

Winner of the George Polk Award

# THE END OF OBSCENITY

The Trials of *Lady Chatterley*,  
*Tropic of Cancer* & *Fanny Hill* by the  
Lawyer Who Defended Them

CHARLES REMBAR

**Tried  
the  
best**

10

When

I wanted her: never, always put me off, brutal as you like. And then when she'd put me right off, and I didn't want her, she'd come all lovey-dovey, and get me. And I always went. But when I had her, she'd never come off when

# End Of Obscenity

**Charles Rembar**



## End Of Obscenity:

**The End of Obscenity** Charles Rembar, 2015-07-21 George Polk Award Winner This account of American book banning and the battles against it is a tour de force to fascinate lawyers and laymen alike The New York Times Book Review Up until the 1960s depending on your state of residence your copy of Henry Miller's *Tropic of Cancer* might be seized by the US Postal Service before reaching your mailbox Selling copies of Cleland's *Fanny Hill* in your bookstore was considered illegal Lady Chatterley's Lover by D H Lawrence was according to the American legal system pornography with no redeeming social value Today these novels are celebrated for their literary and historic worth The End of Obscenity is Charles Rembar's account of successfully arguing the merits of such great works of literature in front of the Supreme Court As the lead attorney on the case he with the support of a few brave publishers changed the way Americans read and honor books especially the controversial ones Filled with insight from lawyers justices and the authors themselves The End of Obscenity is a lively tour de force Racy testimony and hilarious asides make Rembar's memoir not only a page turner but also an enlightening look at the American legal system Rembar's book deals not with the why of obscenity laws but with the how many of his anecdotal digressions into history and law are sharp and amusing The New Republic

**The End of Obscenity** Charles Rembar, 1969 The end of obscenity Charles Rembar, 1983 **Purity in Print** Paul S. Boyer, 2002-08-01 The first edition of *Purity in Print* documented book censorship in America from the 1870s to the 1930s embedding it within the larger social and cultural history of the time In this second edition Boyer adds two new chapters carrying his history forward to the beginning of the twenty first century *Litigating Morality* Alice Fleetwood Bartee, Wayne C. Bartee, 1992-02-20 This volume is a thematic study in legal history that uses past and present landmark court cases to analyze the legal and historical development of moral regulatory policies in America and resulting debates Using a critical variable approach the book demonstrates how different elements of the legal process have historically influenced the litigation of various moral issues Five moral policies are included abortion sodomy pornography criminal insanity and the death penalty The book's framework for analysis uses examples from English legal history and links them to American cases demonstrating how moral regulatory policies are impacted by the legal process by laws by judges and juries by legal scholars and by attorneys Following a brief introduction Chapter 1 examines how protagonists in the bitter moral and legal controversy over abortion in America have sought to fortify their positions with the views of prominent English legal authorities The authors discuss the role of English legal scholars in court opinion and oral arguments in *Webster* and in *Roe v Wade* and debates *Roe*'s interpretation of the English legalists Chapter 2 describes how attempts to expand a right of privacy under the federal Constitution to include sodomy failed the test for common law rights Rights of Englishmen in *Bowers v Hardwick* 1986 and includes a history of sodomy in early English and American law Chapter 3 discusses pornography standards and laws highlighting the history of legal actions taken against *Memoirs of a Woman of Pleasure* in both England and the U S demonstrating the role of

precedent in American judicial efforts to define pornography In Chapter 4 which deals with the criminal insanity defense the influential role of the defense attorney on case outcomes is illustrated in cases such as England s McNaughton case 1843 and America s Hinckley case 1982 Chapter 5 deals with cruel and unusual punishment throughout U S and English history The book ends with an epilogue which ties together the idea of the American legal process as an inherited English process reiterating how decisionmakers continually mine the past to find traditions and sources of moral values for justifying or criticizing current laws and policies

**Pornography, the Theory** Frances Ferguson,2004-04-25 Ferguson argues that the emergence of pornography as a literary phenomenon in Western culture can be tied to the development of utilitarian philosophy She contends that considering the usefulness of something rather than its individual essence diverts our attention from individual identities

Sexual Injustice Marc Stein,2010-10-04 Focusing on six major Supreme Court cases during the 1960s and 1970s Marc Stein examines the generally liberal rulings on birth control abortion interracial marriage and obscenity in Griswold Eisenstadt Roe Loving and Fanny Hill alongside a profoundly conservative ruling on homosexuality in Boutilier In the same era in which the Court recognized special marital reproductive and heterosexual rights and privileges it also upheld an immigration statute that classified homosexuals as psychopathic personalities Stein shows how a diverse set of influential journalists judges and scholars translated the Court s language about marital and reproductive rights into bold statements about sexual freedom and equality

