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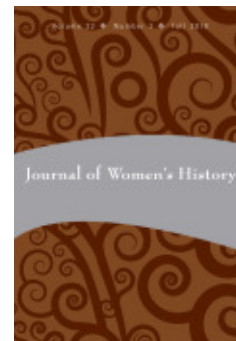
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## **Lavender, Menaced Lesbianism, Obscenity Law, and the Feminist Antipornography Movement**

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Journal of Women's History, Volume 22, Number 2, Summer 2010,  
pp. 83-107 (Article)

Published by The Johns Hopkins University Press  
DOI: 10.1353/jowh.0.0143



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## LAVENDER, MENACED

### *Lesbianism, Obscenity Law, and the Feminist Antipornography Movement*

Whitney Strub

*This article examines the means by which obscenity law, as an instrument of heteronormativity, operated against depictions of lesbianism in the post-World War II United States. As persistent obscenity charges served to reify the conflation of lesbianism and obscenity, bolstering an already operative antigay framework, judicial rulings repeatedly ratified this equation, holding depictions of lesbianism to arbitrary and anomalous legal standards that insured its continued stigmatization. After an analysis of case law and the legal targeting of lesbian imagery, the article goes on to argue that this hitherto unexamined story provides a crucial backdrop for understanding lesbian responses to the feminist antipornography movement that emerged in the 1970s, as lesbians often proved resistant to a movement whose discourse frequently resonated with earlier legal language utilized in the suppression of lesbian imagery.*

The hands moved along her sides, fingers trailing lightly, and then the moist parted lips were on her left breast. She gasped as her erect nipple was drawn into the hot mound, the hot tongue danced in crazy little circles around and around. Then Betty was doing the same thing on the right breast.

"I'm on fire," Jill whispered

Betty raised her head. "I'll put the fire out honey."<sup>1</sup>

Both purple and lavender, and climactic in more sense than one, this passage from the pulp novel *Lesbian Roommate* helped earn a 1968 obscenity conviction for a seller of the book in Portland, Oregon, a ruling upheld by the state's Supreme Court. The quoted passage represents the novel at its most graphic, as attested to by an extensive set of excerpts "reluctantly" attached to a later affirmation of the novel's obscenity by a federal appellate court in 1970. This affirmation appears quite jarring, considering that the Oregon Supreme Court itself juxtaposed *Lesbian Roommate* against other far more explicit works such as D.H. Lawrence's *Lady Chatterley's Lover* and Henry Miller's *Tropic of Cancer*, both of which were considered not legally obscene. The latter work, after all, had taken a mere twenty paragraphs to arrive at the proclamation, "I am fucking you, Tania" and then spent the next three hundred pages elaborating in far more graphic and vulgar detail.<sup>2</sup>

Unlike these other works, *Lesbian Roommate* used “no four-letter Anglo-Saxon words, with the infrequent exceptions of ‘hell’ and ‘damn.’” Furthermore, the Oregonian justices themselves had recently overturned an obscenity conviction for the hetero-themed smut novel *Lust Pad*, hardly a paragon of literary merit. To reconcile this apparent discrepancy, the justices indignantly explained that the book “portrays a homosexual act between two women where one is having osculatory relations with the private parts of the other and is ‘greedily’ making ‘syrupy noises.’” As the court added, “material of this kind affronts national contemporary community standards.”<sup>3</sup>

Certainly much could be made of the leering male gaze through which the various courts viewed *Lesbian Roommate*, taking an apparent pleasure in savoring its textual deviance, quoting it effusively even as they suppressed it in a manner that bears out several of Michel Foucault’s observations about the workings of repression and the inherent perversity of monitoring perversion. While other scholars have pursued such analyses to great effect, in this essay I instead wish to emphasize another aspect of this and other cases, perhaps more prosaic but no less significant: the fact that depictions of lesbianism constituted grounds for legal findings of obscenity well into the late twentieth century in the United States.<sup>4</sup> This has profound implications for the way we must perceive the deployment of obscenity charges, and it also provides a hitherto unexamined backdrop against which lesbian responses to the feminist antipornography movement that emerged in the late 1970s must be situated.

The notion that obscenity law serves as an enforcing agent of normative sexual regimes carries a certain tautological truth, but its self-evidence has perhaps acted to obstruct investigative efforts at historicizing its operations under specific settings. This is something Canadian legal scholars have worked to rectify in recent years, as several Supreme Court obscenity cases there have allowed for a legal definition of obscenity that includes the “dehumanizing” and the “degrading,” seemingly inviting the legal stigmatization of such counternormative forms of sexual expression as lesbian s/m. As Brenda Cossman has recognized, “community standards, as articulated by the Court, invariably rely on ideologically dominant discourses of sex, or in more simple language, prevailing sexual moralities.”<sup>5</sup>

Much the same can be said of the United States, where “community standards” have formed an integral component of evaluating obscenity charges since the landmark Supreme Court *Roth* decision established modern obscenity doctrine in 1957.<sup>6</sup> Given the rabidly antigay 1950s American context, those standards could only be read as implicitly heteronormative. Indeed, buried in the footnotes of Justice William Brennan’s lead decision

lay a definition of “prurience”—another determinative component of obscenity—predicated on “morbid” longings; morbidity, of course, had long been used as a psychiatric descriptor of lesbian desire.<sup>7</sup> U.S. historians have only recently begun to examine the limits of Warren Court-era sexual liberalism. While that famously liberal Court of the 1950s and 60s indisputably expanded sexual freedoms for most adults, historian Marc Stein, for instance, has shown how it carefully calibrated its rulings to remain within a clearly demarcated arena that continued to deny sexual citizenship to marginal identity groups, particularly queer ones.<sup>8</sup>

Other scholars have examined various aspects of the connections between obscenity laws and queer communities, for instance legal historian William Eskridge has offered a powerful analysis of the discrepancies between the protections afforded “straight” speech and those afforded queer speech.<sup>9</sup> Meanwhile, women’s historians have long observed obscenity law’s inglorious history as an instrument of patriarchal control, ranging from the persecutions of such late-nineteenth- and early-twentieth-century feminist advocates of sexual and reproductive freedom as Victoria Woodhull and Margaret Sanger through contemporary episodes such as the 2003 arrest of Texas vibrator-saleswoman Joanne Webb.<sup>10</sup> At the intersection of these two histories, however, the specific targeting of lesbian-themed texts has drawn relatively little attention; while historians Leslie Taylor and Andrea Friedman have offered masterful analyses of obscenity charges against lesbian-themed material in the first half of the twentieth century, a dearth of scholarship exists on such efforts during and beyond the cold war era, despite universal recognition of that period’s intense homophobia.<sup>11</sup>

Despite this inattention, the systematic perpetuation of lesbianism’s allegedly obscene nature contributed to the demonization of lesbians in cold war America. As a repressive apparatus, the law could not erase all depictions of lesbianism; as an interpretive device, though, it helped bolster a larger social image of homosexuality as deviant and beyond the pale of accepted modes of living. This obscenity-based legal attack on lesbianism generated a heightened awareness of the dangers of suppression among lesbians of the so-called “second wave” feminist era. Historians of second wave feminism and the subsequent “sex wars” of the 1980s have yet to pay sufficient heed to lesbian thought on the censorship and suppression of obscenity and pornography in the 1970s. Accounts of these topics generally locate the commencement of feminist intellectual engagement with pornography around 1976, when the exploitation film *Snuff* helped facilitate the coalescence of a feminist antipornography movement.<sup>12</sup> But approached historically, it is quite clear that lesbian concerns with countering censorship and imposed sexual normativities provide a more continuous thread

within modern feminism than does antiporn activism, running from the Daughters of Bilitis in the 1950s to *On our Backs* in the 1980s, and beyond. While this article does not attempt to recount the entirety of the explosive porn debates of the 1970s and 80s, it does emphasize this thread to show that the history of targeting lesbian texts as obscene informed lesbian-feminist wariness toward efforts to suppress texts in the name of feminism, efforts that would be met not just with resistance but also with renewed calls for the urgency of erotic self-determination in the face of encroaching normative restrictions from all sides.

