon and Franklin E. Zimring. *Pornography in a Free Society*. Cambridge: Cambridge University Press, 1988.
- Hixson, Richard F.. *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem*. Carbondale: Southern Illinois University Press, 1996.
- Hunt, Lynn. Editor. *The Invention of Pornography: Obscenity and the Origins of Modernity 1500-1800*. New York: Zone Books, 1996.
- Hunter, Nan D.. "Contextualizing the Sexuality Debates: A Chronology." In Duggan, Lisa and Nan D. Hunter. Editors. *Sex Wars: Sexual Dissent and Political Culture*. New York: Routledge, 1995, 16-29.
- Jelen, Ted G.. "Fundamentalism, Feminism, and Attitudes Toward Pornography." *Review of Religious Research* 28(2) (December 1986): 97-103.
- Johnstone, Barbara. *Discourse Analysis*. Massachusetts: Blackwell Publishers, 2002.
- Kendrick, Walter M.. *The Secret Museum: Pornography in Modern Culture*. New York: Viking, 1987.
- Kimmel, Michael S.. Editor. *Men Confront Pornography*. New York: Penguin, 1991, 1-23
- Lasar, Matther. "The Triumph of the Visual: Stages and Cycles in the Pornography Controversy from the McCarthy Era to the Present." *Journal of Policy History* 7(2) (1995): 181-207.
- Leach, Michael. *I Know It When I See It*. Philadelphia: The Westminster Press, 1975.
- Lederer, Laura. "Introduction by Laura Lederer." In Lederer, Laura. Editor. *Take Back the Night: Women on Pornography*. New York: William Morrow and Company, 15-20.
- Lederer, Laura. Editor. *Take Back the Night: Women on Pornography*. New York: William Morrow and Company, Inc., 1980.
- Mackey, Thomas C.. *Pornography on Trial: A Handbook with Cases, Laws and Documents*. California: ABC-Clio, 2002.
- MacKinnon, Catharine. "'Francis Biddle's Sister: Pornography: Civil Rights, and Speech.'" In Dwyer, Susan. Editor. *The Problem of Pornography*. California: Wadsworth Pub. Co., 1995, 53-66.
- MacKinnon, Catharine. *Only Words*. Cambridge, Massachusetts: Harvard University Press, 1993.

- MacKinnon, Catharine and Andrea Dworkin. Editors. *In Harm's Way: The Pornography Civil Rights Hearing*. Cambridge, Massachusetts: Harvard University Press, 1997.
- Marsden, George M.. *Understanding Fundamentalism and Evangelicalism*. Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 1991.
- Post, Robert C.. "Cultural Heterogeneity and the Law: Pornography, Blasphemy, and the First Amendment." *California Law Review* 76 (297) (1988): 297-335.
- Rachlin, Allan. *News as Hegemonic Reality: American Political Culture and the Framing of News Accounts*. New York: Praeger, 1988.
- Reader's Guide to Periodical Literature* (Minneapolis: H.W. Wilson Co., 1905-).
- Reisman, Judith A., PhD. *Images of Children, Crime and Violence in Playboy, Penthouse, and Hustler*. Lafayette, La.: Huntington House, Inc., 1987.
- Schaefer, "Dirty Little Secrets: Scholars, Archivists, and Dirty Movies," *The Moving Image* 5(2) (Fall 2005): 79-105.
- Segal, Lynne and Mary McIntosh. Editors. *Sex Exposed: Sexuality and the Pornography Debate*. New Brunswick, N.J.: Rutgers University Press, 1993.
- Sellen, Betty-Carol and Patricia A. Young. *Feminists, Pornography, and the Law: An Annotated Bibliography of the Conflict, 1970-1986*. Connecticut: Library Professional Publications, 1987.
- Sharp, Joanne B.. *Condensing the Cold War: Reader's Digest and American Identity*. Minneapolis: University of Minnesota Press, 2000.
- Slade, Joseph W.. *Pornography in America: A Reference Handbook*. Santa Barbara: ABC-Clio, 2000.
- Sontag, Susan. *On Photography*. New York: Dell Publishing, 1977.
- Sontag, Susan. "The Pornographic Imagination." In Susan Sontag. Editor. *Styles of Radical Will*. New York: Dell Publishing, 1969, 35-73.
- Streitmatter, Roger. *Mightier than the Sword: How the News Media Have Shaped American History*. Colorado: Westview Press, 1997.
- Strossen, Nadine. *Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights*. New York: Scribner, 1995.

Tuchman, Gaye. *Making News: A Study in the Construction of Reality*. New York: The Free Press and Collier Macmillan Publishers, 1978.

United States, Attorney General's Commission on Pornography. *Final Report*, v. 1. Washington, D.C.: U.S. Department of Justice, 1986.

United States, Attorney General's Commission on Pornography. *Final Report*, v. 2. Washington, D.C.: U.S. Department of Justice, 1986.

United States, Commission on Obscenity and Pornography. *Report of the Commission on Obscenity and Pornography*. New York: Random House, 1970.

Vance, Carol S., Editor. *Pleasure and Danger: Exploring Female Sexuality*. London: Pandora Press, 1992.

Werhan, Keith. "The Tie that Binds: Constitutional Law and Culture, Obscenity and Child Pornography." *South Atlantic Quarterly* 100(4) (2001): 897-917.

White, Kevin. *Sexual Liberation or Sexual License?: The American Revolt Against Victorianism*. Chicago: Ivan R. Dee, 2000.

Williams, Linda. *Hard Core: Power, Pleasure, and the "Frenzy of the Visible."* Berkeley: University of California Press, 1989.