*Sexual Politics, Sexual Communities* John D'Emilio,2012-04-26 With thorough documentation of the oppression of homosexuals and biographical sketches of the lesbian and gay heroes who helped the contemporary gay culture to emerge Sexual Politics Sexual Communities supplies the definitive analysis of the homophile movement in the U S from 1940 to 1970 John D Emilio s new preface and afterword examine the conditions that shaped the book and the growth of gay and lesbian historical literature How many students of American political culture know that during the McCarthy era more people lost their jobs for being alleged homosexuals than for being Communists These facts are part of the heretofore obscure history of homosexuality in America a history that John D Emilio thoroughly documents in this important book George DeStefano Nation John D Emilio provides homosexual political struggles with something that every movement requires a sympathetic history rendered in a dispassionate voice New York Times Book Review A milestone in the history of the American gay movement Rudy Kikel Boston Globe

**Community, Space and Online Censorship** Scott Beattie,2016-05-23 Internet censorship is a controversial topic while the media periodically sounds alarms at the dangers of online life the uncontrollable nature of the internet makes any kind of pervasive regulatory control impossible This book compares the Australian solution a set of laws which have been criticized as being both draconian and ineffectual to major regulatory systems in the UK and US and understanding what drives them The impossibility of internet regulation opens deeper issues what do we mean by regulation and how do we judge the certainty and effectiveness of law These questions lead to an exploration of the theories of legal geography which provide tools to understand and evaluate

regulatory practices The book will be a valuable guide for academics students and policy makers working in media and censorship law those from a civil liberties interest and people interested in internet theory generally **All Poets Welcome** Daniel Kane,2003-03-26 This landmark book together with its accompanying CD captures the heady excitement of the vibrant irreverent poetry scene of New York s Lower East Side in the 1960s Drawing from personal interviews with many of the participants from unpublished letters and from rare sound recordings Daniel Kane brings together for the first time the people political events and poetic roots that coalesced into a highly influential community From the poetry reading venues of the early sixties such as those at the Les Deux M gots and Le Metro coffeehouses to The Poetry Project at St Mark s Church a vital forum for poets to this day Kane traces the history of this literary renaissance showing how it was born from a culture of publicly performed poetry The Lower East Side in the sixties proved foundational in American verse culture a defining era for the artistic and political avant garde The voices and works of John Ashbery Amiri Baraka Charles Bernstein Bill Berkson Ted Berrigan Kenneth Koch Bernadette Mayer Ron Padgett Denise Levertov Paul Blackburn Frank O Hara and many others enliven these pages and the thirty five track CD includes recordings of several of the poets reading from their work in the sixties and seventies The Lower East Side s cafes coffeehouses and salons brought together poets of various aesthetic sensibilities including writers associated with the so called New York School Beats Black Mountain Deep Image San Francisco Renaissance Umbra and others Kane shows that the significance for literary history of this loosely defined community of poets and artists lies in part in its reclaiming an orally centered poetic tradition adapted specifically to open up the possibilities for an aesthetically daring playful poetics and a politics of joy and resistance **1959** Fred Kaplan,2009-05-27 Acclaimed national security columnist and noted cultural critic Fred Kaplan looks past the 1960s to the year that really changed America While conventional accounts focus on the sixties as the era of pivotal change that swept the nation Fred Kaplan argues that it was 1959 that ushered in the wave of tremendous cultural political and scientific shifts that would play out in the decades that followed Pop culture exploded in upheaval with the rise of artists like Jasper Johns Norman Mailer Allen Ginsberg and Miles Davis Court rulings unshackled previously banned books Political power broadened with the onset of Civil Rights laws and protests The sexual and feminist revolutions took their first steps with the birth control pill America entered the war in Vietnam and a new style in superpower diplomacy took hold The invention of the microchip and the Space Race put a new twist on the frontier myth Vividly chronicles 1959 as a vital overlooked year that set the world as we know it in motion spearheading immense political scientific and cultural change Strong critical acclaim Energetic and engaging Washington Post Immensely enjoyable a first rate book New Yorker Lively and filled with often funny anecdotes Publishers Weekly Draws fascinating parallels between the country in 1959 and today Drawing fascinating parallels between the country in 1959 and today Kaplan offers a smart cogent and deeply researched take on a vital overlooked period in American history **In Defense of American Liberties** Samuel Walker,1999 This updated

