

**Indecent Detroit:
Regulating Race, Sex, and Adult Entertainment, 1950-1975**

by

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For Eema and Tatti

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When telling people about the topic of my dissertation, the question I most often get is whether I came to the University of Michigan with the idea of studying censorship in Detroit. The answer is an emphatic no. When I started my doctoral degree, I had a completely different topic in mind, one that I abandoned roughly ten minutes after getting to Ann Arbor. The dissertation you are now reading is the result of the influence of countless individuals deserving more thanks than this hastily-written acknowledgments page can possibly provide, but for now this will have to suffice. Any oversights are due to my poor memory and are unintentional.

I must start by thanking the members of my dissertation committee, beginning with Richard Abel. It would be hard to overstate the degree to which I knew nothing about film and media studies nor academia as a whole when I was applying to PhD programs. Still, I knew enough to know who Richard Abel was, and thus I decided to apply here. From the first day I stepped on campus here Richard has been unfailingly supportive of my work. He has always managed the delicate task of graciously pointing me in a productive direction when my work has gone astray without ever imposing his view of what I should be doing. His dedication to continued scholarly endeavors and his humility even at this point in his career is something I will always try to emulate.

Particular thanks as well goes to my dissertation committee chair, Colin Gunckel, who has helped steer my work these past few years. Colin never blinked an eye when I would disappear for six months, only to return and inform him that I had written a new chapter that we had never discussed and in fact had radically changed how I was envisioning the dissertation as a

whole. Colin always gave me invaluable feedback on my work, and this dissertation would not exist in its current form without his guidance.

Rounding out my committee were three outside members, Gayle Rubin, Eric Schaefer, and Matt Lassiter. I will forever be grateful to all three for taking an interest in the work of a graduate student working outside their home departments, or even home university. Eric has been unfailingly supportive of my work, providing feedback and guidance that has immeasurably shaped this project. Gayle mixes scholarly brilliance, unparalleled career accomplishments, and humility in one package, and she has never not been both forgiving of my follies and generous toward my work. Finally, it is only through Matt's guidance across countless occasions of me appearing in his office that this project took the form it did, and he never failed to provide a beacon when I got lost in (what was for me) the uncharted seas of urban history.

In dark moments these past few years, when I found myself questioning my project and my work, I often found myself thinking that if I somehow managed to assemble such an impossibly strong committee, I must be doing something right. I could not have imagined a better committee, and it has been an absolute pleasure to get to work with such brilliant, accomplished, and generous scholars.

Long before coming to Michigan, my approach to film studies was shaped by the guidance of my undergraduate advisor at Brandeis University, Thomas Doherty. At the start of my final year, I had the idea to do a senior thesis on contemporary American independent cinema. Tom very gently suggested I go back and look at the history of independent cinema, further recommending that I try looking through microfilm to find some primary sources. The rest is (and has been ever since) history.

Getting my M.A. in Cinema Studies at New York University, my approach was influenced by both the faculty—and in particular Dan Streible—as well as my incredible graduate cohort. My time at NYU made me begin to grapple with what it meant to be a scholar and a historian, and I will forever be indebted to everyone who made this period so impactful.

Upon arriving at the University of Michigan, I had the good fortune of being paired up with Matthew Solomon as my faculty mentor. Matthew's seemingly never-ending enthusiasm for learning and exploring new areas of film and media studies is something I will always admire and seek to emulate. In addition to helping guide my work as my mentor, as luck would have it the semester I took Matthew's Film Theory course, he decided to add a new component to the syllabus dealing with mapping. It is entirely due to Matthew's eagerness to continually grapple with new terrain in the field that I was introduced to the digital mapping that is now central to my work.

It was through this early engagement with mapping that I got involved in a project spearheaded by Film Studies Librarian Phil Hallman focusing on mapping Detroit's movie theaters. It was Phil who first got me thinking about Detroit, and this dissertation would not exist without his generosity when it came to encouraging and supporting my work. Our early co-conspirator on this project was Nicole Scholtz, who taught me literally everything I know about GIS.