### **Morbidity and Prurience: Juridical Constructions of Lesbianism as Obscene**

Stigmatization of homosexuality, of course, preceded the onset of the cold war, as several lesbian-targeted obscenity prosecutions make clear. In 1928, U.S. customs agents withheld Radclyffe Hall's landmark British novel *The Well of Loneliness* as obscene. As Leslie Taylor has observed, attorney Morris Ernst's ultimately successful efforts to exonerate the novel strategically avoided any argument that lesbianism itself was not inherently obscene, instead rhetorically pushing the debate toward the more neutral matter of sexual explicitness, which the novel lacked. During the same period, New York City repeatedly targeted plays with lesbian content for obscenity charges. While these efforts met with varying levels of success, their sheer perpetuation alone established a correlation between lesbianism and obscenity. Indeed, while later juridical texts like the 1957 Supreme Court *Roth* decision require at least some amount of interstitial excavation to uncover their heteronormative components, the New York Wales Padlock Act of 1927, anticipating the Hollywood Production Code of the 1930s, amended the state obscenity law to include "sex degeneracy or perversion," terms that Andrea Friedman has described as "universally understood to denote homosexuality."<sup>13</sup>

Collectively, these examples anticipated later developments, highlighting the fact that the most significant pattern at play was not that of convictions and acquittals, but rather the repetition of charges, which served to reify the conflation of lesbianism and obscenity much as medical and psychiatric texts had already done with lesbianism and morbidity. While somewhat slow to reemerge after wartime gave way to nominal peace in 1945, this pattern underwent an unheralded restoration beginning in the 1950s. As atomized, maritally sanctioned heterosexuality developed into the normative model for familial organization in the 1950s, concerns over properly channeling sexuality into that format prompted a moral panic over

the effects of media sex and violence. Homosexuality figured prominently in these fears, displayed in psychotherapist Benjamin Karpman's 1955 assertion before a senatorial subcommittee that "a perfectly normal, healthy boy or girl . . . if exposed to pornographic literature, could thereby develop into a homosexual."<sup>14</sup>

In keeping with governmental antigay efforts that emphasized gay males, effects on girls were of secondary interest to those on boys, whose developing masculinity played a greater role in the phallic model of nationalism promulgated by cold war theorists; as Andrea Friedman has shown, fears of boys being "perverted" into "sadists or sissies" dominated antiporn and anti-comic discourse.<sup>15</sup> Fears of lesbianism often played a supporting role in these episodes, as when a *Better Homes and Gardens* reporter noted the prevalence of "homosexuality, nymphomania, Lesbianism, fetishism, and bestiality" in the "obscene magazines" "flooding the newsstands," implicitly bestowing on gay men a monopoly over homosexuality and relegating lesbians to a sort of corollary brand of deviance.<sup>16</sup>

The emergence of lesbian pulp fiction as a major publishing genre in the early 1950s drew more attention to lesbianism. Tereska Torres's 1950 novel *Women's Barracks* led the way, and it was soon targeted by a congressional investigation of cheap paperbacks for containing "much obscene material" and receiving an obscenity conviction in Canada.<sup>17</sup> The committee's 1952 report lumped lesbian fiction alongside other works featuring "sensuality, immorality, filth, perversion, and degeneracy," and it carried some influence, as *Women's Barracks* was tried on obscenity charges in St. Paul, Minnesota in 1953.<sup>18</sup>

The novel, whose hetero-affirmative ending anticipated general trends as lesbian pulp fiction proliferated in the early 1950s, was ultimately acquitted. As cheap paperbacks multiplied, lesbian pulp fiction came to consist of a complicated textual melange: fetishized depictions of lesbian sexuality catered to the predominantly male reading base; the frequent pathologization of lesbianism reflected the psychiatric tenor of the times; and somewhat concealed in the books, helpful social guideposts and grounds for self-affirmation could be teased out by lesbian readers, who often relied on sophisticated reading strategies to emphasize these elements.<sup>19</sup> The pervasiveness of sorrow-ridden conclusions capped off this mishmash on grounds less ideological than pragmatic, acting as an effort to ward off postal censors by seeming to condemn lesbianism rather than proselytizing for it. Lesbian pulp author Marijane Meaker has recounted how her first editor insisted on unhappy endings for such novels as *Spring Fire* (1952) on precisely these grounds.<sup>20</sup> Preemptive self-censorship took many forms, as Lisa Ben, the pseudonymous author of the groundbreaking

lesbian zine *Vice Versa*, suddenly realized around her third issue in 1947 that the mere nature of her work made it susceptible to obscenity charges. She subsequently avoided mailing *Vice Versa* for the short remainder of the publication's existence.<sup>21</sup>

No measure of precaution, however, could keep normative sexual politics at bay everlastingly. Two Los Angeles cases from the mid-1950s exemplify the use of obscenity charges to suppress and stigmatize depictions of lesbianism. The first involved the homophile magazine *ONE*, established in 1953 by a small group with backgrounds in the groundbreaking gay rights group the Mattachine Society. Focusing on legal, medical, and cultural calls for homosexual empowerment, *ONE* tended to emphasize gay male experiences but paid significant heed to lesbians as well. Immediately upon publication in 1953 the magazine was withheld from the mail by L.A. postmaster Otto Oleson, but the solicitor general in Washington approved it for sending. Celebrating its victory but recognizing its precarious nature, *ONE* in 1954 unhappily noted, "what is permissible in heterosexual literature is *not* permissible in *ONE's* context" and provided a list of textual matters understood as verboten, from encouraging homosexuality to "fiction with too much physical contact between the characters." The article also observed that "these rules are relaxed somewhat in work dealing with homosexuality among *women*." Ironically, a short story in the same issue would prove this detail wrong.<sup>22</sup>

Jane Dahr's "Sappho Remembered" told the story of Pavia, a young woman reminiscing about her female college lover as she weighs her life, ultimately renouncing her straight façade to embrace a lesbian identity. Even by the standards of the day, the story was relatively tame, featuring nothing more overt than a brief kiss; its only direct reference to sex was a brief aside about a heterosexual affair in which "Mrs. Brake is sleeping with her chauffeur." Nonetheless, "Sappho Remembered," along with the insinuating but equally inexplicit gay poem "Lord Samuel and Lord Montagu" and some advertisements in the back of the magazine were used by postmaster Oleson as grounds for another declaration of obscenity, as he withheld the October 1954 issue from the mail.<sup>23</sup>

An assertive *ONE* went to court, demanding an injunction against Oleson. Armed with a thoughtful legal brief arguing of the kiss that "there is nothing obscene in such an act, if it is done or described with decency," *ONE's* attorney called attention to the double standard that deemed heterosexual literary kisses acceptable. Unmoved, the federal district court described "Sappho Remembered" as "obviously calculated to stimulate the lust of the homosexual reader" and sided with the postmaster.<sup>24</sup> Not even the ACLU (which still considered homosexuality a legitimate basis

for dismissal from federal employment on the grounds of security risks) would support *ONE*, despite giving “serious consideration” to joining the case, but the intransigent homophile magazine pressed its case further up the judicial hierarchy.<sup>25</sup> Unfortunately, it met more resistance at the appellate level, when the Ninth Circuit Court of Appeals affirmed the lower court in 1957, exacerbating the vitriol quotient by terming “Sappho Remembered” “nothing more than cheap pornography calculated to promote lesbianism,” thus perpetuating the conflation of lesbianism and obscenity by finding a mere kiss “pornographic.”<sup>26</sup>

Meanwhile, a parallel case in Los Angeles also emphasized the legal vulnerabilities of lesbian textuality. When bookseller Eleazar Smith faced sixteen obscenity charges in late 1956, the material accused ranged from *Playboy* imitations to pulp novels. Only one was found obscene: Mark Tryon’s 1954 novel *Sweeter Than Life*. Like much of the lesbian fiction then published, the novel refracted lesbianism through a salacious male gaze, framing it as deviant and unbalanced; while perhaps a bit more graphic in its depictions of such fetishized body parts as “blue-veined breasts that were so full they seemed swollen,” the novel nonetheless remained “suggestive rather than explicit,” as scholar Felice Flannery Lewis has written.<sup>27</sup> Like “Sappho Remembered,” though, it was found obscene in local Municipal Court, a verdict upheld on local appeal, where the Superior Court found the book “properly held to be obscene” in 1958, affirming Smith’s thirty-day jail term.<sup>28</sup>

After repeated judicial ascriptions of obscenity, both Los Angeles cases came before the U.S. Supreme Court. *ONE* arrived first, with a brief that again focused on the courts’ “repeatedly begg[ing] the question by assuming, without argument, discussion, or any explanation of any kind whatsoever, that the mere depiction of homosexuals or homosexual problems in literature is ‘lustful’ or ‘stimulating’ in such a manner as to render the literary work ‘obscene.’” In January 1958 the Court signaled its agreement, reversing the appellate court and thus finally exonerating *ONE* from postmaster Oleson’s obscenity charge. Mitigating the impact of the decision, however, was the Court’s unwillingness to attach a written decision, simply issuing a per curiam reversal that severely undermined the case’s precedential value by failing to spell out the presumed doctrine that homosexuality itself was not to be considered legally obscene.<sup>29</sup>

