

newsletter on intellectual freedom



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Eve Merriam, once a recipient of the Yale Younger Poets Prize, wrote *The Inner City Mother Goose* because she “wanted to say something about the urgencies that beset our time.” As Miss Merriam sees it, “Cities are the heart of our civilization, and inner cities are the heart of our cities. We dare not close our eyes to inadequate housing, overcrowded schools, unemployment, communication gaps between governments and citizens, graft, drug traffic, and the many other ills that have now become everyday occurrences. It would not only be morally wrong, it would be politically tragic, for if we gloss over these areas and refuse to recognize their reality, we will not be able to redeem our cities and thereby our civilization.”

Goose Feathers

The Inner City Mother Goose, published by Simon & Schuster in 1969, was described by the publisher as a “gathering of nursery rhymes, altered from their classic form to dramatize the desperation of life in our urban ghettos.” The Enoch Pratt Free Library Young Adult Office called Miss Merriam’s satire “a well-conceived and strikingly designed volume of ironic verse It should be made very clear that, despite its title, this particular book . . . was written for an adult and young adult audience, not *children*. The author’s purpose is to educate both youth and adults to the degrading, insulting conditions many fine and law-abiding residents of the inner city must deal with daily—conditions which make the attainment of a happy and wholesome life all the more difficult for inner city residents.”

A person rather seasoned in problems of the inner city — New York’s Mayor John V. Lindsay — said, “*The Inner City Mother Goose* has arrived in the nick of time. If ever there was a need for that sweet lady’s point of view, it is here and now.” Noted author Millen Brand called the book “a strong, resourceful, fantastically effective book and where I can plug it, I will.” June Jordan, author of *Who Look At Me* enjoyed it also, saying, “It scalds the commonplace and explodes like street laughter in the night. Every best wish for its wide eyes on city sadness. My son says ‘Oh yeah; it’s fabulous.’”

With all these kudos, as well as approving nods from *School Library Journal*, *The Booklist* and *The Scholastic Teacher*, how could *The Inner City Mother Goose* go wrong? There were a few hints in the very beginning of impending controversy when a Florida retiree reported that one of her contemporaries remarked, “I never believed in stirring things up as this book may do.” An anonymous letter-writer
(Continued on page 97)

ALA Intellectual Freedom Committee, Chairman, Richard L. Darling
(Dean, School of Library Science, Columbia University)

Titles Now Troublesome

Books

Black Like Me, p. 72
Brave New World, p. 72
Catch 22, p. 72
Catcher in the Rye, p. 72, 88
Children of Longing, p. 97
Coming of Age in Mississippi, p. 98
Critical Anthology (Lysistrata), p. 73
Daddy Was A Number Runner, p. 71
Do It!, p. 72, 97
The Exorcist, p. 74
Elements of Psychology, p. 77
Gulliver's Travels, p. 72
Hair (script), p. 73
How To Take the Worry Out of Being Close, p. 77
Huckleberry Finn, p. 73
Illustrated Report of the Presidential Commission on Obscenity and Pornography, p. 84
Inner City Mother Goose, p. 69, 82, 97, 98
Last Summer, p. 73-74
Lillies of the Field p. 72
Little Black Sambo, p. 72
Manchild in the Promised Land, p. 72, 98
Mr. Sammler's Planet, p. 72
Mouse That Roared, p. 72
1984, p. 72
Sensuous Couple, p. 93
Sensuous Man, p. 93
Slaughterhouse Five, p. 91

Soul on Ice, p. 73
The Sun Also Rises, p. 72
To Kill A Mockingbird, p. 73
Travels with Charley, p. 72
Undress the City, p. 97
The Wonderful Story of How You Were Born, p. 96

Periodicals

Aegean, p. 77-78
Alternative, p. 91
Awakening McArthur Free Press, p. 91
Bullet, p. 89
Colonel White Free Press, p. 75
Commonwealth Times, p. 78
Dirty Little Comics, p. 90
Georgetown Law Weekly, p. 77
Hiram, p. 94
Joint Issue, p. 75
More Dirty Little Comics, p. 90
Patriot, p. 71
Redbook Magazine, p. 89
Secret Affair, p. 84
Shawnee Mission Free Press, p. 75
Trident, p. 78
Wolf Packet, p. 72

Movies

Anne of a Thousand Days, p. 93
Birth of A Nation, p. 78
Carnal Knowledge, p. 85
Clockwork Orange, p. 76
Cry Uncle!, p. 86, 90
The Damned, p. 99

A Day In The Life of Ivan Denisovitch, p. 93
Emergency Childbirth, p. 96
Flipside, p. 96
The Game, p. 96
The Lottery, p. 73
Phoebe, p. 96
Santa Mama, p. 93
Sexual Permission USA, p. 90
Story of a Premarital Pregnancy, p. 96
Streetcar Named Desire, p. 77
Titicut Follies, p. 84
Without a Stitch, p. 83-84
Women's Liberation, p. 90

Songs

Jungle Fever, p. 77

Television Programs

The Damned (CBS), p. 99
Politics and Humor of Woody Allen (PBS), p. 77
Streetcar Named Desire (CBS), p. 77

Theater Productions

Hair, p. 76 (script), p. 73
I Ain't No Whore, p. 76
Jesus Christ Superstar, p. 76
Lysistrata (script), p. 73
The Mother, p. 93
An Unpleasant Evening with H. L. Mencken, p. 76
Vamboodo, p. 76

An Experiment

Results from the January *Newsletter* questionnaire ("We're Asking You") indicated some room for improvement in the magazine! That didn't surprise us, because we've been experimenting with the format for a year now. One recurrent request was for a more subject-oriented approach to news items under the regular features, "Censorship Dateline," etc. In this issue, we've tried a slightly different approach to the reports. As always, we will appreciate your comments and suggestions.

Eds.

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Censorship Dateline



LIBRARIES

Lakewood, Colo.

According to school officials, a stricter method of book selection for R-1 School District libraries will be used in the wake of strong protest raised by parents over *Daddy Was a Number Runner*, by Louise Merriwether. Dr. Donald W. Ingwerson, R-1 Deputy Superintendent, said the book was removed from open shelves of all junior high school libraries, and “. . . may be used when appropriate in the literature courses where it applies to ghettos and values. And it may see minor use in the Family Living program, with selected students under the supervision of the teachers.” An R-1 curriculum council reviewing subcommittee subsequently made the following recommendation: “The book was selected from a recommended selection aid, *School Library Journal*, which rated it as superior for young adults. The review in no way indicated that the book was recommended for the mature young adult. The librarian who ordered the book last year followed the county selection policy. The 1971-72 librarian would have no indication of a potential problem since all standard procedures were followed. While the committee respects any parent’s right to question the book which his child reads, the committee opposes the efforts by individuals or groups to limit the freedom of choice of others. After discussion, the committee agreed that the value of the book could be appreciated . . . in the Family Living program on the junior high school level for selected students with teacher guidance. The committee further agreed that immediate availability of the book on the open shelves of school libraries is not recommended.” The Coordinator of Library Media Services was directed to write to *School Library Journal*, requesting that in the future they give more complete reviews of each book and listings that may be objectionable to the community. “From now on,” Ingwerson continued, “we will require two reviewing sources before we order books at the junior high level. We are presently trying to relate library holdings more to the curriculum offerings and

leaving the more exotic fiction books to the public library.” Reported in: *Lakewood Jefferson Sentinel*, January 6.

Leesville, La.

The Vernon Parish Library Board adopted a resolution stating, “That the Library cease, desist and refrain from purchasing, distributing or exhibiting any book or other written composition which primarily appeals to the prurient interest of the average reader, of any lewd lascivious, filthy or sexually indecent written composition, printed composition, book, magazine or pamphlet, and further moved that the Board proscribe further purchase of that type material which is contrary to the laws of Louisiana.” The resolution was adopted unanimously at a meeting called at the request of librarian Miss Martha Hagewood as an outgrowth of a controversy over the circulation of an unnamed book to a juvenile. The board directed Miss Hagewood to destroy both copies of the book. They agreed it was “unfit for juveniles and a waste of money for adults.” The board further directed that books be judged in the future by the state law on pornography and that, if any bought on the basis of reviews failed to meet the standards, they be destroyed by *burning*. Any criticism of the librarian or accusation of censorship will be the responsibility of the board, members agreed. Reported in: *The Town Talk*, March 10.

Kalamazoo, Mich.

On a complaint from Rev. K. G. Kaynor, of the Bethel Baptist Church, the board of education heard arguments for and against including an underground newspaper, *The Patriot*, in the public library. Rev. Kaynor said the publication is “filled with hateful, sick and twisted thoughts.” Dr. Reed H. Hagen, acting superintendent, said that under current administrative policy *The Patriot* is allowed inside school buildings. Dr. Mark Crum, library system director, said the newspaper is on a reading rack in the adult section, which is not normally used by children. He said it was accepted for display by a committee of professional staff members under existing board policy and that its presence does not constitute any kind of endorsement. He said there may be many things in the library collection that one person or another does not agree with. Jon H. Vanderberg, a teacher, said, “Students read it anyway. Once in a while there’s something sensational, but it is interesting.” He suggested that readers look beyond the four-letter words to thoughts behind the expressions. Suggesting that the board create a review board, Mrs. Pauline Johnson said, “I observe more and more people like Dr. Crum in whom we place confidence becoming more lax in allowing materials made available of a questionable nature.” She added, “You are wrong and the board is wrong if it permits it.” Reported in: *Kalamazoo Gazette*, January 18.

Rikers Island, N.Y.

Legal Aid Society lawyers, volunteers, and three Bronx librarians passed out 250 books to inmates at the Rikers Island reformatory. "We are testing their right to read without censorship or interference," explained Joseph Kaplan, Legal Aid Society attorney, in describing the program conducted under joint-sponsorship of his organization and the New York Public Library. He said the effort was conducted as a "test of claims by reformatory officials that books are circulated freely without censorship inside the institution." Correction authorities said there are 1,300 books in the permanent library collection for 800 inmates. "That's not enough," said Russell B. Thomas, the facility's librarian, "But the problem is one of money. There is no such thing as censorship." Mr. Kaplan said access to books depended on such things as reward for good behavior, in which instances library privileges were granted. In other cases, he charged, books have been kept from inmates as "punishment." "They may let us have them today," an inmate told a reporter, "But it won't last very long I bet. They let us in here for maybe a half an hour a day and who can read a book in a half hour?" Books passed out ranged in subject from sex and marriage to France Fanon's *Wretched of the Earth*, all selected by the inmates. Reported in: *New York Times*, February 4.

Cincinnati, Ohio

Miss Retha Crutchfield, a librarian at the West End Neighborhood Library, said the library has been unable to obtain any books by black authors since last July, and that since the branch opened in 1968, some books by black authors which dealt with racial oppression have been removed from the collection by the city library administration. She also charged that some books which she believes are standard reading in Cincinnati high schools have been classified "adults only" by her superiors at the main public library. In an interview with Andrew Mavern, a *Post & Times Star* reporter, Miss Crutchfield said she believes the books stopped coming because of pressures from the John Birch Society and the Constitutional Heritage Club. She said that, since last October, about ten books in the collection at the West End library were picked up and taken to the main library. James R. Hunt, director of the Public Library of Cincinnati and Hamilton County, said this was done for two reasons: first, the library had decided to "review some of the titles to determine their fitness for the collection"; others were removed because they were not on the main library shelves. He said the library's policy prohibits from any branch a book which is not in the main library's collection. Miss Crutchfield said that last October, her superior visited the West End library and placed 50 books on two shelves which were not to be circulated to unmarried persons under 18. Among the titles were *Gulliver's Travels*, *Catch 22*, *The Sun Also*

Rises, *Brave New World*, 1984, *Black Like Me*, *Travels with Charley*, *The Mouse that Roared*, *Lillies of the Field*, and *Mr. Sammler's Planet*. Miss Crutchfield said she had never heard of the library's policy of restricting books to minors until the visit from her supervisor, whom she would not name. Reported in: *Cincinnati Post & Times Star*, January 14.

Clinton, Tenn.

Rather than bar certain books from the school library system, the Anderson County Board of Education approved measures removing obligation on the part of any student to read supplementary literature which his parents consider objectionable. The county school controversy about certain books arose at Clinton High School when some citizens objected to such books as *Catcher in the Rye*, *Catch 22*, and *Manchild in the Promised Land*. Various parents then organized citizen meetings to determine what recourse they would have in getting these books removed from school libraries. In response, the board adopted a policy whereby the superintendent may elect to place individual books on a restricted list, should there be considerable objection to certain supplementary reading. Restricted books then require written parental permission prior to checkout. Books placed on the restricted list may not be orally reported on by students. The board voted to place *Catch 22* and *Manchild in the Promised Land* on the restricted list. Reported in: *Knoxville Journal*, February 11.

Austin, Tex.

The University of Texas Library's Exhibits Committee set up a display entitled "Banned Books" in the main building. It included previously banned books such as *Tom Sawyer*, *Portnoy's Complaint*, and *Do It!* After a written complaint from a student directed to University President Stephen Spurr, regarding the two pages chosen for display from *Do It!*, University Librarian Fred Folmer received a call from the assistant to the president for financial affairs asking that the display of Rubin's book either be changed or removed. Folmer contacted Mrs. Anne Neville, chairman of the Exhibits Committee, who met with the rest of her committee to discuss the matter. Mrs. Neville said, "We decided that as professional librarians, we would not condone any form of censorship." Instead, the committee contacted Dr. David Clay, President Spurr's special advisor for libraries. Mrs. Neville said, "We were very impressed with the way Clay approached the matter but he has taken his final judgment under consideration. However, we take heart in the fact that he has not asked us to remove Rubin's book yet." Reported in: *The Daily Texan*, March 14.

Dallas, Tex.

The city's tri-ethnic committee complained that *Little Black Sambo* distorts a child's view of black people and

should be taken out of the city's school libraries. Reportedly, the book was removed from school libraries five years ago, but the group said it had been put back. The school district said a subcommittee will investigate. Assistant Superintendent Carlton Moffett said, "The facts boil down to the question: are we going to deprive our children of literary freedom?" Reported in: *Philadelphia Inquirer*, March 18.

SCHOOLS — CURRICULA

Fieldbrook, Cal.

Mrs. Irene Riley was suspended from her teaching job after posting some photos of female nudes on the bulletin board of her fifth and sixth grade classroom as an experiment. She put the pictures up after she found students passing them around, officials said. She told the students to write an essay about them. Mrs. Riley's experimental "free class" has been under attack since it began last fall. Her comment to the critics was, "your children are getting too free and you are worrying about it—they might out-think you—be proud of them." She said she will fight the suspension. Reported in: *Washington Daily News*, March 16.

Fresno, Cal.

After some parents complained about the use of the film *The Lottery* in junior and senior English classes, about forty parents, teachers, and school administrators attended a special screening of the movie, based on a short story by Shirley Jackson. The film was discussed after the showing, with teachers defending it and parents objecting. Robert Miner, head of instruction for city schools, asked those present to hand in written comments and said he would "evaluate" them. But, he said he has no intention of withdrawing the film. Reported in: *Fresno Guide*, March 3.

Decatur, Ill.

After receiving a complaint from H. Earl Wright, the parent of a high school student, regarding offensive language in the play *Lysistrata*, by Aristophanes, superintendent Robert Oakes removed the textbook containing the comedy, *A Critical Anthology*, from use by sophomore students. Following the order to collect the books, only 80 of 105 copies originally distributed were recovered. Many of the remaining copies showed up in the hands of parents and interested citizens at a later board of education meeting. Wright told the board, "I feel my child has a right to a quality moral education, and books dealing in gutter language and sex have no place in an English class." The board took no action on the text itself, but voted to seek a recommendation from Oakes on what future course it could take to prevent texts with objectionable materials in them from getting into schools. The text itself was to be thoroughly reviewed by the professional staff, according to Oakes. He

said, "The decision for the time being is not to use it until it has been thoroughly reviewed by our staff." Rev. Keith Shumate, pastor of the Decatur Baptist Temple and an admitted member of the John Birch Society, also objected to the use of *Lysistrata*. After the board meeting, he spoke on a radio telephone talk show and recommended formation of a lay committee to screen textbook materials in the Decatur Public School System. Reported in: *Decatur Review*, February 7-17.