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An immeasurable debt of gratitude is owed to all of my friends who made this project possible. Thanks in particular to Jesse Axelrod, who came up with what is probably my favorite thing in this dissertation, that being the title of chapter five, to Sarah Ketchen Lipson, whose help and support enabled me to get through the early days of writing and researching this dissertation when I was like a salmon feebly trying to swim upstream, and to Jeremy Borovitz, Jeff Kaplan, and Eric Markowitz for being the best group of friends a guy could ever hope for. Finally, thank you to Joanna Barlow, who has stood by my side these past few years. Joanna is smarter, kinder, and funnier than I could ever hope to be, and I quite simply would not have made it to the finish line if not for her love and support. Looking forward to some less stressful days together now that this is done, and to sharing many tacos together with my taco.

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Finally, thanks above all to my parents. I have never met someone who is better at bringing people together than Eema, and I doubt that I ever will. She is strong and bold in a world that told her to be weak and timid, always speaking her mind truthfully and honestly. She has been a rock throughout my life, there for me in good times and bad, and has never stopped believing in me, even when I stopped believing in myself. I am eternally grateful to her, and I promise that I will get back to calling more often now that the dissertation is done. Tatti is the person I strive to emulate each and every day. His internal decency is something I never cease to marvel at, with his generosity toward others coming from a genuine kindness and warmth. He is also secretly the funniest person I know. He is the embodiment of integrity and character, a real life walking *Lamed Vavnik* in our time, and my role model. I cannot possibly repay the debt I owe Eema and Tatti, and so I will just try to continue to thank them profusely and return their love in kind. This dissertation is for them.

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ABSTRACT

This dissertation examines the history of censorship and anti-porn politics in Detroit, beginning with the city's literary censorship campaign in the immediate postwar era and moving up through efforts to curtail the rapid growth of adult entertainment in the early 1970s. I chart the city's evolving methods of censoring "indecent" media, along with the activism spurring it, through the lens of the city's rapidly changing demographics. Rather than treating anti-porn politics as static and unchanging, I explore the shifts that occurred over time as both activists and city officials increasingly drew on the rhetoric and tactics used in contemporaneous fights over race. Thus, the literary censorship based in overt religious-tinged moralizing of the 1950s fell out of fashion by the end of the 1960s, a shift that coincided with the narrowing of obscenity law, the preferred legal means of censorship. By the early 1970s, pornography had become a visible part of the urban landscape as never before, which forced Detroit to develop new methods of regulating businesses offering adult entertainment. What city officials settled on was the use of zoning law, which seemingly was unconcerned with issues of morality or decency. Not coincidentally, this morality-neutral discourse developed concurrently with color-blind racial politics of the day, with shared rhetorical strategies confirming the overlap between the two. I thereby make the case that anti-porn politics in Detroit was shaped by, and in turn shaped, the broader history of racial politics in the city. Through an examination of this history, I argue that Detroit has long played an outsized role in the history of media censorship, with the city's methods of regulating pornography exported as the "Detroit Model" to numerous cities across the country.

INTRODUCTION

During the 1950s, Detroit was enjoying seemingly unchecked economic growth, with the city known round the world for its automobile industry. In the midst of this, the Detroit Police Department took it upon itself to limit the spread of indecent literature and movies through its Censor Bureau. It did so largely at the behest of women's groups and Catholic organizations, who used morality-based arguments to lobby the city to more stringently regulate pornography. A legal challenge to this form of anti-porn regulation eventually made its way up to the U.S. Supreme Court, which struck down the law as unconstitutional in a unanimous decision.

By the early 1970s, Detroit was seemingly doomed to unending economic decline, with the city now known round the world for the violence that shook the city in the summer of 1967. In the midst of this, the City Council and mayor took it upon themselves to limit the spread of pornography through a new zoning law dispersing adult businesses. It did so largely at the behest of homeowners' groups, who used economic-based arguments to lobby the city to more stringently regulate pornography. A legal challenge to this form of anti-porn regulation also eventually made its way up to the U.S. Supreme Court, which affirmed the law as constitutional in a split decision.