Similarly, Eleazar Smith’s case reached the bench in 1959, and the Court reversed his conviction in December. But again, the decision did little to disengage lesbianism from its obscene connotations. Abstracted to the constitutional question of *scienter*, or Smith’s knowledge of the book’s content, the case abandoned the text itself, with defense attorney Stanley



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Fleishman following the lead of Morris Ernst in the *Well of Loneliness* case in distancing the legal question from anything pertaining to lesbianism. Only William Douglas among the justices directly acknowledged *Sweeter Than Life*, finding space in an extremely brief concurrence to label the book "repulsive."<sup>30</sup>

At the dawn of the 1960s, then, lesbian-themed texts stood a good chance of legal vindication from obscenity charges, but only after strenuous effort. No court had yet overtly attempted to break the conflation of lesbianism and obscenity that permeated social understandings of the concepts. A 1960 New York state court ruling against paperback merchant Edward Mishkin reflected the prevalence of these sentiments; in a 198-count obscenity charge leveled against a panoply of books that ran the gamut of "perversions," it was lesbianism toward which the court first turned in explaining its ruling, citing Mishkin's somewhat redundant instructions to an author to fill her text with "women making love to women, sodomy, lesbian scenes, spankings." Such content, according to the court, wallowed in "sex in its most corrupt, sadistic, masochistic, and degenerate form." Mishkin was sentenced to a draconian three year prison term and \$12,500 fine.<sup>31</sup> That lesbianism per se rather than specific levels of graphic detail informed the decision is made evident by contrasting the Mishkin case to another New York obscenity decision the next year. When a state appellate court exonerated the men's magazine *Gent* in 1961, its logic contended that, despite numerous pictures of nude women, *Gent* "contains nothing which smacks of sick and blatantly perverse sexuality"; in short, its prurience was commensurate with normative models of heterosexual masculine desire. Indeed, the one dissenting justice in the case began his argument by singling out a picture featuring two women that "clearly and openly imports lesbianism," rendering it in his mind *prima facie* obscene.<sup>32</sup>

In 1962 the Supreme Court finally explicated the implications of the 1959 *ONE* decision, ruling in regard to a set of gay male-oriented physique magazines that pictures of nude men "cannot fairly be regarded as more objectionable than many portrayals of the female nude that society tolerates."<sup>33</sup> While this seemingly put queer and straight representations on equal footing vis-à-vis obscenity, lesbianism continued to receive unequal treatment before the law. For instance, in a 1963 Connecticut appellate case that upheld an obscenity charge pertaining to the pulp novel *Gang Girls*, the court began its shocked examination of the book by observing the "lurid blurb on the back cover" that called lesbianism "just another kick," again emphasizing the sheer fact of lesbianism rather than any particular degree of explicitness.<sup>34</sup> When the 1965 novel *Sin Whisper* featured a woman bestowing the euphemistic "ultimate kiss" that delivers her female partner into "the grip

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of pleasure," the Georgia State Literature Commission deemed the novel obscene, a classification upheld by the state supreme court.<sup>35</sup>

The Supreme Court showed little inclination to correct this trajectory. After an unbroken decade-long string of obscenity reversals, in 1966 the Court finally upheld Edward Mishkin's conviction, which had slowly percolated up through the legal system. Justice Brennan's lead decision illustrated the sexual limits of postwar liberalism, as he distinguished the content of Mishkin's publications from "normal heterosexual relations." Lesbianism, particularly lesbian s/m, constituted the dominant theme of the fifty novels in question, with such titles as *Sorority Girl's Stringent Initiation*, *Stud Broad*, and *Peggy's Distress on Planet Venus*, and Brennan again called attention to Mishkin's authorial instructions demanding extensive lesbian sexual content. In justifying the Court's decision, Brennan swerved away from framing lesbianism itself as an affront to contemporary community standards, which would have been at odds with the 1962 decision ostensibly equalizing queer and straight representations. Instead, he emphasized another element of the three-pronged obscenity test established under *Roth*, which applied those community standards to determine whether the dominant theme of the material appealed to the prurient interests of the average person. Claiming to "adjust the prurient-appeal requirement to social realities," Brennan's new doctrine declared that material "designed for and primarily disseminated to a clearly defined deviant sexual group rather than the public at large" met the legal test of obscenity if the material appealed to the prurient interests of that group.<sup>36</sup>

This amounted to a colossal misunderstanding of the social function of Mishkin's lesbian pulp fiction, as no historian has doubted that the core consumer demographic of the genre was heterosexual men who derived voyeuristic pleasure from the (often unrealistic) erotic depictions of lesbianism. Brennan's "deviant sexual group" for whom these books were targeted, then, was precisely those "normal heterosexuals" against whom he juxtaposed such perversions. That this logically incoherent framework was organized around a normative sexual politics predisposed to find lesbianism itself inherently obscene was reinforced just two months later, in May 1966, when the Supreme Court denied certiorari to a New York case involving two audio "party records." Joe Davis had been convicted by a jury on the basis of his LPs *Erotica* and *Songs of Bilitis*, the latter being simply "a transcription of passages" from the titular book of poetry, published by French writer Pierre Louys in 1894 and well-known for its romanticized vision of lesbianism. By denying certiorari, the Court insured that Davis' obscenity conviction would stand. While this case has received virtually no attention from scholars, its capricious incongruence with the Court's liberal

obscenity rulings elsewhere goes to show the complacency with which the Justices sanctioned the legal targeting of lesbianism as inherently obscene.<sup>37</sup> Quick to defend a young man in a "Fuck the Draft" jacket a few years later, the Court in 1969 also denied certiorari to the "fuck"-less Oregon *Lesbian Roommate* case.<sup>38</sup>

That *Mishkin* served as a green light for the suppression of "deviant" lesbian texts is made clear by the rapidity with which the Oklahoma Literature Commission, a state body entirely inactive since its 1957 inception, sprang to life in its wake. Only a week after *Mishkin's* issuance on March 21, 1966, the Literature Commission found fourteen pulp novels obscene, most with overtly lesbian titles like *That Kind of Girl*.<sup>39</sup> In another case three months later, a New York City criminal court found the book *Flesh Worshipers* obscene, calling attention to its "various lesbian activities carefully described" and taking particular exception to its "great emphasis on cunnilingus." The decision was upheld on first appeal, where the court reiterated that the novel "went beyond accounts of 'normal sexuality.'"<sup>40</sup>

Cinematic depictions of lesbianism, too, remained highly vulnerable to charges of obscenity. In a 1966 Ohio case a film was found obscene for showing "two women, at least nude to the waist . . . behaving like lesbians."<sup>41</sup> If that film, whose title went unacknowledged, surely emanated out of a shoestring grindhouse film production, even mainstream Hollywood fared no better. *The Killing of Sister George* (1968), involving a lesbian relationship between an aging actress and a younger woman, drew particular censorial wrath. An exhibitor in Boston was convicted on obscenity charges and sentenced to six months in jail in 1969, while state police in Connecticut threatened theater owners with obscenity charges if they refused to cut a love scene featuring "breast-fondling."<sup>42</sup> Nor was *Sister George* alone among mainstream films; *The Fox*, released the same year, also faced the scornful condemnation of a federal court in Mississippi, which bemoaned the lesbian content of "this sexy *Fox* picture" in harsh terms. Ruling its "revolting sex scenes" obscene, the court improbably found that "the offensive theme in this film is nowhere to be found in the book entitled *The Fox* on which it is based," surely befuddling readers of the 1923 D.H. Lawrence novel that provided the film's source material.<sup>43</sup>

By the late 1960s, graphic sexuality permeated American culture. But despite all the "fucks" and more of the *Lady Chatterleys* and *Tropic of Cancers*, as well as the male and female full-frontal nudity of Hollywood films like *Medium Cool* and Broadway plays like *Hair*, lesbian themes and images remained susceptible to obscenity charges. The books *Lesbian Lust* and *Flesh Whip* in Illinois in 1968; the pictorial magazine *Lesbian Quarterly* in California that same year; and the magazine *Miss Lesbo* in Florida in 1970

are but some examples of the prevalent trend, all found legally obscene in various state and federal courts.<sup>44</sup> *Mishkin* remained the standard citation in such cases. In a display of how poorly the judiciary understood (or chose to understand) the very material it condemned, the judge in the California case described *Lesbian Quarterly*, a magazine full of graphic pictures of naked women, as being intended “for female homosexuals,” and his verdict of obscenity rested on an understanding of *Mishkin* as having “equated the display of deviance with obscenity,” an ironically astute assessment despite Justice Brennan’s strenuous efforts to avoid directly condoning precisely that equivalence.<sup>45</sup>

Such rulings performed double ideological duties; not only did they secure the stigmatization of lesbianism by rendering it obscene, but also they preserved the “normalcy” of heterosexual men by deflecting the blame for such textual perversity onto lesbians despite its obvious production and consumption by men.<sup>46</sup> Much as medico-judicial constructions of “sexual psychopaths” in earlier decades disregarded blatant empirical evidence of heterosexual violence to displace social fears onto gay men, this obscenity regime sacrificed realism in a barrage of discursive judicial improvisations stridently intent on rendering legalistically sound and coherent a doctrine whose self-evident mendacity was continually, and poorly, obfuscated in the interest of preserving a heteronormative social order.<sup>47</sup> Hidden were the men who profited from these texts financially and erotically; scapegoated was the lesbian sexuality that had little say on any aspect of these transactions.

