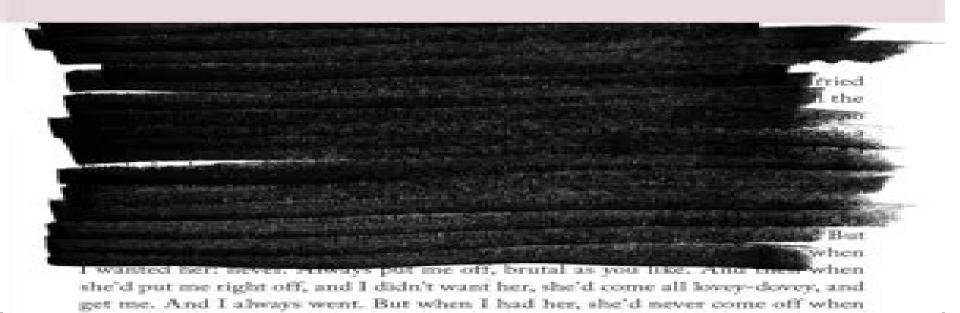
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# THE END OF OBSCENITY

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

# CHARLES REMBAR



# **End Of Obscenity**

**Marc Stein** 

#### **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 Purity in Print Paul S. Boyer, 2002-08-01 The first edition of Purity in Print documented book Charles Rembar, 1969 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

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

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 Sexual Politics, Sexual Communities John D'Emilio, 2012-04-26 With thorough documentation of the laws and policies 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 **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 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 **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 **The end of obscenity** Charles Rembar, 1983 a politics of joy and resistance **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 ultilitarian philosophy She contends that considering the usefulness of something rather than its individual essence diverts our attention from individual identities Fuck Christopher Fairman, 2009-09-01 % Our most

taboo word and how the law keeps it forbidden This entertaining read is about the word fuck the law and the taboo Whether you shout it out in the street or whisper it in the bedroom deliberately plan a protest or spontaneously blurt it out if you say fuck someone wants to silence you either with a dirty look across the room or by making a rule that you cannot say the word When it s the government trying to cleanse your language though you should worry Words are ideas If the government controls the words we use it can control what we think To protect this liberty we must first understand why the law s treatment of fuck puts that freedom at risk This book examines the law surrounding the word and reveals both inconsistencies in its treatment and tension with other identifiable legal rights that the law simply doesn t answer The power of taboo provides the framework to understand these uncertainties It also explains why attempts to curtail the use of fuck through law are doomed to fail Fundamentally it persists because it is taboo not in spite of it Literary Obscenities Erik M. Bachman, 2018-03-14 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 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 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 Dirt for Art's Sake Elisabeth s remarkable achievement as a communications center for the counterculture 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 **North Carolina Reports** North

Carolina. Supreme Court, 1971 Cases argued and determined in the Supreme Court of North Carolina 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 Free Speech Len Niehoff, Leonard M. Niehoff, E. Thomas Sullivan, 2022-04-28 This book provides a readable and comprehensive overview of the history theory law and current debates over freedom of speech 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

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