This dissertation charts the evolution of media censorship and anti-porn politics in Detroit. I begin in the immediate postwar era, when the city made literary censorship a high priority, and end in the early 1970s, when the city went after adult businesses. In between, I look at how Detroit's local newspapers reacted to the rise of more violent and sexually explicit movies of the 1960s and 1970s, zeroing in on the decision of one paper to ban all advertisements

for X-rated movies which set off a fiery debate about censorship, the free press, and the nascent movie ratings system. I examine how the city regulated exotic dance, showing how the inauguration of topless dancing in Detroit sparked a major controversy in the city, one that centered on questions regarding the contribution of topless bars to the city's coffers. And I study the grassroots anti-porn efforts of one community in northwest Detroit in 1972, a campaign that drew heavily from contemporaneous white racial politics in its discursive strategies.

This project is animated by a series of questions; namely, how and why did the city's methods of regulating media evolve over time? How did the politics surrounding censorship change? And how did these currents intersect with the broader history of Detroit? In answering these questions, I make the case that a new form of anti-porn rhetoric emerged in the early 1970s, one that could avoid the overt religious moralizing that had long characterized anti-porn discourse for instead a rhetoric emphasizing the rights of homeowners and economic arguments. These discursive strategies were drawn from contemporaneous battles over race, and this project makes the case that there are continuities between the politics of race and pornography that scholars have yet to fully explore.

Matching this shift in rhetoric were practical changes to the legal approaches to regulating adult media. The use of obscenity law to ban individual texts—be they films or books—that characterized 1950s censorship efforts had grown both unpopular with the public and legally unviable in the decades that followed. In the face of this, and in response to the rapid proliferation of pornography in the 1970s, Detroit hit upon a new way of regulating adult entertainment via zoning law, passing a law that sought to disperse adult businesses and avoid the formation of a “smut district.” This new approach to regulating pornography would soon catch on across the country, with cities large and small copying what had come to be known as

the “Detroit Model.” This dissertation therefore argues that Detroit has been centrally important to the history of anti-porn politics, with the city shaping the methods used to regulate pornography throughout the country.

To write this history, I engage not only with my home discipline of film and media studies, but also porn studies and urban history. These areas often do not speak to each other, despite what I see as their shared interests, and as I argue here the triangulation of these different fields allows for a new understanding of anti-porn politics. In the sections that follow, I outline my engagement with the literature in each of these areas as well as what I see as this project’s contribution to each field.

Film and Media Studies

Given my academic training, unsurprisingly this dissertation is situated first and foremost within film and media studies. In particular, as I detail in the section ahead, I build upon scholarship situated within “new cinema history,” drawing inspiration from its interdisciplinarity and its emphasis on local history. I nevertheless depart from this work in that new cinema history has largely failed to account for issues of regulation and censorship, topics that I argue can usefully contribute to new cinema history. I therefore also draw on scholarship dealing with the history of movie censorship, particularly work with more of a local focus. I intervene in this work by arguing for the need for a more interdisciplinary approach, one that is not overly wedded to looking at the censoring of mainstream feature films alone, but that also takes into consideration the regulation of a variety of different types of media and adult entertainment offerings. I also make the case for including the history of porn censorship as part of this broader history of movie censorship rather than treating it as topic that must be cordoned off and separated. In all respects, I contend for the need for film and media studies to be radically

interdisciplinary, to the point of even being willing to leave film out of the equation entirely at times.

In 2007, Richard Maltby posed the rhetorical question, “How Can Cinema History Matter More?” The question grew out of what he saw as other disciplines’ ignoring of the contributions of film historians, giving as one example a 976-page book on late Victorian and Edwardian England in which cinema garnered a mere paragraph’s worth of attention. For Maltby, this neglect stemmed from the tendency of cinema studies to emphasize the primacy of the study of film texts, rather than the economic and social contexts within which cinema emerged. In his view, this focus on films hid rather than illuminated much of the history of the cinema, with Maltby writing, “[T]he history of the American cinema is not the history of its products any more than the history of railroads is the history of locomotives... To write a history of texts and call it a history of Hollywood involves omitting the social process and cultural function of cinema, and denies the contextual significance of the material conditions under which movies were produced and consumed.”¹ In light of this, Maltby proposed a distinction between “film history” and “cinema history.” The former draws on art and literary history in its focus on “the history of textual relations and stylistic influence,” and is primarily interested in the history of film production. Cinema history, on the other hand, engages more with the “economic, industrial, [and] institutional history” of cinema as well as the “socio-cultural history of its audiences.”²

Following Maltby’s piece, a loose collection of scholarship known as “new cinema history” has emerged. This body of work engages with Maltby’s polemic by writing a history of

¹ Richard Maltby, “How Can Cinema History Matter More?,” *Screening the Past* 22 (December 2007): 2.