A Louisiana federal judge in 1971 forthrightly acknowledged that the word “prurience” “itself implies a value judgment,” one “predicated on the hypothesis that chastity and conventionality in sexual relations are desirable.” Yet in making this admission while finding several gay- and lesbian-themed photographic magazines obscene, he added, “photographs that contain explicit suggestions of sodomy and lesbianism are all prurient.”<sup>48</sup> The willfully obtuse notion of “explicit suggestion” reflected the vulnerability of queer texts; by the late 1960s the Supreme Court had adopted a convoluted but understood “hard core” standard for gauging obscenity, but the Louisiana court rightly recognized that suggestion alone could suffice as a qualifying criterion for material outside the realm of the Court’s “normal heterosexual” framework.<sup>49</sup>

Gay male, sadomasochistic, and other “deviant” sexualities certainly fell outside the province of the Court’s protections, but depictions of lesbianism continued to bear their own specific burden, as evidenced in a District of Columbia case that began in 1968. When two booksellers were convicted on obscenity charges for selling several magazines depicting lesbian activity, a federal appellate court in 1971 gave an extensive close reading to the

magazines, which featured nude and nearly nude women “undressing, caressing, fondling, and embracing each other.” Such scenes as “bodies in close embrace,” “lips about to kiss,” and “the ladies embracing while one’s breasts snuggle into the other’s body” met the court’s standard of obscenity. The resolute absence of any actual “sex” as conventionally understood by a genitocentric society was elided by the court’s invention of the category “explicit portrayal of lesbian sexual activity, either ongoing or imminent,” a judicial innovation without direct precedent.<sup>50</sup> The Supreme Court’s halfhearted 1962 attempt to place queer and straight materials on equal ground had been corrupted to create a special, apparently infinitely elastic class of obscenity in regard to potential lesbian sex, a corruption directly informed by the Supreme Court itself, with *Mishkin* used extensively in the judicial reasoning.

Many—though not all—of the abovementioned cases were ultimately reversed.<sup>51</sup> But to dwell on case law alone and suggest that final resolution in favor of lesbian-themed texts amounted to meaningful queer victories would be to profoundly misunderstand the substantive impact of the cases, which lay less in the formal decisions than in the systematic, perpetual, and incessant repetition of the obscenity charges themselves, which acted to institutionalize a discursive conflation that infused lesbianism itself with connotations of obscenity. This buttressed the heteronormative status quo even as decisions in favor of free speech ostensibly challenged it, and even though the targeted material was often itself indifferent at best to the travails and erotic interests of actual lesbians. Lesbian homophiles, and later lesbian feminists, having lived under direct threat of this repressive pattern, understood the dangers of legal suppression in tangible ways, which informed their responses to emerging feminist activism against pornography in the 1970s. With the legal standards for obscenity resting on such tacitly anti-queer criteria as “prurience” and “community standards,” obscenity’s vernacular synonym “pornography” would be evaluated quite cautiously by those lesbians wary of the ideological undercurrents of superficially neutral semantics.

### **Fearing Feminist Censorship: Lesbian Responses to the Antipornography Movement**

Writing in 1977, Diana Russell, a founding member of Women Against Violence in Pornography and Media and key figure in the emergence of the feminist antipornography movement, explained that, “It is upsetting—particularly for heterosexual women—to face the depth and extent of men’s antipathy” in pornography.<sup>52</sup> Her quick aside bore more significance than she

acknowledged. For while the antiporn movement would claim to speak for all women, it met vigorous feminist resistance from anticensorship lesbians all too aware of their endangered position before the law. The complicated factions that set in motion the so-called "sex wars" defy any essentialist approach or categorical statement. Certainly lesbians contributed to and supported the antiporn movement, as evidenced by Audre Lorde's and Charlotte Bunch's contributions to a 1980 antiporn anthology, not to mention the visible lesbian presence in grassroots antiporn activism.<sup>53</sup> Nonetheless, a distinct body of specifically lesbian criticism emerged immediately upon the development of the antiporn movement and remained perhaps the most consistent and powerful challenge to the antiporn claim to a monopoly on feminism during the sex war years.

Key to antiporn discourse was its claim to represent all women, literally; "We believe we represent all women," a 1984 Women Against Pornography press release flatly declared.<sup>54</sup> Such an approach responded to the various fault lines that had fragmented feminism in the 1970s, as the implicit identity politics of the universal sisterhood often espoused by the predominantly white, middle-class movement grew impossible to ignore for black, Chicana, and working-class women who felt excluded from its reaches.<sup>55</sup> Sexuality proved perhaps the most explosive site of contestation, as homophobia on the part of Betty Friedan and such liberal organizations as the National Organization for Women sometimes gave way to lesbian-separatist homonormativity.<sup>56</sup> Instead of engaging with these tensions, the antiporn movement offered a new model of universal sisterhood framing all women as united under the oppression of pornography, a model that proved unsatisfactory to many lesbians.

Even before lesbian homophile activism was integrated into a broader feminist movement in the late 1960s, such activist groups as the Daughters of Bilitis reflected awareness of the particular danger to lesbian rights that censorship and obscenity charges posed. The pages of the Daughters' magazine *The Ladder* frequently discussed censorship and anti-obscenity crusades from a distinctly critical perspective, decrying the injustice of the postmaster's obscene classification of *ONE* in 1957 and declaring it "self-evident that the Lesbian has a great stake in fighting the would-be book burners and censors" in 1960.<sup>57</sup> *The Ladder* also monitored the L.A. *Sweeter than Life* case, and when anti-smut activists called for "tougher obscenity laws" in late 1960, DOB co-founder Del Martin once more highlighted the potential threat to lesbian publications.<sup>58</sup>

This consciousness carried into the 1970s, as lesbians continued to recognize their precarious status. When California considered a newly restrictive obscenity law in 1972, the *Lesbian Tide* strongly opposed the

measure (which ultimately failed), noting that "we as homosexuals have an even greater stake, we would be most severely oppressed if this proposition passes."<sup>59</sup> Such concerns remained pronounced throughout the decade, as seen at the first major antiporn feminist conference in San Francisco in 1978, where *off our backs* reported, "Uppermost in many peoples' minds was the difficulty of ensuring protection of homosexual material of any kind if and when we begin applying laws against pornography."<sup>60</sup> Born of a legacy of suppression, this lesbian-specific concern found little amelioration as antiporn feminism took shape.