Indianapolis, Ind.

High school English department heads were recently advised that *Huckleberry Finn* and *To Kill A Mockingbird* will no longer appear on recommended lists. The decision was confirmed by Dr. Alexander Moore, curriculum director, who said, "There's simply no reason to use books that offend minorities if other books may be used instead." In a letter to the *News*, written and signed by students described as "white, black, Catholics, Jews and agnostics," the removal of the books was termed a "pointless withdrawal from reality." The letter asked for reexamination of the decision by the school board, saying, "The abandoning of these classics due to the objections of a small group is an attack on the educational system of Indiana." Mrs. Betty Niles, head of the Northwest High School English department, said, "I don't know how you can take books off reading lists but keep them in the libraries. There is no single book I know of in which someone hasn't found political or religious ramifications." Reported in: *Indianapolis News*, February 17.

Berkley, Mich.

Two members of the local chapter of National Action Group (NAG) said they are considering a recall campaign against school board members because they approved "smut" books for the community's high school. Singled out for criticism were *Soul on Ice* and the script of *Hair*. The two women were given forms to fill out to register their objections to the books by school principal Loren Disbrow. He said when the forms are completed, they are given to the board of education for a decision on whether to keep the books. "We don't require any student to read any book," Disbrow said. "At the beginning of the year, a complete list of books to be used in English classes is given to parents. If parents find any of the books objectionable, they can indicate they don't want their child to read it." Reported in: *Royal Oak Tribune*, March 10.

Cinnaminson, N.J.

The board of education heard complaints from irate parents about *Last Summer* by Evan Hunter, a book used in a sophomore English class. About a dozen parents complained bitterly over the "immoral" theme, four-letter words, and the fact that the book was a compulsory assignment. The board admitted that improper

procedure had been used by the teacher and that the book was to have been given only to selected students. As a result of the complaints and discussion, the board came to no decision about policy changes but disclosed that a list of sensitive material may be submitted to department heads who would then have to send permission slips home for parental approval. Reported in: *Camden Courier Post*, February 22.

Pennsville, N.J.

When it was announced that an adult evening class in extrasensory perception would be held at a local high school, several ministers used Sunday sermons to denounce "witchcraft in the school." One radio preacher asked his listeners to write to the board of education. The board received several letters and a number of phone calls criticizing the decision to allow the class. Rev. Houtain Swain of Trinity Methodist Church said, "There are some things we could just as well not know about and witchcraft is one of them." Board president William Talley said the board decided to allow the class to open despite the religious opposition. He said application for enrollment had to be closed because of increased interest. The class was scheduled to open with an enrollment of 24, but publicity brought the total to 90 adult students. Talley said the decision to permit the classes to open was made after reviewing all the evidence. He said the board felt the adults signing up for the course had the right to choose what they wished to learn. Reported in: *Philadelphia Bulletin*, February 3.

Plainfield, N.J.

After hearing citizens' complaints that *The Exorcist* is pornographic, the West Morris Regional High School board reserved making its own decision until it had the opportunity to discuss the matter in private. The crux of the complaints was not whether the book is pornographic, but that the board should remove advocacy of it by having it stricken from all reading lists. Mrs. Martin Roach, one of the objectors, had asked in September that the book be removed from a reading list for a class in which her daughter was enrolled. Later she found that the book had not been removed. Several parents, however, said they did not object to having their youngsters read the book because they should be well-adjusted enough to put it in proper perspective. One parent noted that there were 24 books on the list and no one had to pick *The Exorcist*. Board Chairman Rev. Torgersen said, "No board member is interested in the use of scatological or pornographic material which has no redeeming educational value. But who is to judge what is pornography? Today many books have pornographic content but are considered acceptable." Reported in: *Plainfield Courier-News*, January 12.

Cranston, R.I.

Clergymen, school officials, and outraged parents demanded explanations from a teacher, George O'Neill,

who had invited a prostitute to speak with 40 pupils in an innovative social studies program called "Economics and Politics in the Community." School officials labeled the teacher's action a misjudgment, while a Baptist minister said his parishioners are "going to be very irate." Some students and faculty members supported Mr. O'Neill. "I don't think any of the students found it offensive," said one youth who was in the class. "She just told us how she got started. She said she was divorced and had two kids and needed money." Another senior said that the students thought the criticism was "kind of ridiculous. They can bring in a criminal. Why not a prostitute?" O'Neill said because the class was studying various aspects of victimless crimes, the 23-year-old prostitute was invited to speak. Reported in: *Baltimore Sun*, March 14.

Nashville, Tenn.

Surprise was registered and complaints received by McGavock High School when the African Heritage Dancers, an internationally known group from Washington, D.C., performed their last act topless during a special program at the school. Officials said they were unaware that the dancers would climax their cultural offering with a topless, lengthy grand finale. The incident moved Councilman Elzie Jones to promise to introduce a resolution in the Metro Council, requesting the Metro Board of Education to ensure that such incidents do not recur. The resolution, to be introduced as a late bill requiring unanimous consent for consideration, states that the incident has "shocked the community. This resolution will record the disapproval of the Council to any such performance and ask the Board of Education to see that this does not occur again in any of our schools." Reported in: *Nashville Banner*, March 7.

SCHOOLS — NEWSPAPERS

Claremont, Cal.

After discussing publication guidelines for the Claremont High School newspaper *Wolf Packet*, the Unified School District Board made no decision to censor the paper, but scheduled meetings with the newspaper staff and the student council. The controversy arose over a December edition of the paper which included a poem (which precipitated a confrontation between black students from Ontario High and Hughes High) and a story detailing the services of the Planned Parenthood Division of the Pomona Health Center. Reported in: *Pomona Progress-Bulletin*, January 20.

Chicago, Ill.

After a challenge to censorship of student publications in Deerfield-Highland Park Township High School District 113 by three students who published alleged obscenities in a school publication, the district scheduled open hearings to discuss a new publications code. The

criteria to be discussed will be the legal acceptability of the content, rather than the traditional standards of taste. Under the proposed new code, five prohibitions could be made, citing the wording of U. S. Supreme Court decisions: obscene materials; materials which would cause student disruptions; materials which would interfere with normal school activities; materials openly advocating or encouraging the use, sale, or possession of narcotics or marijuana; and materials distributed for commercial purpose advertising a product or soliciting funds. Reported in: *Chicago Tribune*, March 5.

Shawnee Mission, Kan.

Publication of an underground newspaper, *The Free Press*, at Shawnee Mission South High School was suspended, pending development of a policy on student expression from the board of education. The paper was being distributed in the South parking lot and front hallway, but after a satirical article on an administrator and a story about "jocks" appeared, publication was suspended. Student Congress President Barry Shalinsky said the Inter-School Congress would recommend that underground newspapers be permitted but be governed by ten guidelines, such as that they contain nothing contrary to the law, do not interfere with the educational process, and show at least two names of persons who can be held responsible for anything published in the paper. Reported in: *Johnson County Scout*, February 9.

Grand Ledge, Mich.

The board of education suspended Mike Faull, an eighteen-year-old senior from regular classes and school activities because he distributed copies of *Joint Issue*, an East Lansing underground paper, inside the school building after being denied permission to do so by School Principal Elmer Weaver. Faull will be allowed to continue his high school education in an independent study program. He contends the decision is a violation of his constitutional rights and intends to go to court. Eight other students face potential suspension on the same charge. Reported in: *Lansing Journal*, March 14.

Dayton, Ohio

In the wake of a furor, *The Colonel White Free Press* staff at Colonel White High School issued a statement expressing "regret" that an allegedly obscene cartoon strip was printed and announcing a policy change giving the editor the power "to not print any potentially disastrous articles." The cartoon strip, entitled "Ugly Adventures," used street language and depicted an act of oral sex. Colonel White's faculty administrative council called a special session to express "outrage" over the cartoon and "to disavow any connection between the paper and the school." The students' statement said, "We still believe in free speech, but we regret printing the cartoon because it upset so many people; we also regret not printing our names. The decision of the staff

is to continue printing *Free Press* with the requirement of articles being signed by their authors, and with the change of policy. . . ." Reported in: *Dayton Journal Herald*, February 15.

SCHOOLS — MISCELLANEOUS

Chicago, Ill.

Mrs. Barbara A. Sizemore, Chicago board of education coordinator for proposal development for government funding programs, was ordered to remove a display of black culture items and pictures of Malcolm X and Angela Davis now decorating her office wall. A memo from the director of the department sent to her said, "At the end of this month, after you have removed the materials from those walls of your office that comprise the outer walls of the department as a whole, please do not replace them with other items. I think that it is in the best interest of the department of government funded programs not to have the outer walls filled with displays, notes or personal items." Mrs. Sizemore claimed the action was "racist in nature." She said, "Pictures of Barbra Streisand, Beverly Sills, the Lord's Prayer, and other personal effects adorn the walls over the desks of various personnel. No mention was made of these adornments until I put up a display for Black Liberation Month." Deputy School Superintendent Manford Byrd, Jr., told the *Daily News* he would ask the department head to investigate Mrs. Sizemore's complaint to see if there had been preferential treatment regarding personal displays. Reported in: *Chicago Daily News*, March 2.

Edwardsville, Ill.

Kurt W. Engbretson was unsuccessful in an appeal to the Edwardsville High School board after school authorities refused to allow a picture of him wearing a tall black hat (his favorite hat) to appear in the school yearbook. Engbretson is considering legal action. Reported in: *Chicago Sun-Times*, February 4.

Edwardsville, Ill.

In response to a complaint from Rev. Casmir F. Gierut, pastor of St. Mary's Church in Bunker Hill, County Circuit Court Judge Michael Kinney issued a temporary injunction to cancel a benefit basketball game scheduled at Wood River High School between the faculty and Playboy Club bunnies. Rev. Gierut's petition said he opposed the appearance of the bunnies as "promotion of entertainment unbecoming to an institution of higher learning." Reported in: *Philadelphia Bulletin*, February 10.

ART EXHIBITS

Philadelphia, Pa.

An oil painting entitled "The Protector" was removed from an art exhibit in the Municipal Services

Building by order of Public Property Commissioner William A. Costello. The painting by Mrs. Cole Schenk shows a GI wearing a flag around his shoulders and resting the butt of his rifle on the neck of an infant. At the end of its first day of display, the painting had to be removed because someone had tried to damage it. Later, Mrs. Schenk rehung the painting, covering it with a plastic shield to protect it from vandalism. Finally, it was ordered removed, because it was — according to Mrs. Schenk — inflammatory.” City officials, however, contend that the removal was necessitated by at least 25 threatening calls.” Reported in: *Philadelphia Bulletin*, March 16.

FILMS

Grosse Pointe, Mich.

Aroused by a local showing of *A Clockwork Orange*, the Grosse Pointe Motion Picture and Television Council announced plans to chase the film, and others like it, out of town. The group’s president said, “This is the most brutal, sadistic film I have ever seen. It terrorized me. I think that the only thing that could be worse would be to be a victim of a gang like this This is one of the best produced and directed movies that I have ever seen. The acting and photography is superb. This is what makes it such a dangerous film. . . .” The same group claims credit for cancellation of showings of *The Fox* in Grosse Pointe in 1968. Reported in: *Detroit Free Press*, February 18.

LIVE THEATER

San Francisco, Cal.

A grand jury report critical of the Neighborhood Art Program because of posters decorating the program office walls, apparently prompted cancellation of two plays scheduled to be performed at Lone Mountain College. The Black Light Explosion Company, a theater-dance-music workshop group financed by the Neighborhood Art Program and two private organizations, planned to put on *I Ain’t No Whore* and *Vamboodoo* at the Catholic college in January. The publicity about the posters reportedly disturbed the president of Lone Mountain. One poster criticized by the grand jury advertised the two Black Light plays and featured the silhouette of a nude black woman, along with information about the performances at Lone Mountain. Reported in: *San Francisco Chronicle*, January 6.

Washington, D.C.

The National Park Service, which owns Ford’s Theater, asked for deletions in the script of *An Unpleasant Evening with H. L. Mencken*, which opened the second week in March. The Park Service labeled as “objectionable” comments dealing with lynchings in the South and the quality of life in southern states. Some of

the changes were made and some were not, according to Frankie Hewitt, Ford’s Theater Society director. Paul Shyre, who adapted Mencken’s writing and directed the production, says he will make no further changes. “I’d close the show before I’d tamper with the script,” he said. Shyre said there may be alterations in the show as it gets broken in, “but never under the pressure of censorship.” Edwin Blacker, spokesman for the National Park Service, said the service was not censoring, but only suggesting. He said the suggestions were “not an order.” Reported in: *Washington Post*, March 8.

Memphis, Tenn.

Armed with signs proclaiming “God hates *Hair*,” a dozen pickets protested nudity in the musical in its fifth performance at the Malco Theater. The *Hair* company responded by passing out yellow daisies among demonstrators, offering them hot chocolate to ward off the night chill, and predicting an upsurge in ticket buying. Rev. Michael Pearl, the apparent leader of the pickets, said he would return with more protesters to the show’s final five showings in Memphis. Demonstrators would have shown up at earlier *Hair* performances, he said, “But we were picketing performances of the musical *Superstar* and we couldn’t get up here.” Reported in: *Memphis Commercial Appeal*, February 23.

Nashville, Tenn.

A production of *Jesus Christ Superstar* began on time at Hillsboro Presbyterian Church despite several picketers outside the church. The Rev. Mel Perry, minister of Grace Bible Presbyterian Church and leader of the pickets, distributed literature that said, “The rock opera *Jesus Christ Superstar* must be opposed because it falsifies and distorts the *Bible* by giving its characters words to sing which are in direct contradiction to what is in the scriptures. . . .” The signs being carried by the group read, “*Jesus Christ Superstar* — a blasphemy.” Perry said, “This whole thing is in evidence of the Apostasy of the United Presbyterian U.S.A. Denomination.” Reported in: *Nashville Tennessean*, December 31.

PERIODICALS

Detroit, Mich.

The *Detroit News* announced it will no longer publish ads, reviews, or promotional material for X-rated movies and unrated films that it considers “of a pornographic nature.” Reported in: *Baltimore News American*, March 24.

Baltimore, Md.

William Stump, editor of *Baltimore*, the Chamber of Commerce magazine, was hired in 1964 to modernize the magazine. He was fired in February. While editor, Stump printed stories on Blaze Starr, a stripper, homosexuals, the financial crisis at John’s Hopkins University,

and the problems of a new suburban city. *Baltimore* has been rated best in its field three times by the American Association of Commerce Publications and has won lesser awards from the Association since he took over as editor. "Stump is a very creative and a darn good editor," said Chamber President Kurt H. G. Heinfeld, "but at some point he decided he was not in a position to go along with the policies of the Chamber." Reported in: *New York Times*, February, 13.

TELEVISION AND RADIO

Washington, D.C.

"The Politics and Humor of Woody Allen," scheduled for showing on PBS on February 21, was cancelled. According to PBS general manager Gerald Slater, the program would have caused "major legal problems" for the network and its local stations. The program, a political satire aimed at the Nixon administration, was reportedly dropped because of "problems of equal time, personal attack, the Fairness Doctrine, and the subjective issue of taste." Slater insisted that there is no relationship between administration criticisms of public broadcastings and the decision to drop the program from prime time. Jay Iselin, vice president and general manager of WNET in New York, the station which produced the show, said he was surprised by the PBS decision. He said, "It appears we've managed to produce a mouse that might scare the President." Iselin said he understood the main problem with the show to be the fact that it chided President Nixon, and that Nixon, as a declared candidate, could subsequently demand equal time for reply. Reported in: *Washington Post*, February 12.