² Maltby, 4.

the medium both as an economic and industrial institution—with much work focusing on the distribution and exhibition of movies—as well as a social one—with scholars looking at moviegoing cultures. This dissertation fits in with new cinema history in many ways, and it is worth laying out some of those congruencies, even as I also point to some of the ways in which I diverge.

One of the central ways in which this dissertation aligns with new cinema history is in its focus on local history. Local microhistories have been at the center of new cinema history since its inception, and in this sense, new cinema history can be seen as evolving out of scholarship on the history of film exhibition and reception, where localized case studies have long been the standard mode of scholarly inquiry. In the early years of film studies as a discipline, this local focus led scholars to primarily look at exhibition history in the major coastal cities. Key examples of this from the 1970s include Russell Merritt writing on nickelodeon theaters in Boston and Robert C. Allen on film exhibition in Manhattan.³ By the mid-1990s though, scholars were beginning to push back against this focus on coastal metropolises. When Ben Singer published a 1995 article revising Allen’s earlier take on nickelodeon era film exhibition in Manhattan,⁴ Allen responded with the critique that scholars should no longer be focusing their attention on major coastal cities, and in particular New York. As Allen wrote, “If we were forced to choose only one locality to represent the way the movies became a part of most communities

³ Russell Merritt, “Nickelodeon Theaters, 1905-1914: Building an Audience for the Movies,” in *The American Film Industry*, ed. Tino Balio, Revised edition (Madison: University of Wisconsin Press, 1985), 83–102; Robert C. Allen, “Motion Picture Exhibition in Manhattan, 1906-1912: Beyond the Nickelodeon,” *Cinema Journal* 18, no. 2 (1979): 2–15.

⁴ Ben Singer, “Manhattan Nickelodeons: New Data on Audiences and Exhibitors,” *Cinema Journal* 34, no. 3 (1995): 5–35.

in America, we would have more reason to choose Anamosa, Iowa, than New York, New York.”⁵

Allen’s argument pointed to what was, by that point, a burgeoning trove of scholarship shifting focus away from cities like New York. This trend would only continue throughout the rest of the decade and on into the twenty-first century. Work by scholars like Allen, Gregory Waller, Kathryn Fuller-Seeley, and Richard Abel helped shift the discipline’s gaze toward smaller cities and towns across the Midwest and South.⁶ Those studies which did still focus on major cities tended to look more toward the middle of the country, as in monographs by Jacqueline Stewart, Moya Luckett, and Gerald R. Butters on Chicago film exhibition and Michael Aronson on Pittsburgh.⁷ New cinema history has in turn extended this trend in film exhibition history, with scholars looking at suburban, rural, and urban moviegoing cultures around the world.⁸ Still, despite these trends, there has continued to be a dearth of scholarship on Detroit in the subfields of film exhibition history and new cinema history, and for that matter in film and media studies as a whole. This dissertation therefore hopes to put Detroit front and

⁵ Robert C. Allen, “Manhattan Myopia; Or, Oh! Iowa,” *Cinema Journal* 35, no. 3 (1996): 96.