From a lesbian perspective, the greatest site of danger lay in suppression, state-sponsored or other. The burgeoning antiporn movement, in contrast, placed emphasis on curtailing the perceived subjugation of women through pornographic imagery, with the protection of free speech taking a place of secondary importance. As early as 1973, antiporn leader Susan Brownmiller had celebrated the newly-restrictive conservative Supreme Court *Miller* obscenity decision, finding it "wholly consistent" with feminist ideals. While acknowledging as a "genuine concern" that a community that banned *Deep Throat* might also censor *Our Bodies, Ourselves*, Brownmiller rather blithely suggested that expanding juries to include more than businessmen and prudes would preclude this worry.<sup>61</sup> Her failure to acknowledge the specific risks posed to lesbian texts was representative of antiporn discourse in general, as Kathleen Barry simply dismissed First Amendment concerns as a "side issue" in 1979 and Brownmiller called it a "myth that obscenity and pornography are protected by the First Amendment" that same year.<sup>62</sup> For many lesbians, however, the dangers of censorship superseded those of pornography; a 1981 survey by *Lesbian Voices* revealed thirteen unanimous expressions of this position.<sup>63</sup>

Thus parallel histories developed. For the antiporn movement, 1970s milestones included the coining of Robin Morgan's aphorism "pornography is the theory, and rape the practice" in 1974; Brownmiller's analysis of pornography as "a male invention, designed to dehumanize women" and foster "a climate in which acts of sexual hostility directed against women are not only tolerated but ideologically encouraged" in her bestselling 1975 book *Against Our Will*; the release of the film *Snuff* in 1976 and the attendant controversy over its false claim to depict a real murder; and the founding of Women Against Violence in Pornography in Media (WAVPM) and then its offshoot Women Against Pornography (WAP) in 1977 and 1979.<sup>64</sup> For lesbians concerned with censorship, meanwhile, these same years perpetuated the legal targeting of their sexuality as obscene, dutifully noted in the expanding lesbian press. "*Lavender Woman* is pornography?" asked a Chicago paper after receiving threatening letters from the Post Office in

1973.<sup>65</sup> The next year, the *Lesbian Tide* reported a New Mexico case presided over by a judge who “apparently believes homosexuality is obscene but heterosexuality is not”; the judge declined to close an adult bookstore in Las Cruces but prohibited it from selling material portraying homosexuality.<sup>66</sup> Such efforts extended across the decade, using both formal and extralegal avenues. Police in Provincetown, Massachusetts pressured the owner of a lesbian bar not to show the film *A Comedy in Six Unnatural Acts* in 1976, warning her that if the film were shown, the alcoholic beverage commission would “find something wrong” and shut the bar down.<sup>67</sup> In 1978 *The Joy of Lesbian Sex* was confiscated from bookstores in Lexington, Kentucky, and B. Dalton Book Company ordered the book removed from shelves in its three hundred stores.<sup>68</sup>

Skepticism about the implications of an antipornography movement whose semantics could be frighteningly fluid marked lesbian thought. When Elinor Langer called Kate Millett’s bisexual memoir *Flying* “heavily pornographic” in a 1974 *Ms.* review, for instance, Julia Stanley was quick to note in the lesbian journal *Sinister Wisdom*, “at no point does she attempt to define her use of the word,” suggesting it was based less on the graphic nature of the sex scenes than their lesbianism.<sup>69</sup> Antiporn rhetoric was, if anything, even less semantically rigorous, with its frequent reconfiguration of terms into such claims as, “Some pornography I saw recently doesn’t even include sex: Women are kidnapped, beaten, tied up, then hung upside down like pieces of meat.”<sup>70</sup> While this imagery sounded misogynistic, its asexual nature bore little resemblance to conventional understandings of “pornography,” leaving a demonized term with a malleable meaning—thus setting the stage for a potential reenactment of the “obscenity” debacles that had so long hindered images of lesbianism. Considering that mid-1970s lesbian periodicals like *Tribad* and *Amazon Quarterly* regularly featured nude and erotic photographs, while the *Lesbian News* pondered “pornography for women” in 1975, lesbian self-representations clearly occupied tenuous grounds in this new context.<sup>71</sup>

In 1979 WAP, the flagship group of the antiporn movement, attempted to address “Lesbian Feminist Concerns” in an official statement. It recognized the “special threat” that suppression posed to lesbians, but countered that, because “rapists and murderers do not distinguish” between gay and straight women, “it is very much in the self-interest of lesbian women to participate in the feminist anti-pornography movement.”<sup>72</sup> WAP also promised to “align its aims and efforts with the struggle for the elimination of lesbian oppression,” though such conciliatory gestures were mitigated by a failure to substantively implement them, as witnessed in the conspicuous omission of the word “lesbian” from publicity for a 1979 WAP conference.<sup>73</sup> That



same year WAP declined to endorse the National March on Washington for Lesbian and Gay Rights, on the grounds that the group was a single-issue organization. As one "suspicious" feminist observer wrote WAP, another motive might have been fear that such an endorsement "would offend your more conservative anti-porn allies," since many WAP financial contributions came from non-feminist sources such as religious conservatives.<sup>74</sup>

These alleged links to the Right left many lesbians feeling not only marginalized but overtly threatened by the antiporn movement, especially as the antigay New Right rose to national power, culminating in the election of Ronald Reagan as President in 1980.<sup>75</sup> "What many of these women fail to realize," a 1978 *Lesbian Tide* article argued, "is that their support of censorship only lends fuel to the enemies of feminism and gayness," mentioning antigay Florida crusader Anita Bryant. Considering it a profoundly naïve mistake to assume that only woman-hating material would be suppressed if antiporn forces had their way, the article noted, "once allowed and supported, there is *no* end to censorship."<sup>76</sup> This theme permeated the lesbian press; after seeing how precarious their own publications already were, lesbians remained all too painfully aware that if antiporn laws passed, "all of the gay and half of the feminist press would have to cease publishing," as an article titled "Feminists and the Right—Merging Over Porn?" noted.<sup>77</sup> Denouncing WAP in 1980—"where did the word 'violence' go," she wondered—s/m advocate and feminist Pat Califia also called WAVPM "a group with a right-wing philosophy masquerading as a radical feminist organization." Expressing resentment toward the antiporn worldview of victimized women in need of protection, Califia compared the movement's rhetoric to the "Victorian imagery" of "pure women controlling the vile, lustful impulses of men"—precisely the feminine stereotype feminists should combat.<sup>78</sup> The threat of a normative sexuality and a rearticulated femininity frightened lesbians who had spent years escaping those impediments.

Tension between lesbians and the antiporn movement often spilled over ideological boundaries and into the personal. At the 1979 WAP conference antagonism erupted when a lesbian in the audience yelled at WAP speaker Susan Brownmiller that she was tired of the movement "being run by cocksucking straight women." Angered, Brownmiller responded in kind, pointing at the tie-wearing protestor and exclaiming, "See, she even *dresses* like a man."<sup>79</sup> The incident did little to endear WAP to lesbians, and a Brownmiller apology was tempered by her assertion that "fashion is very political" and that "I was trying to make a serious political comment."<sup>80</sup> The title of Brownmiller's 1980 essay "Let's Put Pornography Back in the Closet," with its invocation of oppressive antigay imagery, also surely failed to help.<sup>81</sup> Other times, antiporn feminists burned bridges to lesbian communities, as

when WAVPM listed sadomasochism alongside pornography and media violence as things it opposed. When the San Francisco-area lesbian s/m group Samois called for "dialogue" with WAVPM to discuss the feminist value of s/m, WAVPM rebuffed the group, dismissively explaining that its refusal to meet was "due to the urgency we felt about our own work." This antiporn-s/m rift would turn explosive in the 1980s.<sup>82</sup>

As the sex wars of the 1980s commenced, then, the battle lines had been drawn for many lesbians. Fearing the unintended corollaries of the antiporn movement, offended by its insensitivity to specific lesbian concerns, and vigilant in defending the hard-won access to public visibility that years of activism had accomplished, lesbians appeared at the forefront of feminist resistance to antiporn activity. As the antiporn movement began an effort to codify pornography as "the sexually explicit subordination of women" in controversial local efforts in Minneapolis and Indianapolis in 1984 and 1985, much of the feminist resistance was articulated in terms that emphasized threats to lesbian expression. "There is a paltry amount of visual material that supports my lesbian sexuality," Nancy Polikoff wrote to *off our backs*, "and every bit of what exists would have the potential to be banned" under such ordinances.<sup>83</sup> Providing historical continuity with homophile anticensorship activism, Daughters of Bilitis co-founder Del Martin issued an open letter strongly condemning the antiporn movement in 1985, reminding readers that laws it proposed to vanquish oppressive pornographic imagery could also be used to censor texts about lesbianism, as well as incest, rape, and prostitution.<sup>84</sup> The Feminist Anti Censorship Taskforce (FACT), which emerged as the primary organizational site of mobilization against antiporn efforts, consistently argued this point, claiming that such "protective" efforts had historically been used to suppress women noncompliant to the demands of patriarchy, especially lesbians. In Nan Hunter and Sylvia Law's FACT legal brief, which prevailed over the Indianapolis antiporn ordinance in 1985, the authors challenged antiporn discourse's refusal to distinguish lesbian-oriented porn from sexist varieties, writing that, "For sexual minorities, speech describing conduct can be a means of self-affirmation in a generally hostile world."<sup>85</sup>