Miami, Fla.

After complaints from "older" listeners, radio stations WPOM, WIRK, and WQAM discontinued airing the pop record, "Jungle Fever." The record features heavy breathing, shouts, and some dialogue in Spanish. Mrs. Carol Mosher said she heard the song on the radio while listening with her daughter and turned it off immediately. "I don't like to be puritanical," she said, but it was a matter of protecting a child. Reported in: *Miami Herald*, March 12.

Chicago, Ill.

Two members of the Polish American Congress protested at CBS offices to halt the showing of the movie *A Streetcar Named Desire* on the local CBS outlet, WBBM-TV. The two said they object to the movie's lead male character, Stanley Kowalski, played by Marlon Brando. Chief demonstrator, *Ted Kowalski*, anti-defamation chairman for the Polish American Congress, said the 1951 movie of Tennessee Williams' play makes "derogatory ethnic insinuations." Kowalski said CBS Programming Director Paul Cahill was "diplomatic but not convinced by our point of view." Reported in: *Chicago Daily News*, February 11.

COLLEGE AND UNIVERSITY CAMPUSES

Los Angeles, Cal.

A UCLA group called Left Unity Coalition (LUC) launched a campaign to have a textbook it calls "racist and sexist" banned from a psychology course. The book, *Elements of Psychology*, by Krech, Crutchfield, and Livson, was criticized because it says "poor people are genetically inferior because they score lower on IQ tests; blacks inferior to whites, and women to men." LUC'S spokeswoman Cathy Dahlgren, a graduate student in linguistics, said the text is "something which feeds into the whole racist campaign in this country at this time to make us believe black women, women, and, in general, the working class are not as intelligent as the rulers of the country, and that this explains their lower position in society. I think it is a very bad and dangerous thing for the University of California to be presenting this as science to freshmen students." The student legislative council went on record as being opposed to LUC'S efforts to have the book removed. The vote came after a lengthy discussion, during which Professor Morris Holland, the teacher whose class uses the book, defended the material as "essentially identical" to that presented in all other introductory psychology texts. Reported in: *UCLA Daily Bruin*, February 11.

Washington, D.C.

The Georgetown University Law School publication, *The Georgetown Law Weekly*, came under attack because of an advertisement for an abortion referral service. Law School Dean Adrian Fisher sent a letter to the paper saying, "It would appear quite improper to ask the University to supply funds for a publication which includes an advertisement soliciting an activity which it regards as immoral." Lewis Greenbaum, managing editor of the paper, said, "We will continue to run the ad as long as it is sent to us. We consider it a free speech issue." Reported in: *Washington Post*, March 7.

Gainesville, Fla.

University of Florida Student Affairs Vice-President Lester Hale objected to the distribution of 3,000 copies of a controversial sex book, *How to Take the Worry Out of Being Close*, printed in the university shop with student funds under a copyright granted from a California couple who wrote the book. Hale called the book "flip-pant" because it treats sex in a humorous manner. The student government agreed to withhold distribution until a review could be made. Secretary of Student Government Affairs Marsha Kaufman said, "Most students will do what they want to do anyway. This book will not encourage them but only give them information." Reported in: *Topeka Journal*, January 22.

Tampa, Fla.

The firm contracted to print the University of South Florida's yearbook refused to publish a series of six

photographs of a nude male. This is the third year in a row that nude photographs in the *Agean* have caused a controversy but it is the first time the photographs in question are of a man. Reported in: *Philadelphia Inquirer*, March 9.

Kansas City, Mo.

University of Missouri campus police at Kansas City confiscated several thousand copies of a publication prepared as a review of a recent Robert F. Kennedy Memorial Symposium. The confiscation was precipitated by an Allen Ginzberg poem in the publication which a university spokesman said was "highly unacceptable to good taste. . . ." The poem entitled "Troost Street Blues" included several four-letter words and descriptions of homosexual acts. An official university statement said, "We are directing that distribution of the *Symposium News*, edited for the university under contract with Ken Kesey, be discontinued. The terms of the contract provide that Mr. Kesey would edit a daily news report or final journal of the symposium. The publication includes additional material not related to the symposium which the university, as publisher, refuses to condone or distribute. In addition, an investigation of the entire matter is being conducted." Reported in: *St. Louis Post-Dispatch*, February 24.

Corvallis, Ore.

The Oregon State University Memorial Union Film Committee banned X-rated movies at the union because it appears they're boring. Committee Chairman Mike Gerig said audience rowdiness and catcalls during a recent presentation resulted in an end to a short-lived attempt to establish what he called "a broader base of film offerings." Reported in: *Baltimore Sun*, February 7.

Waco, Tex.

Baylor University trustees asked School President Abnor McCall to take whatever steps are necessary to maintain "restriction of speakers on the campus who might advocate atheism defiance of the law or violent rebellion." McCall assured the trustees that the Baptist university would provide no platform for such speakers. Reported in: *Chicago Sun-Times*, February 18.

Richmond, Va.

The Media Board of Virginia Commonwealth University voted not to take disciplinary action "at this time" against the editor of the school's student newspaper, *The Commonwealth Times*, for the publication of an abortion ad. At the same time the board took no action to lift a restraint imposed on the newspaper forbidding the staff from printing any more abortion ads. The board "did not find the editor irresponsible." Under state law, it is a misdemeanor to publish ads promoting abortions. Bill Royall, editor of the paper, contends that the notice that appeared in the newspaper was not an ad but an

information item. His attorney told the board that, while state law prohibits the encouragement of an abortion by an ad, the law does not prohibit publication of informational notices. Royall said the paper printed the abortion notice because "we wanted to provide the information and we wanted to test the law." He added that he expects the board to take further action. Reported in: *Richmond News Leader*, February 8.

Longview, Wash.

The Lower Columbia College Publications Advisory Council will determine the fate of the student newspaper, *The Trident*, suspended by Dr. David Story, college president, on the grounds that it was personally offensive, violated the school's decency code and that the recent cover had no purpose. The cover displayed a bare breast on one side and the rear end of a horse on the other. A cartoon inside asked the reader to fill in a four-letter word, stating that "obscenity lies only in the mind of the reader." All administrators were directed by Story not to sign checks for *The Trident*, although outstanding bills will be paid. *The Trident* is published with student funds, but the administration has the final say in their disbursement. Story has also asked that a panel of citizens be gathered to assist in the revision of a code, presumably to draw up stricter guidelines than now exist. The present standards say that the "editor shall be held to account for the publication of materials which are indecent, immoral and profane." Reported in: *Longview News*, January 22.

Madison, Wis.

A showing of the film *The Birth of a Nation* was cancelled at the University of Wisconsin because of complaints from the National Association for the Advancement of Colored People and black student groups. The 1915 D. W. Griffith production was labeled "blatant racism" by the head of the Afro-American Center and a demonstration threatened if the film were shown. Professor Russell Merritt, who helped organize the showings, denounced the cancellation as "utterly incompatible with an academic environment." Reported in: *New York Times*, February 15.

The Agitator: A Collection of Diverse Opinions from America's Not-So-Popular Press (A Schism Anthology), edited by Donald L. Rice, is a collection by "pamphleteers," those who write to persuade their fellow men. This provocative anthology presents the full range of political stances. Right, left, or center, you'll find something to raise your hackles. Available from ALA's Order Department, 50 East Huron, Chicago, Illinois 60611, for \$3.95.

Let Me Say This About That

A Column of Reviews

Obscenity: Censorship or Free Choice? William L. Hamling, editor and publisher. Greenleaf Classics, Inc., San Diego, California. 1971. \$1.95.

This volume contains prize-winning essays from a contest for college students which was originated and sponsored by Greenleaf Classics (also known as Reed Enterprises and Library Service, Inc.), publisher of a variety of materials which have a potential for being censored, such as *The Illustrated Presidential Report of the Commission on Obscenity and Pornography*. Included are twenty-three college students' essays, the contest judges' speeches, and a speech by Mr. Hamling. Judges were Dr. Martha T. Boaz, Dr. Donald K. Cheek, Mr. Arthur Knight, Mr. James Powers, and Rev. Dr. William M. Shinto. Prizes were \$500 to \$5,000.

The idea for a contest of this nature — setting up a worthwhile prize, informing a group in whom you feel you will find some interest, and putting them to work on a pre-selected subject — is a good one. The American Legion, et al., do it every year with high school students. With the allowance made for increased writing ability, Greenleaf got exactly what the American Legion does — a large group of papers all saying much the same thing in the same way. This is a sad thing to report. The subject is highly interesting, a variety of points of view exist on it, most of the writers have writing ability, but the book is basically boring.

Unless you or your library collects everything on this subject, I would advise avoiding this book. If nothing else, you can add 50 cents and purchase a much more interesting volume of this type: *Censorship: For and Against*, Harold H. Hart (editor and publisher). Hart, New York. 1971. — Lawrence E. Wolfe, Consultant, Tennessee State Library and Archives.

Obscenity Law Today. William E. Ringel. Gould Publications, Jamaica, New York. 1970. \$5.50 paper.

The New York City criminal court judge who gave the opinion in the *N.Y. vs. Stabile* case (1969) has pieced together a collage of court cases, decisions, opinions, and definitions relating to obscenity and the First Amendment. In part I, Ringel devotes six pages to "What Is Obscenity?" His main point is conveying the confusion surrounding definitions — especially distinguishing that which is obscene to the layman from that which is obscene under law. "Part II," states Ringel, "deals with the law of obscenity as presently interpreted and applied." "Presently," it should be noted, means 1969 or 1970; the book has a 1970 copyright, but I could find no citations after 1969. "Part III deals with the First Amendment rights (freedom of speech and of the press) with particular reference to the history and development of the law of obscenity. The law in both of these areas is inter-

twined." The appendices contain the *Stabile* opinion, a list of representative obscenity decisions (publications, films, and live performances); bibliographical references; and a table of cases with page references to the text. All in all, there's a lot of information here for the money. The endless citations of cases may confuse some readers, but those seriously pursuing the development of obscenity law will find a good start here. All public libraries, of course, should have the *U. S. Code* and the appropriate state code. This little book is good supplementary historical background. — Robert H. Donahugh, Assistant Director, Public Library, Youngstown, Ohio.

Censorship: For and Against. Edited by H. L. Hart. Hart Publishing, New York. 1971. \$2.45.

Perspectives on Pornography. Edited by Douglas A. Hughes. St. Martin's Press, New York. 1970. \$5.95.

When W. S. Gilbert delivered the rhymed (after a fashion) dictum

"That every boy and every girl,
That's born into the world alive,
Is either a little Liberal,
Or else a little Conservative!"

he was probably not thinking of the further dictum that "to be liberal is to be against censorship: to be conservative is to be for it."

Reading H. L. Hart's paperback compilation of original* essays on censorship can be fun, if you read the list of contributors, view their portraits and dossiers, and then try to predict whether they will be "pro" or "con," before reading each untitled section. Let's see: Hollis Alpert? Judith Crist? Monsignor Joseph Howard? Charles H. Keating, Jr.? Nat Hentoff? Charles Rembar? Max Lerner? Rebecca West? Eugene McCarthy? Carey McWilliams? Ernest van den Haag? Rabbi Arthur Lelyveld?

Yes — the Catholic priest and the Jewish rabbi are in opposite camps. The liberal U. S. senator, the liberal movie critics, the noted novelist, the liberal lawyer, the liberal journalist — all argue strongly against censorship, in varying degrees and for different reasons. The conservative sociologist and the writer of the *Minority Report* for the Commission on Obscenity and Pornography argue just as vehemently for censorship.

The text of the book includes 154 pages against censorship, and only 57 pages for — 9 articles against, 3 for. But there is one element of confusion in this tally: Monsignor Joseph Howard, Executive Secretary of the

*Not quite: Charles Rembar's essay is adapted and updated from portions of his *The End of Obscenity* (Random House, 1968) and his contribution to *Censorship and Freedom of Expression: Essays on Obscenity and the Law* (edited by Harry Clor; Rand McNally, 1971).

National Office for Decent Literature, concludes his 17-page stint by saying, "So, Mr. Editor, in your *Censorship: For and Against*, put me down with the Against." A careful reading of his arguments would seem to indicate that what he really meant was that he was *for* censorship, and *against* pornography. His chief contribution to the continuing argument, by the way, is what he calls the "Howard Pornographic Principle." Here it is, in the good Father's own capitalization: "THE FURTHER ONE IS REMOVED FROM REAL PORNOGRAPHY, THE MORE PERMISSIVE HE IS LIKELY TO BE." Or, in other words *censors* (police, some judges, some school administrators, Catholic priests) are in favor of *censorship!*

It is interesting to librarians to hear from Father Howard that (speaking of the Office for Decent Literature), "we don't worry about what adults were reading; our concern was with youngsters." The long record of NODL's attempts to limit adult reading to a juvenile level certainly confutes this statement.

Father Howard's main arguments are these: 1) "Think of the loss to society if even ONE [Father Howard's emphasis] of a thousand readers is drawn over the threshold of promiscuity, perversion, crime, or violence;" 2) The reason that no "causal connection between crime and pornography has ever been proven," he says, is that "no parent, however depraved, would ever allow his child to participate in such a study;" 3) "Where are we going to draw the line? . . . a few common sense rules are all we need." Somehow one wishes that Monsignor Howard had written down these "few common sense rules." Many people, from librarians to Supreme Court judges, would be grateful if he really does have the magic answers. His climaxing, clinching, superargument "against" censorship, quoted from "the man who has had more experience with crime and criminals than any man in the United States" [J. Edgar Hoover], is that "Indecent literature is making criminals faster than we can build jails to house them." This is a fine, sweeping statement; it could stand just a little documentation.

Practicing psychoanalyst and NYU Adjunct Professor of Social Philosophy Ernest Van den Haag makes some quite broad — and rather easily demonstrated as false — generalizations about censorship.

Item: "Censorship has been abolished, with the exception — universal until quite recently — of sexual matters." *True — except that political and religious censorship definitely are still in existence (or what was the Pentagon Papers case all about?) — and sexual censorship has never in history been "universal."*

Item: "In all known societies, people function by controlling their impulses" *Malinowski and Mead, Levi-Strauss and Radcliffe Brown, why have you bothered?*

Item: ". . . the elimination of legal censorship might well provoke arbitrary and damaging non-legal attempts at repression by private persons and groups . . ." *And just what are the Citizens for Decent Literature, Inc., and the National Office for Decent Literature, among many others . . . and how do they operate now when there is legal censorship?*

Item: "Censorship inflicts no suffering." *Tell Mark Twain and Tolstoi and D. H. Lawrence—and countless other writers, living and dead, that!*

The third of the pro-censorship trio included in this volume, Charles H. Keating, Jr., has, of course, become nationally famous, both as founder (1956) and legal counsel for the Citizens for Decent Literature, and as President Nixon's only appointee to the Commission on Obscenity and Pornography — the one who wrote the widely publicized "Minority Report" of the COP. Six of the nineteen pages in his contribution to this book are exactly the same as a similar six in his Minority Report; the other thirteen pages include such *ex parte*, undocumented statements as this one: "It is apparent that the laws prohibiting obscenity and pornography have played an important role in the creativity and excellence in our society." It should hardly be necessary to refute such outrageous claims as this in a magazine mainly read by educated persons! Most of his other arguments are about on this level of verifiability and acceptability.

As for the nine opponents of censorship, as previously indicated, they are a varied group in background and interest, and certainly in how they face the issue.

Film critic Hollis Alpert [*Saturday Review*] makes clear that he is *not* pro-pornography, even though he is anti-censorship. His main point against censorship is that with improving and changing technology — home videotaping, cassettes, cartridges, and such — "It would require, sooner or later, a vast national (even international) effort and 1984 would be here long before its time." He feels that censorship ". . . in the long run . . . is no more productive than flailing at windmills."