comprehensive history of the American Civil Liberties Union recounts the ACLU's stormy history since its founding in 1920 to fight for free speech and explores its involvement in some of the most famous causes in American history including the Scopes monkey trial the internment of Japanese Americans during World War II the Cold War anti Communist witch hunts and the civil rights movement The new introduction covers the history of the organization and developments in civil liberties in the 1990s including the U S Supreme Court's declaration of the Communications Decency Act as unconstitutional in *ACLU v Reno* *Rebel Publisher* Loren Glass, 2018-04-24 How Grove Press ended censorship of the printed word in America Grove Press and its house journal *The Evergreen Review* revolutionized the publishing industry and radicalized the reading habits of the paperback generation In telling this story *Rebel Publisher* offers a new window onto the long 1960s from 1951 when Barney Rosset purchased the fledgling press for 3 000 to 1970 when the multimedia corporation into which he had built the company was crippled by a strike and feminist takeover Grove Press was not only one of the entities responsible for ending censorship of the printed word in the United States but also for bringing avant garde literature especially drama into the cultural mainstream Much of this happened thanks to Rosset whose charismatic leadership was crucial to Grove's success With chapters covering world literature and the Latin American boom experimental drama such as the Theater of the Absurd the Living Theater and the political epics of Bertolt Brecht pornography and obscenity including the landmark publication of the complete work of the Marquis de Sade revolutionary writing featuring Rosset's daring pursuit of the Bolivian journals of Che Guevara and underground film including the innovative development of the pocket filmscript Loren Glass covers the full spectrum of Grove's remarkable achievement as a communications center for the counterculture **Literary Obscenities**

Erik M. Bachman, 2018-03-22 This comparative historical study explores the broad sociocultural factors at play in the relationships among U S obscenity laws and literary modernism and naturalism in the early twentieth century Putting obscenity case law's crisis of legitimation and modernism's crisis of representation into dialogue Erik Bachman shows how obscenity trials and other attempts to suppress allegedly vulgar writing in the United States affected a wide ranging debate about the power of the printed word to incite emotion and shape behavior Far from seeking simply to transgress cultural norms or sexual boundaries Bachman argues proscribed authors such as Wyndham Lewis Erskine Caldwell Lillian Smith and James T Farrell refigured the capacity of writing to evoke the obscene so that readers might become aware of the social processes by which they were being turned into mass consumers voyeurs and racialized subjects Through such efforts these writers participated in debates about the libidinal efficacy of language with a range of contemporaries from behavioral psychologists and advertising executives to book cover illustrators magazine publishers civil rights activists and judges Focusing on case law and the social circumstances informing it *Literary Obscenities* provides an alternative conceptual framework for understanding obscenity's subjugation of human bodies desires and identities to abstract social forces It will appeal especially to scholars of American literature American studies and U S legal history *Dirt for Art's Sake* Elisabeth

Ladenson,2012-11-26 In *Dirt for Art's Sake* Elisabeth Ladenson recounts the most visible of modern obscenity trials involving scandalous books and their authors What she asks do these often colorful legal histories have to tell us about the works themselves and about a changing cultural climate that first treated them as filth and later celebrated them as masterpieces Ladenson's narrative starts with *Madame Bovary* Flaubert was tried in France in 1857 and finishes with *Fanny Hill* written in the eighteenth century put on trial in the United States in 1966 she considers along the way *Les Fleurs du Mal* *Ulysses* *The Well of Loneliness* *Lady Chatterley's Lover* *Tropic of Cancer* *Lolita* and the works of the Marquis de Sade Over the course of roughly a century Ladenson finds two ideas that had been circulating in the form of avant garde heresy gradually became accepted as truisms and eventually as grounds for legal defense The first is captured in the formula art for art's sake the notion that a work of art exists in a realm independent of conventional morality The second is realism vilified by its critics as dirt for dirt's sake In Ladenson's view the truth of the matter is closer to dirt for art's sake the idea that the work of art may legitimately include the representation of all aspects of life including the unpleasant and the sordid Ladenson also considers cinematic adaptations of these novels among them Vincente Minnelli's *Madame Bovary* Stanley Kubrick's *Lolita* and the 1997 remake directed by Adrian Lyne and various attempts to translate de Sade's works and life into film which faced similar censorship travails Written with a keen awareness of ongoing debates about free speech *Dirt for Art's Sake* traces the legal and social acceptance of controversial works with critical acumen and delightful wit **Perspective** Charles