Such affirmation proliferated in the 1980s and beyond as lesbians seized the means of textual production and demanded the right to erotic self-definition, resulting in a multitude of sexually explicit lesbian publications. Magazines like *On Our Backs* and *Bad Attitude*, books such as Pat Califia's *Macho Sluts* (1988) and Joan Nestle's *A Restricted Country* (1987), and films such as *Suburban Dykes* (1990) all defended lust and prurience, situating such endeavors in an explicitly political framework as forwarding the "goals of sexual freedom, respect, and empowerment for lesbians," as *On Our Backs'* inaugural issue declared.<sup>86</sup>

These efforts, often self-identified as “dyke porn,” would contribute much to the toppling of the antiporn movement. By the mid-90s, the “sex positive” feminism incubated in this porn had been institutionalized in academia, buttressed by queer theory and its readings of Foucault; with a new analysis of power as diffused, multilateral, and omnipresent, the antiporn distinction that “erotica concerns sex, pornography power” suddenly appeared simplistic and retrograde.<sup>87</sup> This could be seen in the porn debates as the spotlight shifted from the writings of MacKinnon and Andrea Dworkin to sex-positive analyses that remained critical of several aspects of pornography while simultaneously identifying it as a site of potential pleasure and agency for women.<sup>88</sup> Meanwhile, the continued suppression of lesbian texts acted as a concrete rejoinder to the promises of the antiporn movement. When *On Our Backs'* Kansas-based printer refused to process a 1993 issue featuring photographs depicting autoerotic dildo penetration, the episode served as a chilling reminder of queer vulnerabilities in a heteronormative society, but the Canadian suppression of *Bad Attitude* as it crossed the border most powerfully vindicated lesbian concerns, as a MacKinnon-influenced obscenity ordinance was used as legal grounds for the suppression.<sup>89</sup>

Much has been written about the sex wars and their aftermath, and much yet remains to be written.<sup>90</sup> For present purposes and future understandings, this article illustrates two key themes necessary to comprehending the formation of sex-war allegiances. First, the legal effort to render lesbianism inherently obscene has a lengthy and systematic history whose sheer repetition, regardless of individual case outcomes, effectively reified the conflation of queerness and obscenity. The consequences of this extended into the late-80s and early-90s debates over National Endowment for the Arts grants and Centers for Disease Control responses to the AIDS crisis, in which “homoeroticism” was conflated with obscenity in ways that proved not just homophobic but even deadly, placing antigay ideology before public health. Second, this history set the framework for one distinct set of lesbian responses as feminist attention turned to pornography in the 1970s, privileging the contestation of pornographic imagery over the preservation of lesbian rights and visibility; these lesbian critics articulated fears and concerns about the antiporn movement that ultimately led to outright resistance. Too often marginalized in the narrativization of second-wave feminism, lesbian encounters with obscenity charges and the feminist antiporn movement ultimately prove crucial to understanding the continuity of the gender and sexual counternormativity so central to the ongoing feminist project.

## NOTES

My profound gratitude goes out to Ruth Bloch, Jill Crouther, Gillian Frank, Andrea Friedman, Maggie Golston, Ellie Hickerson, Kathleen McHugh, Jan Reiff, and Leila Rupp, for their thoughtful comments and suggestions on various earlier drafts of this article.

<sup>1</sup>*Lesbian Roommate* (n.p.), quoted in *Oregon v. Childs*, 252 Ore. 91 (1968).

<sup>2</sup>*Childs v. Oregon*, 431 F. 2d 272 (1970); Henry Miller, *Tropic of Cancer* (New York: Grove Press, 1961), 5.

<sup>3</sup>*Oregon v. Childs*, 252 Ore. 91 (1968); *Oregon v. Watson*, 243 Ore. 454 (1966).

<sup>4</sup>Michel Foucault, *The History of Sexuality, vol. 1: An Introduction*, trans. Robert Hurley (New York: Random House, 1978). For Foucauldian analyses of repression, see Peter Wagner, "The Veil of Science and Morality: Some Pornographic Aspects of the Onania," *British Journal for Eighteenth-Century Studies* 4 (1983): 179–84; Carole Vance, "Negotiating Sex and Gender in the Attorney General's Commission on Pornography," in *Sex Exposed: Sexuality and the Pornography Debate*, ed. Lynne Segal and Mary McIntosh (New Brunswick, NJ: Rutgers University Press, 1993), 29–49.

<sup>5</sup>Brenda Cossman, "Disciplining the Unruly: Sexual Outlaws, *Little Sisters*, and the Legacy of Butler," *University of British Columbia Law Review* 36 (2003): 90. See also Cossman et al., *Bad Attitude/s on Trial: Pornography, Feminism, and the Butler Decision* (Toronto: University of Toronto Press, 1997).

<sup>6</sup>*Roth v. U.S.*, 354 U.S. 476 (1957).

<sup>7</sup>George Chauncey, "From Sexual Inversion to Homosexuality: Medicine and the Changing Conceptualization of Female Deviance," *Salmagundi* 58–59 (1982): 114–146; Jennifer Terry, *An American Obsession: Science, Medicine, and Homosexuality in Modern Society* (Chicago: University of Chicago Press, 1999); Lisa Duggan, *Sapphic Slashers: Sex, Violence, and American Modernity* (Durham, NC: Duke University Press, 2000).

<sup>8</sup>Marc Stein, "Boutlier and the U.S. Supreme Court's Sexual Revolution," *Law and History Review* 23, no. 3 (2005): 491–536. See also Robert Corber, *In the Name of National Security: Hitchcock, Homophobia, and the Political Construction of Gender in Postwar America* (Durham, NC: Duke University Press, 1993).

<sup>9</sup>William Eskridge, Jr., *Gaylaw: Challenging the Apartheid of the Closet* (Cambridge, MA: Harvard University Press, 1999), 174–204. See also Thomas Waugh, *Hard to Imagine: Gay Male Eroticism in Photography and Film from Their Beginnings to Stonewall* (New York: Columbia University Press, 1996); Richard Meyer, *Outlaw Representation: Censorship and Homosexuality in Twentieth-Century American Art* (Boston: Beacon Press, 2002); and Whitney Strub, "The Clearly Obscene and the Queerly Obscene: Heteronormativity and Obscenity in Cold War Los Angeles," *American Quarterly* 60, no. 2 (2008): 373–98.

<sup>10</sup>Helen Lefkowitz Horowitz, *Rereading Sex: Battles Over Sexual Knowledge and Suppression in Nineteenth Century America* (New York: Knopf, 2002), 375–77; Leigh

Ann Wheeler, *Against Obscenity: Reform and the Politics of Womanhood in America, 1873–1935* (Baltimore, MD: Johns Hopkins University Press, 2004), 115–32; Steve Rubenstein, "Texas Housewife Busted for Selling Erotic Toys," *San Francisco Chronicle*, 16 Dec. 2003.

<sup>11</sup>Leslie Taylor, "'I Made Up My Mind to Get It': The American Trial of *The Well of Loneliness*, New York City, 1928–1929," *Journal of the History of Sexuality* 10, no. 2 (2001): 250–86; Andrea Friedman, *Prurient Interests: Gender, Democracy, and Obscenity in New York City, 1909–1945* (New York: Columbia University Press, 2000), 106–122. On Cold War sexual policing, see—among numerous other works—Margot Canady, "Building a Straight State: Sexuality and Social Citizenship under the 1944 G.I. Bill," *Journal of American History* 90 (2003): 935–957; Fred Fejes, "Murder, Perversion, and Moral Panic: The 1954 Media Campaign Against Miami's Homosexuals and the Discourse of Civic Betterment," *Journal of the History of Sexuality* 9, no. 3 (2000): 305–47; David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government* (Chicago: University of Chicago Press, 2004).

<sup>12</sup>For examples, see Barbara Ryan, *Feminism and the Women's Movement: Dynamics of Change in Social Movement, Ideology and Activism* (New York: Routledge, 1992), 113–17; Kathleen Berkeley, *The Women's Liberation Movement in America* (Westport, CT: Greenwood Press, 1999), 70–71; Myra Marx Ferree and Beth Hess, *Controversy and Coalition: The New Feminist Movement Across Three Decades of Change*, 3rd ed. (New York: Routledge, 2000), 120–22; Ruth Rosen, *The World Split Open: How the Modern Women's Movement Changed America* (New York: Viking, 2000), 191–94; Jane Gerhard, *Desiring Revolution: Second-Wave Feminism and the Rewriting of American Sexual Thought, 1920 to 1982* (New York: Columbia University Press, 2001), 173–82; and Estelle Freedman, *No Turning Back: The History of Feminism and the Future of Women* (New York: Ballantine, 2002), 270–72. Alice Echols briefly discusses pre-antiporn feminist thought on porn in the epilogue (and its footnotes) to *Daring to Be Bad: Radical Feminism in America, 1967–1975* (Minneapolis: University of Minnesota Press, 1989), 288–89, 361–63.