Veteran author and liberal editor Carey McWilliams is opposed to censorship for many reasons, principally because he is against using the criminal law "to attain purposes for which it is not well-suited." He considers society's social health may well be measurable, in an inverse ratio, to the degree of public demand for censorship. McWilliams sees censorship as basically "an attempt to suppress fears," specifically those concerned with sexuality.

Senator Eugene McCarthy, as might be expected, deals as much with political as with sexual censorship. He finds governmental control over news and information considerably more dangerous to "the health of American democracy . . . than freedom of expression and publication." As for sex censorship, he sees the crucial question to be the relationship, if any, between por-

nography and "violent or anti-social behavior," a question he considers "probably unanswerable one way or the other." But he indicates a general anti-censorship feeling.

Novelist and critic Rebecca West has the interesting thought that "the idea of censorship is unworkable but not unthinkable." She is strongly against censorship of books for adults, but even more strongly for censorship of sadistic pornography dealing with child-assault, or related themes. Like C. P. Snow's wife, Pamela Hanford Johnson, she feels that reading such material will invariably and inevitably lead to the commission of related sadistic crimes.

Judith Crist, well-known film critic, who ruefully anticipates "the censorious Seventies," in reaction to the new freedom in the arts of the Sixties, calls for only one kind of censorship — "self-censorship on the part of the public and . . . the creator." She feels we are about at the conclusion of what she calls "the era of voyeurism," and that the younger generation has taken sex and the arts "in stride — or couldn't care less."

Jazz and political writer Nat Hentoff not only feels that "censorship in any form is . . . unnecessary . . . and . . . unconstitutional," but states unequivocally that "it is, and it has been, and always will be, so long as any of it lasts, demonstrably harmful." His main point is that censorship feeds the illusions of those who believe that individual morality can be improved via legislation.

To the President of the American Jewish Congress, Rabbi Arthur Lelyveld, the appropriate punishment for "coarseness" is moral rather than legal condemnation. Like several of the others who were on the "Against" side in this book's two-sided presentation, he sees the possibility of a sort of self-cure in the present plethora of pornography, because "after a relatively short time, pornography produces ennui." Incidentally, the Rabbi is *not* for "variable obscenity" laws "defending" children; he favors "faith and good judgment" as a better solution than legislation.

The journalist and political scientist Max Lerner has one of the more thoughtful and original contributions, with his perception that the 60-5 U. S. Senate vote against the Commission on Obscenity and Pornography *Report* was expressing "a world view, utterly different from the world view of the Commission." Lerner is not for either of the two views; his feeling is that "other persons, like myself, should have open to them the moral choice about the kind of erotic lives they will live." But he is willing to accept "not intolerable limits" to his own free choice, simply to avoid making life "intolerable" to others.

Lawyer Charles Rembar presents herein his familiar legalistic arguments for ending *all* literary censorship, because of the First Amendment.

Out of all this, can the librarian find some guidance, some help in doing his day-to-day job? Perhaps so, but more likely he will simply find this book "great argument

about it and about," and come out by the same door wherein he went, to paraphrase Omar.

The best arguments for and against censorship are not all in this rather narrowly-ranging volume — and just possibly the editor would have done well to include at least one Downs or Shera or Moore or Asheim or "experts." Indeed, it is rather difficult to try to find good reasons why he did not. Surely the librarian who has spent his entire professional life dealing with the censor might well give better counsel than those whose concern with censorship is really only peripheral. Or did Mr. Hart perhaps feel that he and the rest of the general public knew in advance what the librarian would say and wanted and needed to hear from a new (and presumably less prejudiced) group? If so, the results were hardly novel or unbiased enough to justify the exclusion.

Quite a different book is *Perspectives on Pornography*, edited by Douglas A. Hughes. The 14 contributors to this collection were not planning to contribute to a two-sided debate; they were, in 1961-69, writing for magazines and their own books. Perhaps that is why there is more strength and less equivocation in these expressions of points of view on both sides of an issue obviously directly related to censorship. Also, the authors make up a somewhat different mix — novelists (Moravia, Burgess), critics (Levin, Hyman, Steiner, Goodman, Elliott, Sontag, Phillips), academicians (Michelson, Mercier, van den Haag), a librarian (Felix Pollak), and the producer of "Oh! Calcutta!" Kenneth Tynan. Only one contributor, van den Haag, appears in both books.

Hughes, from his academic refuge at Washington State University, feels that "far from being a signal of moral decline or the ebbing of our vitality, the acceptance of the senses and the thoroughgoing liberalization of sexual attitudes are "signs of vigor and health." He collected these essays in an attempt to answer what he deems to be "the two fundamental questions surrounding pornography: What are the psychological *effects* of pornographic works on the normal individual, as manifested in moral and social behavior; and to what extent may pornography be judged as legitimate literature rather than merely ersatz eroticism." In other words, his basic concerns are psychology and aesthetics, not morals or censorship or the law. Curiously, very few of the symposiasts find it possible to be quite as narrow in their discussions as Hughes would seem to want. The pornography in our civilization until very recently was identical with the legally censorable, and the complete *bouleversement* of sexual and moral values since World War II is still too recent for definitive, completely discerning views.

Moravia begins this volume with a very brief statement on "Eroticism in Literature," notable chiefly for its clear defense of today's literary writing about the sexual act, so long as it reaches neither extreme of
(Continued on page 95)

B.U.L.L.



Awards

Bent Upon Losing Liberty

On The Sex Education Front

In Brookfield, Wis., the Unitarian Church West's controversial sex education course began quietly on February 13th, with twelve eighth-graders enrolled in the classes. (See March 1972 *Newsletter*, p. 65.) Originally scheduled to begin in January, the course was postponed after Waukeshaw County District Attorney Richard B. McConnell said he wanted to examine material to be used in the course because he was concerned that it might violate state obscenity laws.

Federal Judge John W. Reynolds issued a preliminary injunction restraining McConnell from interfering with plans to present the 40-week, voluntary course as part of a Sunday school curriculum. McConnell's conduct in demanding to view materials to be used in the course, said Reynolds, was an unwarranted intrusion on the exercise of fundamental freedoms. These rights were freedom of religion, freedom of parents to educate their children, and freedom of speech. Although Reynolds' order was for a preliminary injunction, his decision left little doubt of the outcome should the case proceed any further.

McConnell announced that he will appeal the federal court order under which he was blocked from interfering with the sex education course. The appeal will ask that Reynolds' order be set aside until the Seventh Circuit Court of Appeals in Chicago determines if it should

May Award: A Tie!

To: *Hyman A. Pressman*, Baltimore City Comptroller, who said in February that *The Inner City Mother Goose* is "part of a nationwide plot to just cause this nation to disintegrate." In March, he shifted his attack to Jerry Rubin's *Do It!*, saying, "The book does not belong in our library for at least two reasons: It is clearly treasonous and it is . . . pornographic . . ." Pressman's attack on *The Inner City Mother Goose* increased the demand from zero on the waiting list to more than eighty-six. Perhaps he should aim next at the Bible. (Reported in: *Baltimore News American*, March 22.)

And, to: *The Vernon Parish, La., Library Board* which directed its librarian to destroy by burning any books purchased on the basis of reviews and found not to be within standards acceptable under state obscenity laws. (Reported in: *The Town Talk*, March 10.)

have been issued. McConnell said the case has far-reaching implications and is not one purely of freedom of religion. A group could do something obscene under the guise of religion and such conduct would be protected under Reynolds' decision, the district attorney said.

To celebrate Judge Reynolds' decision, the congregation began its worship with a pledge of allegiance to the flag. The congregation had voted previously to proceed with the course whatever Judge Reynolds' decision might be. Rev. Robert C. A. Moore, minister of the church, said about 40 children, whose parents wanted them to take the course, were unable to do so because the class had been filled quickly. The course was planned for small groups of children. Next year, Moore said, the church hopes to have at least three such courses. "We might have an adult class based on the same material," said Moore. (Reported in: *Milwaukee Journal*, February 14.)

In nearby Green Bay, at an open hearing concerning a sex education program adopted by the Catholic diocese and recommended for implementation in all diocesan schools, opponents of the course, "Becoming a Person," called sex education in the grade school "garbage, classroom pornography, and a sign of the anti-Christ." Its promoters were castigated as "bureaucrats, weirdos and mountebanks." A portion of the sex edu-

(Continued on page 96)

From the Bench



FREEDOM OF THE PRESS

Texarkana, Ark.

Circuit Court Judge John W. Goodson levied a suspended sentence of 60 days in jail and a \$250 fine against Harry Wood, editor of the *Texarkana Gazette and News*, after Wood defied Goodson's order not to report that a jury (in open court) had found a man guilty of raping a 13-year-old girl. Handed down on the day the guilty verdict was returned, the judge's order was intended to prevent unfavorable pretrial publicity for a second defendant in the case being tried separately. Wood printed the verdict, with the judge's order, on the front page the next day. He said, "We felt like we were being deprived of our privileges as set out in the First Amendment. It was a matter of public information and a matter of freedom of the press, of the public's right to know." Wood said he will appeal the decision. Reported in: *New York Post*, March 9.

Cumberland, Md.

John H. Martin, editor of *The People's Guardian*, was found guilty of contempt of court for photographing a Maryland state trooper inside the Allegheny County Courthouse almost two years ago. Martin was fined \$250.00 plus \$89.00 in court costs. A 1969 rule of the Fourth Circuit Court, which includes Allegheny County, prohibits taking photographs anywhere in the courthouse. At the time of the incident, *The People's Guardian* was regularly publishing articles critical of state police methods and narcotics investigations. Martin said he would not appeal the conviction because of the costs involved. Ironically, the photograph in question shows the state trooper *outside* the courthouse descending the stairs. Martin testified that he thought the rule against photographs applied only inside courtrooms while trials were in session. He said he would not have photographed the trooper had he known the rule applied to the entire courthouse. Reported in: *Washington Post*, February 15.

Albany, N.Y.

The Court of Appeals unanimously reversed a previous ruling by the Appellate Division, thus declaring that Supreme Court Justice George Postel was wrong when he barred reporters from the trial of Carmine Persico, charged with extortion, last November. Postel had barred the press and public after articles appeared containing accounts of Persico's criminal record and associations, contending that the publicity would keep Persico from getting a fair trial. The Court of Appeals held that Postel's order "was an unwarranted effort to punish and censor the press, and the fact that it constituted a novel form of censorship cannot insulate or shield it from constitutional attack." The petition against Postel's ruling was brought by five reporters acting for a committee of 100 newsmen. Reported in: *New York Daily News*, March 23.

FREE SPEECH

Salt Lake City, Utah

Robert Ray Davison, arrested during an altercation in a variety store, was charged under an ordinance that makes it unlawful to use "abusive, menacing, insulting, slanderous, or profane language within the city limits of Salt Lake City," and found guilty in city court. That decision was appealed to the state District Court where Davison won. The city appealed to the state Supreme Court which recently upheld the reversal, saying, "If the ordinance were held valid, one could be punished for swearing to himself if he should accidentally hit his thumb with a hammer." Reported in: *Philadelphia Inquirer*, January 30.

COLLEGE AND UNIVERSITY CAMPUSES

Wichita, Kan.

Overturing a county court verdict, U. S. District Court Judge Frank G. Theis ordered a directed verdict for Ron Wylie, former publisher of the *Wichita Free Press*, against Edwin J. Walbourn, president of the El Dorado-based Butler County Community Junior College. Wylie and five others were arrested in 1969 while selling copies of the *Free Press* at the school in defiance of a ban against sale of commercial products on the campus. The six were jailed several hours before finally being charged with trespassing. Judge Theis' verdict sustained a defense motion that the ban violated the First Amendment guarantee of freedom of the press. Reported in: *Topeka Daily Capitol*, February 10.

BOOKS AND FILMS — ACQUITTALS

Hollywood, Cal.

The California Appellate Court affirmed a Superior Court ruling dismissing a complaint against the Danish film, *Without A Stitch*. Among the plaintiffs seeking to have the film suppressed as an obscene movie and a

public nuisance was Raymond Gauer, the president of Citizens for Decent Literature. In ruling, the court said, "The film was shown in a closed theater. Only those persons could view it who had paid the admission price and who had entered the theater. Thus, only those members of the community were exposed to the film who voluntarily chose to see it." Reported in: *Variety*, March 8.

New Orleans, La.

Overturing the conviction of William Groner, a book distributor found guilty by a lower federal court for shipping allegedly obscene books in interstate commerce, the Fifth United States Circuit Court of Appeals noted that the government did not introduce expert witness testimony in the lower court but presented as evidence some of the allegedly obscene publications. The Appeals Court said its own inability to form an opinion in the case "is the basis for our holding that expert testimony is required on the elements of obscenity in order to furnish juries and this court with an objective basis for deciding on the issue of First Amendment rights." Reported in: *Scranton, Pa. Catholic Light*, January 20.

New Orleans, La.

The 2d Circuit Court of Appeal, ruling in a case involving Gulf States Theatres of Louisiana, Inc., enjoined by a lower court from showing allegedly obscene movies in Caddo Parish, declared that "nuisance laws" cannot constitutionally be applied to obscenity without regard for the possible consequences on protected free speech. The nuisance statute was found not applicable in that it contained no guaranty of prompt judicial decision. The court said further that, "Although states may regulate the dissemination and exhibition of obscene material, a state is not free to adopt whatever procedure it pleases for dealing with obscenity" without considering the First Amendment issues. Reported in: *255 Southern Reporter*, 2d Series.

Boston, Mass.

Three years ago, guardians and conservators of the inmates of Bridgewater State Hospital filed a series of lawsuits against producers of the film *Titicut Follies* for invasion of privacy and breach of contract. The 1966 film showed some inmates nude and was banned from public display in Massachusetts, although it has played elsewhere. On March 2, Suffolk Superior Court Judge Robert Sullivan rejected the claims for \$11.5 million in damages and compensation filed on behalf of the inmates. Judge Sullivan's ruling, citing U.S. Supreme Court precedents, said, "The First Amendment of the Constitution of the United States, and the protection it affords a free press, bars recovery of money damages for invasion of privacy in connection with the making or publication of the film. . . ." Reported in: *Boston Herald Traveler*, March 3.

Brooklyn, N.Y.

Jeffrey Pomerantz, proprietor of a card and book store in New York City, charged with promoting obscenity for selling copies of *The Illustrated Presidential Report of the Commission on Obscenity and Pornography*, was acquitted by a criminal court jury decision. Father Morton A. Hill, president of Morality in Media and dissenting member of the President's Commission on Obscenity and Pornography, blamed the acquittal on erroneous interpretation of U.S. Supreme Court decisions by the state's Penal Law Revision Commission which has rendered the state's obscenity law "almost unenforceable." Father Hill, commenting on the verdict, said that pornography producers can, according to the current law in New York, legally publish a *Bible* illustrated with obscene photos or drawings. He said, "People ask how a thing like this can happen, how there can be a Times Square. It happens because in 1967 the New York Penal Law Revision Commission—erroneously misinterpreting the U.S. Supreme Court—inserted into the obscenity law the phrase 'utterly without redeeming social value.' The majority of the people of the state are unaware of this." He said this "so-called test in the law" makes the New York statute "practically non-existent." Reported in: *Brooklyn Tabloid*, December 9.

Milwaukee, Wis.

George J. Orito, charged with selling a magazine called *Secret Affair*, was found not guilty of selling obscene matter at his former bookstore, The Swinger's World. Circuit Judge Robert W. Landry said the U.S. Supreme Court had declared dozens of magazines with similar contents not to be obscene. Reported in: *Milwaukee Journal*, January 18.

Milwaukee, Wis.