Rembar,2015-07-21 Sixteen essays about the First Amendment from the man who changed the way America reads literature A lawyer literary agent and author Charles Rembar never stopped fighting against the puritanical laws that prevented Americans from consuming controversial art These so called anti obscenity laws prevented the sale and distribution of books that at the time were considered racy salacious or downright pornographic During a time of great political and cultural upheaval Rembar was instrumental in ushering in a significant change in how America views literature and in maintaining the importance of our First Amendment rights *Perspective* collects sixteen essays written between 1967 and 1974 each primarily concerned with the scope and meaning of the First Amendment Divided into three sections *Perspective* offers insight into the major constitutional crises of the time freedom of expression the right to a fair trial and impeachment Miles away from dry legalese Rembar's conversational often humorous style makes this collection as enjoyable as it is informative His thought provoking essays whether about the Watergate hearings the trial of Dr Spock Bobby Seale's imprisonment or literary and artistic freedom have never been more relevant than they are today **The New York Times Book Review**

,1968 **Constitutional Law for a Changing America** Lee Epstein,Thomas G. Walker,2018-07-26 Capturing the authors excitement for constitutional law this updated Tenth Edition of *Constitutional Law for a Changing America* shows students how judicial decisions are influenced by political factors from lawyers and interest groups to the shifting sentiments of public opinion to the ideological and behavioral inclinations of the justices Authors Lee Epstein and Thomas G Walker show how

these dynamics shape the development of constitutional doctrine Known for fastidious revising and streamlining the authors incorporate the latest scholarship in the fields of both political science and legal studies and offer solid analysis of both classic and contemporary landmark cases including key opinions handed down through the 2017 session Filled with additional supporting material photographs of the litigants sidebars comparing the United States with other nations and Aftermath boxes that tell the stories of the parties lives after the Supreme Court has acted the text helps students develop a thorough understanding of the way the U S Constitution protects civil rights and liberties Bundle with the Resource Center for FREE Take your constitutional law class beyond the book with Epstein and Walker s newly redesigned Resource Center featuring more than 500 excerpted supplemental cases referenced in the commentary of the Constitutional Law for a Changing America volumes The Resource Center offers a place for students to study core content with online quizzes and explore court cases Instructors can find teaching materials including hypothetical cases paired with discussion questions and writing assignments moot court simulations test banks and more Ensure FREE access use bundle ISBN 978 1 5443 5051 6

*Sexual Ethics in a Secular Age* Eric Silverman,2021-03-30 This collection features essays from top experts in ethics and philosophy of love that offer varying perspectives on the value of a contemporary secular virtue of chastity The virtue of chastity has traditionally been portrayed as an excellent personal disposition concerning the ideal ordering of sexual desire such that the person desires that which is actually good for both the self and others affected by his or her sexual desires and actions Yet for roughly the past half century chastity has been increasingly portrayed as an unnecessary ideal with few secular benefits that could not be otherwise obtained Instead chastity is sometimes portrayed as an odd kind of religious asceticism with few secular benefits The essays in this volume ask whether there may be advantages to reconsidering a contemporary virtue of chastity A recovered and reconceptualized concept of chastity can offer partial solutions to problems associated with externalized sexual desire including sweeping patterns of sexual harassment the high divorce relationship failure rate and widespread pornography use *Sexual Ethics in a Secular Age* will appeal to researchers and advanced students interested in the philosophy of sex and love virtue ethics and philosophical accounts of secularity

*Constitutional Law: Rights, Liberties and Justice 8th Edition* Lee Epstein,Thomas G. Walker,2013 Judicial decisions never occur in a vacuum they are influenced by a myriad of political factors From lawyers and interest groups to the shifting sentiments of public opinion to the ideological and behavioral inclinations of the justices Epstein and Walker show how all these dynamics play an integral part in the overall development of constitutional doctrine Drawing deeply from the spheres of political science and legal studies the excerpted case material is skillfully analyzed and presented for today s students Known for fastidious revising and streamlining the authors account for the latest scholarship in the field and offer rock solid analysis of recent landmark cases including as all the important opinions handed down through 2011 Building on the successes of the 7th edition the book s clean layout and design clearly distinguishes between commentary and opinion excerpts Not only does the



design make the book an easier read for students it effectively showcases photos justice biographies and the Aftermath and Global Perspective sidebars And based on positive user feedback the authors have added even more Aftermath boxes in this new edition New cases in the 8th edition Hosanna Tabor Evangelical Lutheran Church and School v Equal Employment Opportunity Commission 2012 Snyder v Phelps 2011 Brown v Entertainment Merchants Association 2011 United States v Jones 2012 Citizens United v Federal Election Commission

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