<sup>13</sup>Taylor, "'I Made Up My Mind to Get It'"; Friedman, *Prurient Interests*, 106–122, quoted at 113.

<sup>14</sup>U.S. Senate, Subcommittee to Investigate Juvenile Delinquency, *Obscene and Pornographic Literature and Juvenile Delinquency* (Washington, D.C.: GPO, 1956), 12–13.

<sup>15</sup>Andrea Friedman, "Sadists and Sissies: Anti-pornography Campaigns in Cold War America," *Gender & History* 15, no. 2 (2003): 201–27. On phallic nationalism, see Robert Dean, *Imperial Brotherhood: Gender and the Making of Cold War* (Amherst: University of Massachusetts Press, 2001).

<sup>16</sup>Jack Harrison Pollack, "Newsstand Filth," *Better Homes & Gardens*, September 1957, 10.

<sup>17</sup>U.S. House of Representatives, Select Committee on Current Pornographic Materials, *Report* (Washington, D.C.: GPO, 1952), 38–40.

<sup>18</sup>Ibid., 3; Mary Louise Adams, "Youth, Corruptibility, and English-Canadian Postwar Campaigns Against Indecency, 1948–1955," *Journal of the History of Sexuality* 6, no. 1 (1995): 114–15.

<sup>19</sup>On lesbian pulp fiction and lesbian reading strategies, see Suzanna Danuta Walters, "'As Her Hand Crept Slowly Up Her Thigh': Ann Bannon and the Politics of Pulp," *Social Text* 23 (1989): 83–101; Diane Hamer, "'I Am a Woman': Ann Bannon and the Writing of Lesbian Identity in the 1950s," in *Gay & Lesbian Writing: An Anthology of Critical Essays*, ed. Mark Lilly (Houndmills, UK: Macmillan, 1990), 47–75; Yvonne Keller, "'Was It Right to Love Her Brother's Wife So Passionately?': Lesbian Pulp Novels and U.S. Lesbian Identity, 1950–1965," *American Quarterly* 57, no. 2 (2005): 385–410.

<sup>20</sup>Vin Packer (Marijane Meaker), *Spring Fire* (San Francisco: Cleis, 2004 [orig. 1952]), vi.

<sup>21</sup>Rodger Streitmatter, *Unspeakable: The Rise of the Gay and Lesbian Press in America* (Boston: Faber & Faber, 1995), 5.

<sup>22</sup>ONE's Legal Counsel, "The Law of Mailable Material," *ONE*, October 1954, 6.

<sup>23</sup>Jane Dahr, "Sappho Remembered," *ONE*, October 1954, 12–17; Brother Grundy, "Lord Samuel and Lord Montagu," *ibid.*, 18–19.

<sup>24</sup>"ONE and the U.S. Post Office," *ONE*, March 1957, 7, 10. "Lord Montagu and Lord Samuel" was also found "filthy and obscene."

<sup>25</sup>Rowland Watts to William Lambert, 17 July 1957, American Civil Liberties Union of Southern California Papers, box 17, folder 14, Special Collections, University of California, Los Angeles, CA. On the ACLU's complacency in the face of government homophobia until 1964, see Samuel Walker, *In Defense of American Liberties: A History of the ACLU* (New York: Oxford University Press, 1990), 312–13.

<sup>26</sup>*One, Inc. v. Oleson*, 241 F. 2d 772 (1957).

<sup>27</sup>*People vs. William Rothweiler, Eleazar Smith, et al.*, Complaint, Los Angeles Municipal Court, November 1956, Stanley Fleishman Papers, box 117, folder: Smith, Special Collections, UCLA; Mark Tryon, *Sweeter Than Life* (New York: Vixen, 1954), quoted in Felice Flannery Lewis, *Literature, Obscenity, and the Law* (Carbondale: Southern Illinois University Press, 1976), 181.

<sup>28</sup>*People v. Smith*, 161 Cal. App 2d Supp. 860 (1958).

<sup>29</sup>"*One, Inc. vs. Otto K. Oleson*," *Homophile Studies*, Summer 1958, 62; *One, Inc. v. Oleson*, 355 U.S. 371 (1958).

<sup>30</sup>*Smith v. California*, 361 U.S. 147 (1959).

<sup>31</sup>*People v. Mishkin*, 207 N.Y.S. 2d 390 (1960); "'Kingpin' of Smut Gets Stiff Term," *New York Times*, 15 December 1960.

<sup>32</sup>*People v. Richmond County News*, 9 N.Y. 2d 578 (1961).

<sup>33</sup>*Manual Enterprises v. Day*, 370 U.S. 478 (1962).

<sup>34</sup>*Connecticut v. Cerone*, 196 A. 2d 439 (1963).

<sup>35</sup>Alan Marshall, *Sin Whisper* (San Diego: Corinth, 1965), 144, 152; *Corinth Publications v. Wesberry*, 221 Ga. 704 (1966). See also *State v. J.L. Marshall News Co.*, 232 N.E. 2d 435 (1967), and "All 'Guilty' in Publisher Case," *National Decency Reporter*, March 1966, 1–14.

<sup>36</sup>*Mishkin v. New York*, 383 U.S. 502 (1966).

<sup>37</sup>*Davis v. U.S.*, 384 U.S. 953 (1966). On Louys, see Tama Lea Engelking, "Translating the Lesbian Writer: Pierre Louys, Natalie Barney, and the 'Girls of the Future Society,'" *South Central Review* 22, no. 3 (2005): 62–77.

<sup>38</sup>*Cohen v. California*, 403 U.S. 15 (1971); *Childs v. Oregon*, 394 U.S. 931 (1969).

<sup>39</sup>Oklahoma Literature Commission, "Findings of the Commission and Notice of Proposed Order," 28 March 1966, Harry Culver Papers, box 8, folder 21, Carl Albert Congressional Research and Studies Center Congressional Archives, University of Oklahoma, Norman, OK.

<sup>40</sup>*People v. Weingarten*, 271 N.Y.S. 2d 158 (1966), affirmed, 286 N.Y.S. 2d 429 (1967).

<sup>41</sup>*State v. I. & M. Amusements*, 226 N.E. 2d 567 (1966).

<sup>42</sup>"*Sister George* Sends Theater Owner to Jail," *New York Post*, 12 March 1969; John Darnton, "Police in Connecticut Order Deletions in *Sister George*," *New York Times*, 26 March 1969.

<sup>43</sup>*McGrew v. City of Jackson*, 307 F. Supp. 754 (1969).

<sup>44</sup>*People v. Devilbliss*, 242 N.E. 2d 761 (1968); *U.S. v. Baranov*, 293 F. Supp. 610 (1968); *T.I. Collins v. State Beverage Department*, 239 So. 2d 613 (1970).

<sup>45</sup>*U.S. v. Baranov*. 293 F. Supp. 610 (1968).

<sup>46</sup>My thanks to Andrea Friedman for suggesting this analysis.

<sup>47</sup>Estelle Freedman, "'Uncontrolled Desires': The Response to the Sexual Psychopath, 1920–1960," *Journal of American History* 74, no. 1 (1987): 83–106.

<sup>48</sup>*U.S. v. New Orleans Book Mart, et al.*, 328 F. Supp. 136 (1971).

<sup>49</sup>On Supreme Court obscenity doctrine, see Richard Hixson, *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem* (Carbondale: Southern Illinois University Press, 1996).

<sup>50</sup>*Huffman v. U.S.*, 470 F. 2d 386 (1971).

<sup>51</sup>*State v. J.L. Marshall News Co.*, 232 N.E. 2d 435 (1967) (*Killer Dike*); *Corinth Publications v. Wesberry*, 388 U.S. 448 (1967) (*Sin Whisper*); *I.M. Amusement corp. v. Ohio*,

398 U.S. 573 (1968) (unspecified lesbian film); *Luros v. U.S.*, 389 F. 2d (1968) (publisher Milton Luros, et al.); *Childs v. Oregon*, 401 U.S. 1006 (1971) (*Lesbian Roommate*); *Huffman v. U.S.*, 502 F. 2d 419 (1974) (photos of "imminent" lesbian activity).