Circuit Judge Hugh R. O'Connell, ruling in a case involving Robert A. Brown, convicted in 1969 of possession of obscene materials, declared Wisconsin's obscenity statute to be unconstitutional. In 1969, Brown was stopped for a traffic violation. In his car were four allegedly obscene magazines. Traffic Judge Louis J. Ceci fined Brown \$100 for possession of obscene materials in spite of the defense attorney and the district attorney's request that the case be dismissed because the U.S. Supreme Court ruled that mere possession of obscene materials was not a crime. Judge Ceci said, "I find that [Brown's] items were not only vile and obscene, but I would characterize them as vicious filth, hardcore pornography, the likes of which I haven't seen, and I'm 42 years old. I find they are filth!" Federal Judge Robert E. Tehan, on appeal, said in 1970 that he did not have the authority to rule on the case, and sent it back to the state courts. He said he thought the state law was "patently invalid." The case went back to Judge Ceci, who maintained his original de-

cision. The decision was then appealed to Judge O'Connell who ruled on February 15, 1972 that the statute is overly broad because it forbids the kind of private possession that the U.S. Supreme Court has ruled is protected by the First Amendment. He dismissed the case against Brown. Reported in: *Milwaukee Journal*, February 16.

BOOKS AND FILMS — SEIZURES

Los Angeles, Cal.

A three-judge federal court ruled that more than 1.5 million dollars worth of allegedly pornographic movies and still pictures seized by police in two raids must be returned to a mail order film business. Stanley Fleishman, attorney for the firm, charged that the seizure resulted from "harassment and bad faith" on the part of law enforcement officers. The court, composed of U.S. Circuit Judge Walter Ely and U.S. District Judges Jesse W. Curtis and Irving Hill, agreed, saying, "The censor and the illegal police raiding party are even less welcome in this country than the peddler of execrable sex materials, and with good cause." Reported in: *Los Angeles Times*, February 24.

Denver, Colo.

Evidence against a Denver bookstore salesman, Ernest Sanchez, charged with promotion of an obscene film, was suppressed in Denver County Court by Judge William Connelly. Judge Connelly ruled that because no search warrant was issued, the defendant didn't have an opportunity for an adversary hearing and because the police didn't purchase the film, they didn't possess it legally under federal obscenity rulings. (The officers made a deal to purchase the \$50.00 film, then seized it.) Reported in: *Denver Post*, January 23.

Albany, Ga.

Dougherty Superior Court Judge Asa D. Kelley, Jr., ruled that district attorney Robert Reynolds' seizure of the controversial movie *Carnal Knowledge* was unconstitutional. The film was impounded in January from the Broad Avenue Cinema and shown privately to a grand jury which subsequently returned bills against owners of the theater on charges of violating Georgia's obscenity laws. In his ruling, Judge Kelley stated that the law "clearly holds that a movie film may not be seized under a search warrant or otherwise, without first having an adversary hearing before a judicial officer or magistrate to determine whether or not the film sought to be seized is obscene." Reported in: *Albany Herald*, February 4.

Decatur, Ill.

Circuit Court Judge Lester Brinkoetter ruled there is probable cause to believe the operators of the Adult Book and Cinema Shop are in violation of the state's

obscenity laws. He ordered the operators of the store, Gerry Mabie and Steven Camp, to be placed under arrest with bail set at \$1,000 for each. A week later the owners of the building which houses the adult bookstore, Henry B. Grier and Gloria B. Goldman, served a notice of termination of tenancy on the operators of the store, demanding possession within ten days. The operators ignored the notice, however, and the owners asked for a court order giving them possession. The suit asks termination of the lease on grounds the bookstore violated one of the lease provisions requiring that the tenants not "injure the reputation or credit of the premises or of the neighborhood." Later, the Macon County States Attorney's office filed suit against Grier and Goldman charging that the store is a common nuisance and asking that it be padlocked and its contents seized. The suit asks that the building be closed for one year. Mabie and Camp, meanwhile, filed suit for a temporary injunction to halt closing of the adult bookstore. The defense attorney charged that the public nuisance law only applies to a house of prostitution and that, under the law, there is no precedent in Illinois courts for an injunction to be issued against a bookstore. Circuit Court Judge Rodney A. Scott, nonetheless, issued the injunction by oral order. Meanwhile, attorneys for the shop agreed in Circuit Court to allow Grier and Goldman to enter the adult bookstore and photograph the interior. On March 6, the stock of magazines and films housed in the store was removed under the temporary injunction closing the store as a public nuisance. The operator's attorney filed a motion in Circuit Court seeking dissolution of the temporary injunction. It claims the injunction is not authorized by state law, fails to allege that the store causes irreparable and irreversible injury, fails to precisely define what conduct is enjoined, and violates the First and Fourteenth Amendments of the U.S. Constitution. Reported in: *The Decatur Review*, February 25-March 7.

Bowie, Md.

Appellate Circuit Court Judge E. Mackell Childs declared eleven films owned by a Glen Burnie bookstore owner to be obscene and ordered them confiscated. The films were declared obscene by Judge Childs after a day-and-a-half hearing, during which he viewed them. Judge Childs ruled that the films have no redeeming social value, are offensive by normal social standards, and exploit sex for the purpose of profit. The maximum penalty under the law for a first offense is \$1,000 and/or one year imprisonment. For a second offense it is \$5,000 and/or three years imprisonment. Reported in: *Bowie County News*, February 9.

Mt. Holly, N.J.

Burlington County Judge Herman Belopolsky ordered the return of more than \$25,000 worth of adult magazines confiscated by state, county, and local police

during simultaneous raids in February on adult bookstores in Willingboro and Bordentown Township. He said the only items that could be kept as evidence for the county grand jury were three magazines and two movies specifically mentioned in search warrants issued prior to the raids. The judge said the warrants for the arrests were valid, but that the raids violated the First, Fourth, and Fourteenth Amendments to the U. S. Constitution and the New Jersey Constitution. Defense attorney Robert E. Levy claimed the raid procedure gave police the right to determine what is pornography and what is obscene. Burlington County Assistant Prosecutor John L. Madden argued that previous cases have determined it is permissible for police to confiscate similar or related articles to those specifically mentioned in a warrant. Reported in: *Camden Courier Post*, March 1.

Raleigh, N.C.

Operators of three Raleigh adult bookstores won their case when the state Supreme Court ruled that the statute under which magazines were seized by police was later repealed by the 1971 General Assembly. The three were charged with unlawfully exhibiting obscene literature for purpose of sale. A Superior Court judge had ruled that the seizure of the materials was proper and lawful. He also decreed that about 95 percent of the material was obscene. The defendants appealed from that ruling which was upheld by the state Court of Appeals. In reversing the State Court of Appeals decision, the Supreme Court said that 28 days after the Superior Court verdict, a new law went into effect repealing the old obscenity law. For this reason, the high court reversed the lower court. Reported in: *Raleigh Times*, January 28.

Knoxville, Tenn.

A showing of the movie *Cry Uncle!* at the Fox Theater was stopped after police detective Dorothea Sweeten and two representatives of the attorney general's office signed affidavits alleging that the movie is obscene. On that basis, the Criminal Court issued a restraining order against the theater. Defense Attorney Bernard Bernstein contended unsuccessfully that stopping of the film violated the U. S. Constitution by restraining an act without a prior hearing. The restraining order was later changed to a temporary injunction and a tentative hearing on a permanent injunction was set. Judge Joe D. Duncan gave the theater 45 days to file an answer showing cause why it should not be permanently enjoined. Judge Duncan ruled that proper procedure was used in stopping the showing of the film by use of a restraining order. Reported in: *Knoxville Journal*, March 7.

Nashville, Tenn.

The State Supreme Court ruled that the district attorney's office in Nashville used improper methods of ordering an inventory and seizure of materials from

Swinger's Adult News and Peep Store. In an opinion written by Justice Chester C. Chatten, the court ruled that the state's obscenity law gives the procedure by which a District Attorney General may proceed to enforce the law. The action by Assistant District Attorney General Richard McCully against Swinger's Adult News, the court ruled, "has no foundation under the common law." McCully had purchased two magazines from the store and made photographs of other allegedly obscene material. He then obtained a search warrant from General Sessions Court Judge John Boone, Jr., which directed that an inventory of the store's merchandise be made and returned to the judge. On the same day the inventory and warrant were returned, District Attorney General Thomas Shriver filed a petition in Criminal Court ordering two employees of the store to show cause why the inventoried merchandise should not be seized. On the same day, the Criminal Court clerk issued a subpoena ordering the employees to bring to the court one copy of each of the materials listed in the inventory. The Supreme Court ruled that the Attorney General must follow the procedures outlined in the statute for enforcing the law, and that the procedure used had no basis in law. Further, the court ruled that criminal courts may not issue a show-cause order based on findings of a search warrant issued by another court. Reported in: *The Nashville Tennessean*, February 28.

BOOKS AND FILMS — MISCELLANEOUS

Lansing, Mich.

Ingham County Circuit Court Judge Sam Street Hughes ordered the city of Lansing to reissue a theater permit to Steve Howard, operator of the Paradise Theater, which shows X-rated movies. The city council revoked the theater's permit on grounds that the movies shown were obscene. Judge Hughes said that Howard may give any programs or show any shows "which may legally be shown" at the theater, but he made it clear that he was making no determination as to what could legally be shown. Reported in: *Lansing Journal*, February 18.

Austin, Tex.

The Court of Criminal Appeals overturned a Corpus Christi obscenity conviction because there was no evidence for the court "to make its own independent judgment" as to whether the stag movies at issue were, in fact, obscene. The decision overturned the conviction of Frank Longoria for knowingly exhibiting obscene matter. Longoria was sentenced to a \$1,000 fine and six months in jail on the basis of police testimony that the films were obscene. The Court of Criminal Appeals said police officers' testimony "is insufficient evidence for the jury or us independently to determine obscenity" in light of a state law recently rewritten to conform to U. S. Supreme Court guidelines. Reported in: *Dallas News*, February 17.

El Paso, Tex.

County Attorney George Rodriguez hailed a federal court ruling on obscenity from the Fifth Circuit Court in New Orleans as putting the question of what is obscene back into the hands of local juries. "As I understand it, this means obscenity cases will be handled in the community where they originate," said Rodriguez. "And what is obscene will be determined by the standards of that community, with local juries to hear or decide each case." The Fifth Circuit Court ordered juries in their six-state jurisdiction to make such decisions "as much as possible on objective facts," saying the courts cannot determine what the people of the state or the nation consider as their limit of candor. Speaking for the court, Judge Homer Thornberry said, "We find ourselves completely incapable of ruling on this issue." Reported in: *El Paso Herald-Post*, January 12.

Studies and Surveys

Freedom of Information

(A Study.) A study released by the House Government Information Subcommittee says court enforcement provisions have been used successfully during the first four years of the Freedom of Information Act, with 112 cases filed. "In those cases decided so far, the courts have carefully considered all arguments and required the government agencies to prove that continued secrecy is necessary in nearly every case. As important, however, is the threat of court action, for a government official who must prove in court that secrecy is necessary will think twice before refusing a demand to access to public records." The analysis was prepared by Samuel J. Archibald of the University of Missouri Freedom of Information Center. (Reported in: *Chicago Tribune*, March 19.)

Subpoenas on the Press

(An Opinion Survey.) University of Michigan Law School Professor Vince Blast conducted a national survey of about 1,000 news reporters and editors. Results showed a strong belief that virtually all press subpoenas are issued unnecessarily, when the reporter has no important information to contribute to an official fact-finding body. Blast said the survey showed a deep concern among most questioned that reporters called to testify before a grand jury or other legal body are compromised in the eyes of news sources, who tend to restrict the flow of information essential to reporters' work. The survey was sponsored by the Reporters Committee on Freedom of the Press, an informal group organized after the Justice Department began subpoenaing reporters in 1970 in grand jury investigations of allegedly subversive groups. The Field Foundation contributed \$27,000 to finance the study. (Reported in: *New York Times*, February 11.)

Librarians, Censorship and Intellectual Freedom: 1968-69, an annotated bibliography including references to books and articles from the popular and library press, is available for \$1.25 from Publishing Services, 50 East Huron Street, Chicago, Illinois 60611.

Obscenity and Pornography

(An Opinion Survey.) Dr. Stanley Fitch, an El Camino College psychologist, surveyed a cross-section of Californians in twenty counties and obtained results sometimes strikingly different from other surveys. While the responses varied sharply depending on age, Fitch concluded that "the average person is not offended by this material." Those who want prohibitory legislation are not in the majority, he told a meeting of the research committee of Metropolitan State Hospital where he is a consultant. The main reason for discrepancies between his and other surveys, he said, is that "all previous surveys to my knowledge were conducted by various police agencies throughout the state." He added, "I do not wish to appear to be anti-police, but one reason I did my survey is that when police do a survey, they identify themselves as police officers. I feel this gives a biased result." He said he identified himself to respondents as "a doctor" and felt that this did not produce the kind of bias resulting from questioning by an officer. Fitch surveyed 1,000 persons selected by sex, age, race, and education, but not religion, to be representative of the state as a whole. Slightly more than half were from Los Angeles County and 113 from Orange County. The questionnaire had to do with books, magazines, films, and live performances involving nudity, with and without sexual activity. Half the group were asked to "speak for themselves"; the other half were asked to make their judgments speaking for the "average Californian" rather than for themselves. Fitch said the result showed that when people talked about themselves, they displayed a more liberal attitude than when asked to speak for the average Californian. (Reported in: *Los Angeles Times*, March 4.)

School Newspapers

(An Opinion Survey.) School personnel should have the authority to censor articles in school-sponsored publications, say two-thirds of the teachers polled recently by the National Education Association Research Division. Of those advocating censorship, 32 percent believe everything in student publications should be subject to censorship; 22 percent advocate censorship based only on good taste. Only 19 percent of those polled believe that student publications should not be censored; 15 percent had no opinion. (Reported in: *Education USA; Washington Monitor*, March 27.)

"Catcher" Catches It... Again

According to the *Kansas City Star*, the Shawnee Mission South School District's Advisory Board voted unanimously at its January 17th meeting to recommend to the school board that *Catcher in the Rye* be removed from the district's approved reading list. The report said the matter was not on the agenda, but arose on a motion from the floor, and not from one of the board members. The action was taken after the board's chairman, David Schmidt, left the meeting. Schmidt, a school board member from the South area, said he had no knowledge that the subject would be brought up. He condemned his fellow advisory board members for taking the action in his absence. He said they "behaved like vigilantes and witch-hunters." He said he received more than 50 phone calls and letters with only one in support of the board's action. He added, "I don't blame them for having opinions but when this type of action is taken, it is something else. We're not taking any book off our shelves. . . . We have to rely on our administrators, not self-appointed censors."

A school spokesman said the district's newsline, which normally handles 100 calls each day, had about 200 calls a day following the reported action. None of the callers condoned the advisory board's position.

South High School teachers called the recommendation "book banning." Miss Jacqueline Musgrave, chairman of South's English department, said, "The emphasis on obscenities is misleading. If students have not encountered the four-and-five-letter words before, they won't know what they mean. And that language is obsolete."

Later, Dr. Norman Babcock, a district administration spokesman said the book was used as a supplement for a literature program for high school sophomores. But one advisory board member said an English instructor had assigned the book to students as required reading. The advisory boards were created by the Kansas legislature to advise the elected school board on curriculum matters and other affairs. Advisory boards have no power, by themselves, except to urge parents to know what their children are being taught. Babcock urged the advisory board to list the reasons why it believes *Catcher in the Rye* should be removed from the district's supplementary reading list. Several members of the audience had shouted that many other literary and social studies books should be removed also.

Later, Mrs. Marilyn Mayberry, an advisory board member, issued a public statement saying a great disservice had been done by erroneous reporting of its meeting. She explained that, "Mrs. Florence DuBois read a letter from a patron regarding objections to the book. Mrs. DuBois chose not to reveal the author of the letter

or the teacher involved, with which I agreed. The advisory board voted to make a recommendation to the board of education regarding continuing classroom use of the book. Present classroom use removes the book from optional reading and places it on a required reading list. At no time was the word 'ban' used and we did not suggest removal of the book from the libraries. A proposal, never moved or voted upon, was made to form a committee to study district materials and make recommendations. The vitriolic reaction to erroneous reporting on the meeting has been overwhelming."

Chairman Schmidt promised to place the matter at the top of the agenda of the advisory board's February 7 meeting. He added, "Each member will be given an opportunity to clarify his opinion and amend the minutes if he wishes." He said, "According to one reporter, the board did make a formal recommendation. However, the minutes do not show this."

Several suggestions were received from other groups and individuals. A representative of People Dedicated to Quality (PDQ), with about 300 members, said, "We vigorously oppose the banning of any curriculum material as a result of pressures from individuals or special interest groups in the community. We of PDQ firmly believe the advisory boards provide a valuable function as public arenas for discussion and understanding of educational matters. We believe the professional staff, by virtue of their specialized training and their professional integrity, is qualified to determine what should be included in the curriculum and when and how it should be taught."

The mother of a South High School student, Mrs. Clifford R. Putzier, said, "J. D. Salinger was an early supporter of sin. After his divorce, he became more and more withdrawn from society, proving he had not learned the lesson set down in his own book. . . . Is *Catcher in the Rye* the best book that can be placed on the required reading list? She added, "I'm not suggesting that students be restrained from reading the book, but it must be compared with other available books. If these opinions make me a witch-hunter, a vigilante, then so be it."

Berry Shalinsky, a high school student and president of the Interschool Congress, said the congress proposed that patrons suggest additional books with opposing views, not remove books from the curriculum.

Commenting in an editorial on the reported banning, the *Star* said, "People who want to impose their personal beliefs on an entire community or tell others what they cannot read ought to be regarded with some caution. They mean well, they work very hard, and they can do a lot of damage."

On February 1, the Shawnee Mission School Board voted against barring *Catcher in the Rye* from the district's schools. JAH

Is It Legal?



FREEDOM OF THE PRESS

Washington, D.C.

The Washington Post Co. and Ben H. Bagdikian, an assistant managing editor, filed suit in U. S. District Court to force the government to allow unsupervised press interviews with prisoners at Danbury, Conn., and Lewisburg, Pa., federal penitentiaries. The suit results from Bagdikian's efforts to confirm reports that prisoners have been involved in peaceful work stoppages and that prison officials have been taking reprisals against protesting inmates. Named as defendants are U. S. Bureau of Prisons Director Norman A. Carlson and Acting U. S. Attorney General Richard G. Kleindienst. Reported in: *Washington Post*, March 11.

Mishicot, Wis.

Five newsmen were arrested in a test of the Mishicot Village Board ordinance that bans photographing, broadcasting, televising, or tape recording of Village Board meetings. The meeting was described by one observer as pandemonium, with several dozen newsmen and cameramen crowded into the small meeting quarters. Television lights glared and tape recorders were running as newsmen defied the ban in an attempt to test its constitutionality in the courts. Before the arrests, newsmen asked the board to repeal the ordinance. The board rejected a motion to that effect by a vote of 5 to 2, the same margin by which the original ban passed. The arrests were made on complaints from citizens, whom reporters recruited from the audience to complain to the chief of police. In addition to banning cameras and recorders, the ordinance requires anyone wanting a transcript of proceedings to hire a stenographer and to submit the transcript to the board for approval. Reporters are allowed to take notes without board approval. Reporters arrested represented the *Milwaukee Sentinel*, radio station WCUB in Manitowoc, television station WBAY in Green Bay, television station WLUK in Green Bay, and the *Appleton Post Crescent*. The newsmen were ordered to appear in municipal court on the charges. The ordi-

nance provides for penalties ranging from \$1.00 to \$700.00. Reported in: *Milwaukee Journal*, February 16.

OBSCENITY LEGISLATION

Trenton, N.J.

Gov. William T. Cahill signed into law what is described as "one of the toughest sets of laws in the nation aimed at curbing pornography." The legislation prohibits the sale of obscene materials to persons under eighteen years of age, prohibits the posting in public places of anything defined as obscene, defines obscenity in graphic terms, and deletes the test that a movie or book is not obscene if it contains some socially redeeming value. Cahill acknowledged that the bills face an almost certain constitutional battle. They were passed in the closing minutes of the 1971 legislature with heavy lobbying from the New Jersey Catholic Conference. Reported in: *Bergen County Record*, February 17.

Charleston, W. Va.

A series of bills proposed by Senator Louise Leonard of Harper's Ferry, dealing with pornographic movies, were tabled by the judiciary committee. No reason for the action was given although it is believed the committee, while sympathetic to the problem of youthful exposure to pornographic films, had serious reservations about the legality and feasibility of a film board of review which would be established by the legislation. The proposed film board would have been patterned after the Maryland Censor Board. Reported in: *Charleston Mail*, February 8.

COLLEGE AND UNIVERSITY CAMPUSES

Richmond, Va.

Benjamin H. Woodbridge, Jr., introduced a bill in the State House of Delegates that would require the General Assembly to fund individually all student publications in state-supported colleges. The proposed legislation also includes a proviso forbidding the use of student-paid fees to finance student publications. Singling out the Mary Washington College *Bullet*, Woodbridge said, "I think an awful lot of members in the General Assembly are shocked and disturbed by the content of some college publications, specifically the newspapers." What disturbed him most, he said, were articles on how to obtain an abortion and reprinted stories that included "four-letter words." Reported in: *Richmond Times-Dispatch*, February 3.

Roanoke, Va.

Dr. Edward D. Jervey, a Radford College history professor, filed suit in U. S. District Court charging that his constitutional rights and academic freedom are being violated by the college. Early in 1968, Jervey wrote a letter to *Redbook Magazine* voicing mild approval of an article entitled, "Why I Believe in Sex Before Marri-

age." Since then he has been denied a scheduled \$1,200 pay raise and a chance for summer employment, and has been assigned to teach only freshmen subjects instead of the upper-class and graduate seminars he once led. In addition, according to his complaint, he has been barred from serving as chaperone or class sponsor or in any other similar post and has been placed in a "sort of social limbo designed to restrict his extra-curricular contacts" with Radford students. Jervy is asking for \$150,000 in damages. He is supported by the National Education Association, which considers the case a classic one of faculty harassment and has retained Civil Liberties Union Attorney Philip J. Hirschkop to defend him. In related action, another Radford former employee, Ralph H. Flynn, filed a \$150,000 lawsuit against the president of the college charging that he was fired for growing a beard. Reported in: *Washington Post*, February 23.

BOOKS AND FILMS — SEIZURES

Bell, Cal.

Police and sheriff's vice officers raided the Dogpatch Bar and confiscated several films deemed hardcore pornography as the result of previous investigations. Warrants are to be sought against the owner, charging him with the operation of a place where alleged hardcore pornography is being shown. Reported in: *Bell Industrial Post*, February 5.

Boston, Mass.

The film, *Sexual Permission U.S.A.*, was confiscated by police from the Art Cinema Theater. The cashier said two officers and a police captain arrived at 6:30 p.m. and left with the cans of film. "They just complained of obscenity," she said. "They found two scenes too explicit." Reported in: *Boston Globe*, February 15.

Braintree, Mass.

On February 3, Braintree police detectives confiscated the X-rated film, *Cry Uncle*, from the Plaza One Cinema. The police carried two warrants, one for the film and the other a body warrant for the theater manager. Reported in: *Braintree Observer*, February 6.

New York, N.Y.

Police raided the offices of Halstead, Fauss and Potter, the Helvarson and Kohn Mail Order Service, and the Synergistic Mail Corporation and confiscated six copies each of two magazines entitled *Dirty Little Comics* and *More Dirty Little Comics*. The combined firms were described as "the largest pornographic mail order house in the United States." Business records indicated the Helvarson and Kohn firm sold 1.4 million dollars worth of erotica last year and paid \$440,000 in mailing fees, investigators said. Criminal Court Judge Milton Samorodin was shown copies of the two comics by postal authorities who had confiscated them, and the judge

ruled they were obscene. He signed a warrant authorizing police to raid the mail order house and seize six copies of each comic book plus business and financial records. Four individuals were arrested in the raid and charged with promoting obscenity. The raiders reported that the mailing rooms were "awash in a sea of smut." Asked why the huge stocks of porno products were not seized, they explained, "We are no longer allowed to make massive seizures of obscene material without a court hearing. We were restricted to the specific items mentioned in the search warrant. Once we leave the scene, there is nothing to stop these people from removing what is left behind." Reported in: *New York Daily News*, March 15.

Middletown, Ohio

A police raid on Dave's Bookstore resulted in the arrest of the owner, David Stage, the confiscation of several hundred items, and the closing of the store. The adult bookstore had opened the previous Thursday. An officer of the police division had made a personal inspection of the store and obtained evidence to support issuance of the search warrant. Penalty for conviction on a first offense is a \$5,000 fine and imprisonment of not more than one year. Reported in: *Cincinnati Inquirer*, February 5.

Philadelphia, Pa.

On March 1, owners of three neighborhood movie theaters were arrested for showing the film *Women's Liberation* and copies of the film were impounded. On March 2, Common Pleas Court Judge Richard Klein judged the film obscene, pending a hearing for the three movie operators on charges of obscene exhibition. At a conference where he announced the arrests, Mayor Rizzo reported that the police Morals and Juvenile Aid Divisions have conducted sixty investigations at sixteen locations, including twelve theaters, since January and have made nine arrests. Police investigators saw twenty-five films, Rizzo said. They judged nine not pornographic, judged seven pornographic — but took no action against their exhibitors — and judged the remaining nine pornographic and arrested the exhibitors. Reported in: *Philadelphia Bulletin*, March 3.

Woodbridge, Va.

Prince William County police arrested Jack Anthony Marraffa at a Woodbridge bar and seized a suitcase containing numerous films. The police said they made the arrest after receiving information from several people that Marraffa had been attempting to sell films in the area. Reported in: *Manassas Journal Messenger*, January 17.

SCHOOLS

Washington, D.C.

On March 1, the D. C. Board of Education endorsed the "Children's March for Survival," sponsored by the

an article entitled, "Why I Believe In Sex Before Marriage." Since then he has been denied a scheduled \$1,200 pay raise and a chance for summer employment, and has National Welfare Rights Organization. During the third week in March, shortly before the scheduled demonstration, D. C. school administrators allowed distribution of circulars and other materials related to the march. One circular included a cartoon showing a scowling President Nixon and the message, "Peace not war . . . Nixon Dosen't (sic) Care." On March 23, Board President Marion Barry and School Superintendent Hugh J. Scott were summoned to a closed House appropriations subcommittee meeting where sources reported they were grilled about the cartoon and the participation in the march. During the "morning hour" set aside for one-minute speeches in the House of Representatives, four Republicans condemned the school board and Scott for "exploiting" children for political purposes. Reported in: *Washington Star*, March 23.

Fort Wayne, Ind.

Students from two Fort Wayne high schools filed suit in Superior Court against the Fort Wayne Community Schools Superintendent and the Board of School Trustees to enjoin them from interfering with the distribution of an underground newspaper, *The Alternative*, in local schools. The suit was a class action in behalf of "all those similarly situated." Distribution of *The Alternative*, according to the complaint, was banned by Superintendent Lester L. Grile about February 1. Later, school attorneys sought and were given a change of venue. The change would have taken the action to another Indiana county and attorneys for the students said, "Only after this development and the resulting fear of an inordinate time delay were plaintiffs forced to dismiss the state court action without prejudice." The students then filed suit, based on the same charges, in U. S. District Court. Federal Judge Jesse E. Eschbach, however, refused to issue a temporary restraining order against the Fort Wayne Community School. He set a hearing on a preliminary injunction for June 5, and said, "The plaintiffs are entitled to a hearing on prayer for a preliminary injunction. Of course, plaintiffs' application for a preliminary injunction cannot take precedence ahead of the heavy criminal trial calendar now facing this court or other requests for preliminary injunctions, which have been filed prior to the plaintiffs'." Reported in: *Fort Wayne News Sentinel*, February 29.

Rochester, Mich.

Two state Court of Appeals judges indicated they are likely to overturn an Oakland Circuit Court ruling forbidding the use of a novel, *Slaughterhouse Five*, in Rochester schools' literature courses. The comments were made from the bench as a three-judge panel heard arguments against Circuit Judge Arthur E. Moore's decision banning the use of the novel. Appellate Judge

Michael D. O'Hara told the attorney for Michael Todd, the parent who filed the original suit effecting the banning, that unless it could be shown that the teacher used the book to demonstrate what is wrong with organized religion, he saw no constitutional reason that it should be banned. He said, "I am terribly concerned about the possible precedent in allowing a representative of the state — a judge — to substitute his judgment for that of educators." Said Judge S. Jerome Bronson, "I would like to know what qualifies the judiciary over teachers and school administrators." The judges took the case under advisement and are expected to issue a written opinion within 90 days. Reported in: *Detroit News*, February 10.

San Antonio, Tex.

Parents of four McArthur High School students dismissed for printing and distributing an underground newspaper, *The Awakening McArthur Free Press*, filed suit in U. S. District Court against Northeast School District to enjoin the board of trustees from enforcing portions of a policy which they contend is unconstitutional. According to the suit, officials at the school refused the students involved an opportunity to make up school work. School officials charged the students with "distributing an unauthorized publication on the school grounds." Federal Judge John H. Wood, Jr., dismissed the suit because it was "wholly without merit." The San Antonio American Civil Liberties Union announced that the decision would be appealed. Later, however, anonymous threats such as harassing letters and telephone calls reportedly caused the withdrawal of two students from the appeal. Two sources close to the withdrawing students told the *San Antonio News* that the families had received anonymous letters and telephone calls "harassing them and making threats." The exact nature of the threats could not be determined. The withdrawals did not seem to effect the SACLU's plans to appeal. Reported in: *San Antonio News*, February 10.

MISCELLANEOUS

Boston, Mass.

City Corporation Council Herbert P. Gleason and his staff are drafting a new zoning law designed to control the spread of adult book and film shops. The proposed "Land Use Controls" will confine to certain zoning areas theaters showing mostly X-rated movies or fare that bar some on the basis of age. Reported in: *Boston Herald-Traveler*, February 20.

Colorado Springs, Colo.

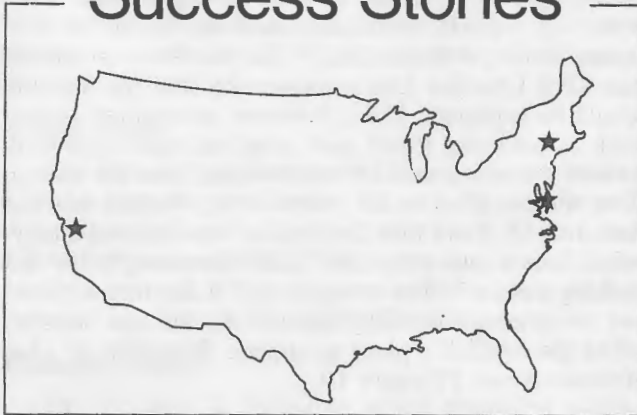
Cine-Art, Inc., an adult theater, filed suit against the owner of the building in which the theater is located, claiming public pressure caused the landlord not to renew the theater's lease. The suit claims Archibald Barren was pressured by civic groups, the Colorado Springs City

Council, the mayor, and the district attorney. The theater claims it had an option to renew the lease for an additional three years at the same rent. It offered to pay an additional \$100 per month, but was told that it violated the sublease agreement. Reported in: *Denver Post*, February 8.

Minneapolis, Minn.