<sup>52</sup>Diana E.H. Russell, "On Pornography," *Chrysalis* 1 (1977), 11.

<sup>53</sup>Audre Lorde, "Use of the Erotic: The Erotic as Power," in *Take Back the Night: Women on Pornography*, ed. Laura Lederer (New York: Bantam, 1980), 295–300; Charlotte Bunche, "Lesbianism and Erotica in Pornographic America," *ibid.*, 80–83. Bunche's essay, it is worth noting, is less strictly antiporn than it is concerned with divorcing lesbianism from connotations of the pornographic, though its presence in the anthology can be read as an endorsement of the WAP framework that dominates the book.

<sup>54</sup>Women Against Pornography, Press Release, n.d. (1984), Women Against Pornography Records, box 2, file: Office Correspondence, Schlesinger Library, Radcliffe College, Cambridge, Massachusetts.

<sup>55</sup>bell hooks, *Feminist Theory: From Margin to Center* (Boston: South End Press, 1984); Kimberly Springer, *Living for the Revolution: Black Feminist Organizations, 1968–1980* (Durham, NC: Duke University Press, 2005); Benita Roth, *Separate Roads to Feminism: Black, Chicana, and White Feminisms in America's Second Wave* (Cambridge: Cambridge University Press, 2004). On class tensions, see Alice Echols, *Daring to be Bad*, 204–10.

<sup>56</sup>Echols, *Daring to be Bad*, 210–41; Stephanie Gilmore and Elizabeth Kaminski, "A Part and Apart: Lesbian and Straight Feminist Activists Negotiate Identity in a Second-Wave Organization," *Journal of the History of Sexuality* 16, no. 1 (2007): 95–113.

<sup>57</sup>Phyllis Lyon, "ONE Takes the Stand," *The Ladder*, June 1957, 3; "The Curse of Censorship," *ibid.*, January 1960, 4.

<sup>58</sup>"Obscenity Ordinance Ruling," *Ladder*, January 1960, 20; Del Martin, "Per-  
version of Freedom," *ibid.*, Nov. 1960, 4–5.

<sup>59</sup>Tyler, "No, on Proposition 18," *Lesbian Tide*, November 1972, 6.

<sup>60</sup>Deb Friedman, "Feminist Perspectives on Pornography," *off our backs*, January 1979, 3.

<sup>61</sup>Susan Brownmiller, "Is Porn Liberating?" *Boston Globe*, 11 September 1973.

<sup>62</sup>Kathleen Barry, quoted in Deb Friedman, "Feminist Perspectives on Pornography," *off our backs*, January 1979, 1; "Women's War on Porn," *Time*, 27 August 1979, 64.

<sup>63</sup>"Lesbian Voices Survey No. 1," *Lesbian Voices* 4, no. 2 (1981), 7–17.

<sup>64</sup>Morgan, "Theory and Practice: Pornography and Rape" (1974), in *The Word of a Woman: Feminist Dispatches, 1968–1992* (New York: W.W. Norton, 1992), 78–89;



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Susan Brownmiller, *Against Our Will: Men, Women and Rape* (New York: Simon and Schuster, 1975), 394, 395.

<sup>65</sup>"Lavender Woman is pornography?" *Lavender Woman*, March 1973, 14.

<sup>66</sup>"Crosscurrents," *Lesbian Tide*, January 1974, 29.

<sup>67</sup>Tom McNulty, "Censorship is an Unnatural Act," *Majority Report*, June 1976, 8.

<sup>68</sup>Bridget Overton, "Short Currents," *Lesbian Tide*, September/October 1978, 20.

<sup>69</sup>Elinor Langer, "Confessing," *Ms.*, December 1974, 70; Julia Stanley, "Fear of FLYING?" *Sinister Wisdom*, Fall 1976, 59–60.

<sup>70</sup>Diana E.H. Russell, "Pornography: A Feminist Perspective," *Newspage*, Aug. 1977, 1.

<sup>71</sup>Streitmatter, *Unspeakable*, 169–172; "Ecstasy: Pornography for Women?" *Lesbian News*, September 1975, 6.

<sup>72</sup>Women Against Pornography, "Lesbian Feminist Concerns in the Feminist Anti-Pornography Movement," press release, Oct. 1979, Women Against Violence Against Women Records, box 6, folder 155, Northeastern University, Boston, Massachusetts.

<sup>73</sup>Lynne Shapiro, "Lesbian-Straight Split . . . Round II?" *Lesbian Tide*, Nov./Dec. 1979, 24.

<sup>74</sup>[name redacted, as per archival policy] to WAP, 17 Oct. 1979, WAP Records, box 6, folder: Correspondence, 29 October 1979.

<sup>75</sup>On antigay New Right ideology and policy, see Didi Herman, *The Antigay Agenda: Orthodox Vision and the Christian Right* (Chicago: University of Chicago Press, 1997); John Gallagher and Chris Bull, *Perfect Enemies: The Battle Between the Religious Right and the Gay Movement* (New York: Crown, 1996).

<sup>76</sup>Bloomington Gay Rights Coalition, "Censorship: Whose Side Are we On?" *Lesbian Tide*, May/June 1978, 10–11.

<sup>77</sup>Jeanne Cordova and Kerry Lobel, "Feminists and the Right—Merging Over Porn?" *Lesbian Tide*, May/June 1980, 17.

<sup>78</sup>Pat Califia, "Among Us, Against Us—The New Puritans," *The Advocate*, 17 April 1980, 14–18. I use "she" strictly as a historicized marker of authorial self-positioning in regard to Califia's text. He would subsequently self-identify as male. See Patrick Califia, *Sex Changes: The Politics of Transgenderism* (San Francisco: Cleis Press, 1997).

<sup>79</sup>Susan Chute, "Backroom with the Feminist Heroes: Conference for Women Against Pornography, New York City, 1979," *Sinister Wisdom*, Fall 1980, 2–4.

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<sup>80</sup>Susan Brownmiller, letter to Susan Chute, *Sinister Wisdom*, Fall 1980, 111.

<sup>81</sup>Brownmiller, "Let's Put Pornography Back in the Closet," *Take Back the Night*, 251–54.

<sup>82</sup>WAVPM information packet, 1 September 1977, Robin Morgan Papers, box S17, folder: Anti-Porn 3; "S/M Challenges Anti-Porn," *Lesbian Tide*, November/December 1979, 25.

<sup>83</sup>Nancy Polikoff, "Fighting Sexual Repression," *off our backs*, July 1987, 25. On the Minneapolis and Indianapolis ordinances, see Donald Alexander Downs, *The New Politics of Pornography* (Chicago: University of Chicago Press, 1989).

<sup>84</sup>Del Martin, "An Open Letter to Feminists About Anti-Pornography Laws," n.d. (1985), Marvin Braude Papers, box D726, folder: Pornography 84–85, Los Angeles City Archives, Los Angeles, CA.

<sup>85</sup>Nan Hunter and Sylvia Law, "The FACT Brief," Hunter and Duggan, *Sex Wars*, 234. See also FACT flyer, "Feminism and Censorship: Strange Bedfellows?" n.d., American Civil Liberty Union Papers, box 141, folder 7, Seeley G. Mudd Library, Princeton University, Princeton, NJ.

<sup>86</sup>"Year of the Lustful Lesbian!" *On Our Backs*, Summer 1984, 1. On lesbian sex magazines, see Streitmatter, *Unspeakable*, 294–99; Arlene Stein, *Shameless: Sexual Dissidence in American Culture* (New York: New York University Press, 2006), 39–58; Pat Califia, *Macho Sluts* (Boston: Alyson, 1988); and Joan Nestle, *A Restricted Country* (Ithaca, NY: Firebrand, 1987).

<sup>87</sup>"Women Take to the Stage in Porn Protest," *Big Mama Rag*, May 1979, 6. On queer theory, see William Turner, *A Genealogy of Queer Theory* (Philadelphia: Temple University Press, 2000).

<sup>88</sup>The canonical text here, of course, is Linda Williams, *Hard Core: Power, Pleasure, and the "Frenzy of the Visible"* (Berkeley: University of California Press, 1989).

<sup>89</sup>Marcy Sheiner, "Censored in Kansas," *On Our Backs*, January/February 1993, 6–8. On the Canadian suppression, see Cossman et al., *Bad Attitude/s on Trial*.

<sup>90</sup>The best existing overview is Lisa Duggan and Nan Hunter, *Sex Wars: Sexual Dissent and Political Culture* (New York: Routledge, 1995).

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