A City Council committee rejected a proposal to license adult bookstores. Opponents and proponents of the ordinance said it would not be particularly effective. Several persons testified against it at a recent public hearing, saying it would be hard to enforce. A representative of the Minnesota Civil Liberties Union said the group would take the ordinance to court if it is passed. The law would have required owners of bookstores to pay \$150 a year for a license which could be denied or revoked for convictions under a state law which prohibits the sale of pornography to persons under 18 years old. There have been no convictions under the state law and John Prentiss, head of the City Police Morals Squad, said at the hearing that the state law is unenforceable. Reported in: *Minneapolis Star*, February 9.

Success Stories



San Jose, Cal.

The Santa Clara County United Veterans Council recently demanded that the Civic Art Gallery remove a photograph from exhibit. The photograph, by Michael Beard, is a picture of a military discharge record defaced with "an eight-letter epithet [bullshit] made popular by establishment dissenters." The photograph was taken down for one day after heated protests to gallery director Delmar Kolb, but that decision was later overturned by the City Art Commission, apparently on the basis that removal amounted to censorship of free expression. A few days later, Thomas Woody, reportedly a World War II veteran, appeared at the gallery and demanded the photo be removed. When Averill Q. Mix, vice-president of the Art Gallery Association, refused to do so, Woody — in the presence of two police officers — removed it

himself. He was immediately arrested and charged with malicious mischief and trespassing, and immediately released. The photo was again displayed. A few days later, the veterans group protested at a City Council meeting, demanding that the picture be removed. Thirty speakers voiced their views — pro and con — on allowing or removing the photo. After hearing all sides, the council voted not to remove the picture. The Art Gallery Association and the Executive Committee of the Greater San Jose Area Council of Arts both adopted resolutions supporting freedom of expression. Both resolutions paralleled American Library Association policies, including the *Library Bill of Rights*, the *Policy on Challenged Library Materials* and the *Freedom to Read Statement*. Reported in: *San Jose Mercury*, February 23, 25, and 29.

Washington, D.C.

The Federal Bureau of Prisons reported a change in its policy on prisoner contacts with news media and says it now permits convicts to send uncensored letters to newsmen. In a three-page directive, Bureau Director Norman A. Carlson said that letters to newsmen are to be forwarded "directly, promptly, sealed, and without inspection." He said that incoming correspondence from the news media will be inspected only for contraband, or for content which would incite conduct which is illegal. A spokesman for the bureau said that it had been left up to the wardens of the separate federal prisons to inform prisoners of their new right. Reported in: *New York Times*, March 8.

Suffern, N.Y.

Shortly after the opening of an art show, "The Feminist Art of Sexual Politics," by Rockland Community College Artist Anita Steckel, the college president, Dr. Seymour Eskow, received pressure to close the show from legislators interpreting the "outrage" of their suburban community and from college trustees concerned with the school's "image." The show featured some 50 paintings illustrating "male power against blacks, women, youth, and other groups in weaker positions." Miss Steckel used such subjects as a red, white, and blue phallus, a phallus made of money, and a New York skyline with nude females impaled on the Chrysler Building. On the other hand, Dr. Eskow received letters from art critics defending the exhibit. Whitney Museum Director John Baur, and director of art at the State University at New Paltz, Henry Raleigh, as well as Dr. Charles Frankel of Columbia University, a member of the Fleishman Commission and a former Undersecretary of State for Cultural Affairs, came to Miss Steckel's defense. The issue was apparently resolved when six of the nine trustees viewed the show and decided not to close the exhibit. One trustee did move that the show be closed but he couldn't get a second. "If the purpose of the show was to raise consciousness," said Eskow, "it succeeded." Reported in: *New York Post*, February 16.

Intellectual Freedom International

NORTH AMERICA

Toronto, Canada

With reluctance, the Canadian Broadcasting Corporation (CBC) provided five minutes of television news film footage to a provincial inquiry after Judge Anthony Vanini said the public's right to information prevails over the privileges of television news editors. The inquiry is investigating a battle between police and demonstrators last October outside the Ontario Science Center where Soviet Premier Aleksei Kosygin was speaking. CBC executives cited the privilege of news sources, and argued that the films need not be produced. They said they are concerned "about what we consider to be a highly dangerous abridgement of a free press inherent in the request for delivery of all film shot by the CBC during the demonstration." Reported in: *Washington Post*, February 16.

SOUTH AMERICA

Brasilia, Brazil

The Ministry of Justice banned *The Sensuous Man* and *The Sensuous Couple*. Police toured bookstores and confiscated copies of the two bestsellers. Reported in: *Washington Post*, March 23.

Montevideo, Uruguay

Uruguay's Congress repealed many extensive curbs on civil liberties which were imposed to combat Tupamaro urban guerrillas, ending nearly three years of what one congressman called "paraconstitutional rule." The measures repealed had given police and soldiers wide powers of search by prohibiting strike publicity or meetings. Restrictions on news reports of Tupamaro activities, however, remain in force, but other measures are lifted, including closing of newspapers that the government thought endangered national security. Five daily papers and two weeklies, all reflecting left-wing views, may now reappear. Reported in: *New York Times*, March 11.

EUROPE

London, England

The British Appeal Court dismissed an appeal by police and confirmed the acquittal of a bookseller and his wife for selling "dirty books" in Southampton. The store's regular clientele was described by one of the judges as "inadequate, pathetic, dirty-minded men seeking cheap thrills." The judges ruled that, though the books were obscene in the popular sense, they were unlikely to corrupt, and therefore not legally obscene. Ap-

parently, the judges consider the bookstore's customers as being so depraved they cannot be corrupted further. Reported in: *Baltimore Sun*, February 16.

London, England

The British Broadcasting Corporation (BBC) labeled as "politically controversial" a recording by Paul McCartney, former Beatle, which asks that England "give Ireland back to the Irish." The record was banned from BBC airwaves. According to the *New York Times*, such a ban is unusual. The BBC, which has a monopoly in radio, usually shows its displeasure by confining objectionable records to off-peak listening hours. In related action, Independent Television rejected a commercial for the song on the ground that it contained "political controversy." Reported in: *New York Times*, February 11.

Athens, Greece

Greek movie actress Irene Pappas, deprived of her Greek citizenship for anti-national activity, was censored from *Santa Mama* and *Anne of a Thousand Days*, currently showing in Greece. In one scene in *Anne of a Thousand Days*, Miss Pappas' appearance is heralded with a shout of "the Queen of England" — but no queen appears. Instead it is cut to the next scene. Reported in: *Philadelphia Inquirer*, March 4.

Helsinki, Finland

A film based on Nobel Prize winner Alexander Solzhenitsyn's novel *A Day in the Life of Ivan Denisovich* was banned from showing in Finland because of fears it could hurt Finnish-Soviet relations. The film is "not compatible with Finland's neutrality." It relates the life of a dissenter in one of Stalin's prison camps. Reported in: *Washington Post*, February 17.

Lisbon, Portugal

Portugal's Department of Popular Culture and Entertainment announced that the play *The Mother* by Stanislas Witkiewicz, now in rehearsals, is banned. The ban occurred because of scenes including drugs and revolutionary ideology. The play was written in 1924. Reported in: *New York Times*, March 26.

Moscow, U.S.S.R.

Ten U. S. students from Oral Roberts University returned from a U.S.S.R. study tour and said Soviet officials confiscated religious literature from them, labeling it "contraband." The group said it learned that the Soviet Council of Religious Affairs is willing to allow U.S. visitors to bring one Russian-language Bible each into the Soviet Union, if brought in "openly." The so-called contraband carried by the students consisted of "a number of Russian scriptures and hymnals, concordances, brochures, evangelical literature in the Russian language, and records." Reported in: *Washington Post*, January 29.

Moscow, U.S.S.R.

In defiance of a Communist Party decision to suppress it, *The Chronicle of Current Events*, the leading underground journal, is being circulated anyway. Published since early 1968, the paper is the leading inside source of information about dissent. Sources said the move to curtail *The Chronicle* and other underground "self-published" journals is part of a general ideological tightening in the cultural world. Because of the reported order, there has been a recent wave of searches, arrests, and interrogations in Moscow, Leningrad, the Ukraine, and Lithuania. In some cases, many materials were confiscated by security police, and many people with even remote connections to *The Chronicle* are still under close police watch. Reported in: *New York Times*, February 4.

Ankara, Turkey

The martial law command banned an exhibit and film of President Nixon's visit to China. No specific reason was given, but diplomats speculated that the authorities feared anti-American or pro-Chinese demonstrations. Reported in: *Baltimore Sun*, March 21.

Istanbul, Turkey

Istanbul authorities banned publication indefinitely of the major daily newspaper, *Aksam*, for "insulting and ridiculing" martial law actions. The paper is owned by Turk-Is, the largest Turkish labor federation, and has a moderate leftist editorial policy. Reported in: *Richmond Times-Dispatch*, February 19.

Belgrade, Yugoslavia

Dissident writer Mihajlov said he was sentenced to 30 days in jail for publishing an essay and a letter in an October 1970 issue of the *New York Times*. The essay,

"Art as Enemy," dealt with the Nobel Literature Prize won by Soviet writer Solzhenitsyn. After being questioned by police about the article in January 1971, Mihajlov immediately wrote a letter to the *New York Times* which was published. He was sentenced 15 days for the essay and another 15 days for his letter. He said he will appeal the sentence. Reported in: *New York Times*, February 10.

AFRICA

Mbabane, Swaziland

A government board of censors has been established to review imported literature. Reported in: *Washington Post*, March 8.

ASIA

Peking, China

About a dozen books banned during the Cultural Revolution recently went on sale again, setting off a rare melee in Peking's main book shops, where hundreds jostled each other at the counters to buy copies. Included were works by such liberal thinkers as Montesquieu, Rousseau, Kant, Adam Smith, and David Ricardo. Also included was a 1700-year-old novel, *The Three Kingdoms*, a traditional work known to be favored by Chairman Mao. Reported in: *New York Times*, February 15.

Rawalpindi, Pakistan

Altaf Gauhar, editor-in-chief of the English language Karachi newspaper *Dawn*, was arrested and held incommunicado on an unspecified charge of having violated Pakistan's martial law #78. Promulgated by President Zulfikar Ali Bhutto's predecessor, General Agha Mo-

(Continued on page 96)

Teach The Teachers

Distribution, and even possession of, unauthorized student publications on high school and junior high school campuses can send boards of education into special session, cause suspension of students, and—most tellingly—make headlines in local newspapers.

One student publication, *Hiram* (1115 N. 60th Street, Omaha, Nebraska), knows it is "legal," and told its readers so in the following fashion:

HIRAM IS LEGAL

The school administration has said that they will take away all copies of the paper, and they will suspend all students caught with one.

This is a bluff and lie. It is meant to scare us into silence, and you into ignorance. It is also illegal. The Fourth Amendment says, "The right of people to be secure in their persons . . . and effects, against unreasonable searches and seizures, shall not be violated."

This means you cannot be searched without a sworn warrant.

The Fifth Amendment says, "No person shall be . . . deprived of . . . property, without due process of law."

Your copy of *Hiram* is your personal property. It cannot be taken away from you without "due process."

Due process is a complicated thing including arrest, formal charges, appearance before a judge, trial, and conviction.

No one has the authority to take away your property without this process. The principal does not have this power.

He might think he has. So the next time he hassles you, set him right. Teach the teachers.

If a teacher says "Give me that," say "No! This is my personal property."

Put the paper in your pocket. But know enough about your rights to speak intelligently about them.

Reviews . . . (from page 81)

"moralistic horror (or) vulgar hedonism." Anthony Burgess in "What is Pornography?" sees pornography as absolutely separated from literature, but does not condemn it for this. He criticizes censorship as a job for the critic, the individual, not the state, saying, "our souls are ultimately our own, and it is only to God that we pray not to be led into temptation."

Critic Harry Levin, one of those who testified for *Tropic of Cancer* in 1961, stresses, in his "The Unbanning of the Books," that "when everything has been said, we can focus on how it is said." English professor Vivian Mercier contrasts "*Master Percy* and/or *Lady Chatterley*" — explicit Mid-Victorian pornography and the Lawrence classic — and calls for a "New Erotics," which "would be a blend of art and science," a sort of mixture of responsible aesthetics and revelatory sex-education — a rather tall order! Perceptive literary critic Stanley Edgar Hyman, writing "In Defense of Pornography," says "experience and taste will save us, those who want to be saved." Paul Goodman gives a rather lengthy (18½ pages) discussion on "Pornography, Art, and Censorship," claiming that censorship is the *cause*, rather than the *result*, of the prevalence of pornography, and then suggesting the values of an official, judicial point-of-view "that it was not obscene to stir sexual desires and thoughts," but that there must be "a probable social or human utility" to justify pornography in any form.

Peter Michelson, whose ideas on this subject can be read at much greater length in his *The Aesthetics of Pornography* (N.Y.: Herder and Herder, 1971) writes "An Apology for Pornography," (first chapter of his book), calling pornography ". . . the imaginative record of man's sexual will" and averring that "not to explore the impulse to pornography is a form of denying human sexuality." George P. Elliott is strongly "Against Pornography," describing it as "a social evil" and says that "a civilized method of censoring is feasible" (although his idealistic conception of boards of censors including judges or lawyers, humanities professors, and "a social member, psychologist, or clergyman," begs the eternal question set by Juvenal, "*Quis custodiet ipsos custodes?*")

In an article which has been rather widely cited, "Night Words: High Pornography and Human Privacy," critic George Steiner seems to want the "dirty" words to be reserved for sexual reality, rather than representation. Of all varieties of art, for Steiner, that dealing with sex alone should not be tolerated — which might well justify a Freudian study of Steiner!

Drama critic and producer Kenneth Tynan, of course, says "Dirty Books Can Stay." He defines pornography as "writing that is exclusively intended to cause sexual pleasure." If one once grants Tynan's claim that "the aim of pornography is physical enjoyment," and further

accepts his dictum that "if a writer uses literary craft to provoke sex and delight, he is doing an artist's job," then it must logically follow that Tynan's answer to Hughes' two questions are: Pornography does have psychological, even physical effects, and these are good; and pornography is perfectly legitimate literature.

Sociologist Ernest van den Haag's point is that "The Case for Pornography Is the Case for Censorship and Vice Versa." By thus relating pornography and censorship, he directly (and explicitly) counters Goodman's arguments; for van den Haag, "If we indulge in pornography, and do not allow censorship to restrict it, our society at best will become ever more coarse, brutal, anxious, indifferent, de-individualized, hedonistic; at worst its ethos will disintegrate altogether."

The cream of this collection is in the last three articles — Susan Sontag's thoroughgoing examination of "The Pornographic Imagination," Felix Pollak's sprightly "Pornography: A Trip Around the Halfworld," and *Partisan Review* editor William Phillips' brief but perspicacious "Writing About Sex." The Sontag *opus* is one of the few examples extant of purely aesthetic and intellectual, rather than moralistic and simplistic, considerations of the uses and potential of pornography as a literary *genre*. Pollak's entertaining essay may be epitomized by his final statement, that "the only acceptable view and practice of sex is the hedonistic one." Phillips recommends simply taking sex "for granted like other neutral activities, like, say, eating or swimming," and, as a concomitant, causing writing about sex to be judged by purely literary (rather than moral, political, or social) standards.

Perhaps an insight into what is and has been going on in our society in the way of changing values accorded to censorship and pornography might be afforded by looking at those compendia of the generally accepted dictionaries. The 1967 *Random House Dictionary* defined pornography as "obscene literature, art, or photography, esp. that having little or no artistic merit." The 1969 *American Heritage Dictionary* defined pornography as "written, graphic, or other forms of communication intended to excite lascivious feelings." Only a generation earlier the 1934 *Webster's New International Dictionary* gave these two definitions of pornography: "1. Description or portrayal of prostitutes or of prostitution," and "2. Obscene or licentious writing, painting, or the like." And the 1933 *Shorter Oxford Dictionary's* definition was, rather similarly, "description of the life, manners, of prostitutes and their patrons; hence, the expression or suggestion of obscene or unchaste subjects in literature or art."

Little by little, the cause of intellectual freedom progresses, even if it takes most lexicographers and some critics a long time to acknowledge that progress. — Eli M. Oboler, University Librarian, Idaho State University, Pocatello.

Sex Education . . . (from page 82)

education program discusses human sexuality and development of children and, for the fifth grade, gives a detailed explanation of the reproduction cycle.

James Likoutis, a lecturer associated with the Catholic newspaper, *The Wanderer*, launched an hour-and-a-quarter tirade criticizing promoters of the program and the Green Bay diocese. He said the mere idea of bringing sex education into the classroom is "trying to destroy Christian morality. Sex is private, intimate, and sacred but parents are playing with it as though it were a game. If these bureaucrats get their way, sex education will replace religious education. Sex education in the school is a lot of garbage. It is nothing more than classroom pornography." The meeting, which lasted more than three hours, broke up without a suggested solution, beyond one that the entire program be eliminated. (Reported in: *Green Bay Press Gazette*, January 19.)

In Morristown, N. J., Catholicism also entered into a lawsuit brought by Mr. and Mrs. Lawrence Valent, challenging the course, "Human Sexuality," part of the Parsippany-Troy Hills School District Sex Education Program. The Rev. Joseph A. Casey testified that he thought the course should be compulsory. He said, "I find most of us are ignorant of the true meaning of sex. Most of us treat it in a vulgar way, when it shouldn't be vulgar." The Valent's, Roman Catholics, withdrew their children from public schools because of the course. Mrs. Valent claims the course deprived her of her right to teach her own children, and she sued both the school board and the state.

The Valent's attorney confronted Rev. Casey with a number of encyclicals issued in 1931 by Pope Pius XI, which reserved to the parents the right to educate their children. Father Casey disagreed with them, saying,

"There has been much development since that time. The Church has seen the need for more education. The Bishops of the U.S., in a pastoral letter about two years ago, backed sex education. The encyclicals, written during the Depression, were written to a totally different cultural age. Things have evolved." (Reported in: *Paterson News*, January 18.)

In Montgomery County, Md., nine parents sought a temporary injunction against sex education materials used in the schools' "Family Life Human Development" program, contending the materials violate "the right of privacy within the home." Expressing concern that films and other materials are being used in other sex education courses, the parents also accused the school of permitting group meetings of students "to discuss publicly intimate and personal matters and to act out emotions toward one another in the group using techniques of self-confession and mutual criticism." Some of the films being used are *Phoebe*, *Story of a Premarital Pregnancy*, *The Game*, *Flipside* and *Emergency Childbirth*. A spokesman for the board said, "Every bit of sex education in this county is being conducted in accordance with state guidelines and there's absolutely no sensitivity training." (Reported in: *Washington Daily News*, March 9.)

Objections to materials also arose in Belleville, Ill. where Mrs. Tom Hunter personally contacted parents of kindergarten and first grade pupils at Union School and secured scores of signatures on a petition protesting the use of *The Wonderful Story of How You Were Born* in the school's sex education program. After Mrs. Hunter presented a statement at a PTA meeting regarding the book, the group was informed by Principal Edward Kimmel that the book will be withdrawn but that the program will continue with supplementary materials. (Reported in: *Belleville News-Democrat*, March 15.)

International . . . (from page 94)

hammed Yahya Khan, the vaguely worded law provides penalties of up to seven years' imprisonment for newsmen who cast discredit on the government, the president or the armed forces. Reported in: *New York Times*, February 29.

Saigon, South Vietnam

Vietnamese newspapers were ordered, under penalty of seizure, to publish only war news released by the military. The government press directive, the strongest relating to military news in the last two years, was aimed at ending reports from Kontum, Pleiku, and other cities in the central highlands about fears of a North Vietnamese-Viet Cong offensive there. Chief government spokesman, Vu Khanh, said, "Strong action will be taken against newspapers that publish this false news. It is misleading the people, and they might panic. That is a more serious situation than the Communist threat in Kontum." Reported in: *Baltimore Sun*, February 5.

OCEANIA

Jakarta, Indonesia

The government imposed a censorship regulation for all imported records, tapes, and cassettes containing Chinese songs. The regulation was imposed as part of a campaign against the spread of Communist influence. Reported in: *New York Times*, March 26.

Auckland, New Zealand

Germaine Greer received a police summons to appear in court to answer complaints that she used an indecent word while addressing a mass meeting at the Auckland town hall. Police said the summons had to be issued after some citizens made a formal complaint. Undeterred, Miss Greer used the same word at another public meeting and called on the audience to repeat it after her. They did, with a mass shout. Reported in: *Washington Star*, March 9.

Goose Feathers . . . (from page 69)

to the Today Show said, "*The Inner City Mother Goose* is depressing. And, no one ever has been or ever will be helped by being depressed. This is a truth that even if the world is destroyed will not change. If you don't know this, Lord help you."

In September, 1970, the problems began. In Minneapolis, a group called Facts Committee for Equal Education complained that poems in the book were obscene and advocate violence. One committee member stated the case succinctly: "We've got to stop our children from being corrupted." Melvin Grimstad, principal of Jordan Junior High School where the controversy arose, announced that *The Inner City Mother Goose* would be restricted to faculty use. This, in itself, was somewhat of a victory because *Undress the City*, another target of the Facts Committee for Equal Education, was actually banned from the school library shelves.

In November, 1970, Clark Natwick was suspended from his teaching job at the Alta Loma High School in South San Francisco, Cal., because he loaned *The Inner City Mother Goose* to a student who asked to borrow it. According to news reports at the time, the student's mother was so infuriated by the book that she burned it. The case against Natwick was clouded by his alleged counseling of students against the Vietnam war and the draft. The district teachers' union announced plans to challenge Natwick's suspension in court, but the results of the union's actions have not been reported to the Office for Intellectual Freedom.

In the meantime, sales of the book continued, and its reputation was further enhanced in late 1971 by the dramatic version, *The Inner City*, successfully presented at New York's Ethel Barrymore Theater.

During most of 1971, there was a moratorium on reported problems with *The Inner City Mother Goose*. That is, of course, no reason to believe that the problems ended. More likely, the handling of them simply was not publicized.

In late December, 1971, a complaint was lodged with the Cherry Creek, Colo., school board regarding the availability of *The Inner City Mother Goose* at the system's social studies resource center. According to school officials, the book was not used as a text by any teacher. Two copies were available in the center because the social studies department believed that "the book has basic worth as one indication of inner city ghetto attitudes." Principal Bernard Ryan cited one "obscene word" in the book and said it "is believed to be of sufficient nature that the book should not be available to all students at all times." He said all center materials were being reviewed to determine which should be used only with parental consent. *Do It!* and *Children of Longing* were placed on a "restricted reading list"

where students cannot get them without parental consent.

The Cherry Creek incident was the precursor of a spate of recent activities aimed at keeping children and young adults from being influenced by Miss Merriam's book. At about the same time, in Harrisburg, Pa., State Senator George N. Wade introduced a resolution asking the Joint State Government Committee to investigate the elementary education curriculum at all state colleges and universities, as a result of learning that *The Inner City Mother Goose* was used in the curriculum at Penn State's Capitol Campus. Wade said he was upset over the "questionable moral content" of some "reading materials" used. Wade was urged to take immediate action by the Knights of Columbus who had adopted a resolution condemning use of the book at state facilities. The resolution read: "This book is obscene and degrading in that it glorifies the decadence in our society, emphasizing prejudice and bigotry." The Knights maintained that "continued exposure of this type of material to students of elementary education will cause them to become cynical and frustrate the workings of a Christian community." Wade's resolution was assigned to the Senate Rules Committee for further study.

On February 21, the *Baltimore Sun*, for no apparent reason, ran an article entitled "Library Offers Inner City Kids a Slum's-eye Mother Goose," followed the next day by an editorial entitled "Mother Goose: An Inner City Shocker." In the latter, the book is referred to as "not written for children (the Pratt Library has it in its young-adult section) and it is not intended primarily for inner-city youngsters, who already are familiar with the foul language, violence, misery and outside indifference Pratt officials consider the book to have merit as a reflection of our times and their judgment must be respected. But other adults have a right to their misgivings. Books are there to be read or not read, and for those who find this one (and many others) too shocking, we can only underscore the advice of a Pratt librarian who said, 'Parents certainly should keep track of what their kids are reading.'" Others began to underscore that advice in not quite so gentle terms shortly after the editorial appeared.

A day later, State Senator Frederick C. Malkus, Jr., sponsored Senate Resolution No. 83 condemning the book and said it raised "serious questions of public policy, the education of our children, and the expenditure of public funds." His resolution read: "Resolved by the Senate of Maryland, that we express our most serious concern and misgivings over the misguided attitude of library officials in Baltimore City in purchasing and making available such a publication as *The Inner City Mother Goose*, and we further suggest to the fiscal officials of Baltimore City that the use of public funds in such loose fashion should promptly be discontinued."

To clarify his position and waylay any charges of censorship, Malkus said, "There is no right of free speech involved; the Senate does not suggest cutting off publication of the book. The main problems are ones of conscience, public education, and the proper use of public funds."

Apparently the Malkus attack was precipitated by a recently passed gun control measure carried by the Senate over his opposition. He prefaced his resolution with the assertion that, "The General Assembly of Maryland can pass gun bills from now until kingdom come, and nothing good will be accomplished so long as such trash is being made easily available to the young of Baltimore City and by public institutions." Although the resolution was sidetracked in a Senate committee, the Malkus attack, combined with the *Sun* article and editorial, had several repercussions.

On February 23, at a meeting of the Baltimore Board of Estimates, the city comptroller, Hyman A. Pressman, continued the offensive. In relation to a Community Action Agency request for approval of a program under which the Enoch Pratt Free Library would staff and supply library facilities at neighborhood centers, Pressman began his harangue. After it was decided that the Board of Estimate's secretary, a woman, need not leave the room during the discussion, Mr. Pressman launched a tirade against *The Inner City Mother Goose*, stating that the book was "part of a nationwide plot to just cause this nation to disintegrate." Later he expressed the same opinion of such books as *Manchild In the Promised Land* and *Coming of Age In Mississippi*. He concluded with a vote against the Community Action Agency's request because of the Pratt library's refusal to "act as censors for the books children want to read."

City Council president Walter S. Orlinsky, who is also chairman of the Board of Estimates, compared Pressman's position to Nazi book-burning and said his statements were "irrational and illogical." Herbert B. Cahan, area vice president for WJZ-TV, commented on Pressman's attack in an editorial broadcast once on February 25 and twice on February 26. He said, "Well, we got hold of a copy of *The Inner City Mother Goose*. It does have one obscenity in it that we could find. We wish it weren't there, not only because it detracts from the rest of the book, but also because it gives Mr. Pressman a handle on which to hang his ridiculous charge of a plot. The obscenity, however, is something that most ghetto children probably hear every day. . . . In some 94 verses, *The Inner City Mother Goose* penetrates to the heart of the privations of the ghetto—in short, it deals with the truth. Perhaps this is why it offends some of us."

Another news commentator, however, took a different view. Paul Harvey, whose broadcasts are heard nationwide, reported the Baltimore goings-on, quoted

poems from the book, and referred to "the recent penchant of school-agers for grizzly humor." His commentary was not as harsh as might be expected: "This book purports to present the world as seen from the slums. Not a pretty picture. I hope not an accurate one."

Subsequently, the Board of Trustees of the Enoch Pratt Free Library met on February 28 and responded very calmly to the Malkus and Pressman attacks. The trustees gave a unanimous "vote of confidence" to library director Edwin Castagna (a member and past-chairman of the ALA Intellectual Freedom Committee), his staff, and their administration of guidelines set down for the selection of books. Board president C. Keating Bowie said, "We did not pass judgment on the value or the character of the book. We merely reaffirmed our policy that the basic responsibility for the selection of books lies in the hands of the director and his staff. It was a vote of confidence in them."

As its own response to the controversy, the Enoch Pratt Young Adult Office, under the guidance of Sara Siebert, Coordinator of Work with Young Adults, issued a lengthy, eloquent answer to Senate Resolution No. 83. Among other things, the answer said, "A great public library must stock all points of view, as unpleasant as some might be, and feature books which encourage readers to look beyond their own beliefs and ideas, and to understand those of others, even if they are not in agreement with them. Any book can be controversial if the reader does not agree with the sentiments of the author."

While all seems to be going well with *Mother Goose* at Pratt for the time being, a full-scale battle may have to be fought when Senate Resolution No. 83 finally comes up in committee.

Meanwhile, the ripples of the Pratt incident have affected at least one other library with *The Inner City Mother Goose* in its collection. In early March, it was reported to the Office for Intellectual Freedom that the Stark County District Library in Canton, Ohio received notice from Canton's mayor of a complaint lodged by a citizens' group against the book. It is believed that the Paul Harvey broadcast may have triggered the attention to Miss Merriam's work. At this writing, the mayor has read the book — twice — and appreciates the humor. The library staff has supported its purchase of the book, and the problem seems to have subsided.

Where the mottled feathers of Miss Mirriam's *Mother Goose* will fall next is difficult to say. The only sure thing is that there will be more problems. If that is the case, Miss Merriam's own advice is, ". . . in verses . . . an ironic tone of horror is conveyed at how easily, in today's polluted atmosphere, there can be a resort to crime and violence. Please, let us have gun control laws and not book censorship." JAH

Damn The Damned

In February, the Columbia Broadcasting System (CBS) announced its intention to broadcast an expurgated version of Carlo Visconti's 1971 film, *The Damned*. The film, about a Nazi-oriented German family, starring Dick Bogarde, Ingrid Thulin, and Helmut Berger, won an MPAA X-rating when it played in American theaters. The version released here, already heavily cut, featured scenes of incest, child-molesting, transvestitism, and other sexual fancies. Warner Bros. edited heavily before selling the film to CBS.

After scheduling *The Damned* for late-night viewing, CBS received word from many affiliates that they would not run it. So, back to the cutting board it went to be edited 'to meet television standards.' The MPAA gave the "clean" version a special R-rating for television. Finally, on February 28, *The Damned* hit the airwaves — at least some of them.

In Providence, R.I., WPRI-TV, Channel 12, cancelled the film, replacing it by another movie. (Reported in: *Providence Journal*, February 29.)

In Nashville, Tenn., the Southern Baptist Christian Life Commission's Advisory Committee petitioned the state senate to conduct a hearing to investigate the showing of "morally offensive movies on television," in re-

sponse to the scheduled showing of *The Damned*. The film was eliminated by the local outlet, WSM, and another movie was substituted. The Commission also declared itself "in favor of a Congressional bill to prohibit the showing of X- and R-rated movies on television" and pledged itself to securing its passage. (Reported in: *Nashville Tennessean*, March 17.)

In Shreveport, La., KSLA-TV, the local CBS affiliate, received a resolution from the Executive Board of the Northwest Louisiana Baptist Association objecting to the showing of movies that received ratings of X or R. John Renshaw, KSLA-TV program director, said all movies for showing on the outlet's channel will be judged "on a case-by-case basis. We do not plan to blanketly pitch them all out." (Reported in: *Shreveport Journal*, February 11.)

After the February 28th broadcast, the Hammond, Ind., Council directed city attorney Frank A. J. Stodola to draft an ordinance to bar the showing of X-rated movies on television screens in Hammond. Hammond, like nearly all other northwest Indiana communities, receives most of its television programs from out-of-town stations, namely Chicago outlets, and the councilmen didn't say exactly how they expect to enforce the proposed ordinance against the movies. (Reported in: *Gary Post-Tribune*, March 1.)

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