⁶ Robert C. Allen, “Race, Region, and Rusticity: Relocating U.S. Film History,” in *Going to the Movies: Hollywood and the Social Experience of the Cinema*, ed. Richard Maltby, Melvyn Stokes, and Robert C. Allen (Exeter: University of Exeter Press, 2008), 25–44; Gregory A. Waller, *Main Street Amusements: Movies and Commercial Entertainment in a Southern City, 1896-1930* (Smithsonian Institution Press, 1995); Kathryn H. Fuller, *At the Picture Show: Small-Town Audiences and the Creation of Movie Fan Culture* (Washington, D.C: Smithsonian, 1996); Kathryn Fuller-Seeley, ed., *Hollywood in the Neighborhood: Historical Case Studies of Local Moviegoing* (Berkeley: University of California Press, 2008); Richard Abel, *Americanizing the Movies And “movie-Mad” audiences, 1910-1914* (Berkeley: University of California Press, 2006), 45–57; Richard Abel, “The Movies in a ‘Not So Visible Place’: Des Moines, Iowa, 1911-1914,” in *Hollywood in the Neighborhood: Historical Case Studies of Local Moviegoing*, ed. Kathryn Fuller-Seeley (Berkeley: University of California Press, 2008), 107–29.

⁷ Jacqueline Najuma Stewart, *Migrating to the Movies: Cinema and Black Urban Modernity* (Berkeley: University of California Press, 2005); Moya Luckett, *Cinema and Community: Progressivism, Exhibition, and Film Culture in Chicago, 1907-1917*, 2014; Gerald R. Butters Jr., *From Sweetback to Super Fly: Race and Film Audiences in Chicago’s Loop* (Columbia: University of Missouri Press, 2015); Michael Aronson, *Nickelodeon City: Pittsburgh at the Movies, 1905-1929*, 1st edition (University of Pittsburgh Press, 2008).

⁸ See Richard Maltby, Daniël Biltreyst, and Philippe Meers, eds., *Explorations in New Cinema History: Approaches and Case Studies* (Malden, MA: Wiley-Blackwell, 2011).

center in film and media studies, showing how the history of the city can speak centrally to the broader concerns of the field.

Another way in which my dissertation fits with new cinema history is through my use of quantitative tools such as Geographic Information System (GIS). Although digital mapping has in recent years been used by film scholars in a number of different ways, perhaps its most common application has been in film exhibition history. Jeffrey Klenotic has written on his work building the website “Mapping Movies,” which allows users to map movie theaters in New Hampshire along with other pertinent information, including railway lines, population density, and topography.⁹ Robert C. Allen has built a similar tool for North Carolina cities, with theaters placed on historical maps and further information available on individual venues.¹⁰ Many film and media scholars have also begun to utilize digital mapping platforms, including Laura Horak, Julia Hallam, Les Roberts, Deb Verhoeven, Kate Bowles, and Colin Arrowsmith, among others.¹¹

⁹ Jeffrey Klenotic, “Putting Cinema History on the Map: Using GIS to Explore the Spatiality of Cinema,” in *Explorations in New Cinema History*, ed. Richard Maltby, Daniel Biltereyst, and Philippe Meers (Malden, MA: Blackwell Publishing, 2011), 58–84; Jeffrey Klenotic, “‘Four Hours of Hootin’ and Hollerin’: Moviegoing and Everyday Life Outside the Movie Palace,” in *Going to the Movies: Hollywood and the Social Experience of the Cinema*, ed. Richard Maltby, Melvyn Stokes, and Robert C. Allen (Exeter: University of Exeter Press, 2008), 130–54.

¹⁰ Robert C. Allen, “Getting to ‘Going to the Show,’” in *Locating the Moving Image: New Approaches to Film and Place*, ed. Julia Hallam and Les Roberts (Bloomington: Indiana University Press, 2013), 31–43; Robert C. Allen, “Reimagining the History of the Experience of Cinema in a Post-Moviegoing Age,” in *Explorations in New Cinema History: Approaches and Case Studies*, ed. Richard Maltby, Daniël Biltereyst, and Philippe Meers (Malden, MA: Wiley-Blackwell, 2011), 41–57.

¹¹ Laura Horak, “Using Digital Maps to Investigate Cinema History,” in *The Arclight Guidebook to Media History and the Digital Humanities*, ed. Charles R. Acland and Eric Hoyt (Reframe Books, 2016), 65–102; Julia Hallam and Les Roberts, eds., *Locating the Moving Image: New Approaches to Film and Place* (Bloomington: Indiana University Press, 2013); Deb Verhoeven, Kate Bowles, and Colin Arrowsmith, “Mapping the Movies: Reflections on the Use of Geospatial Technologies for Historical Cinema Audience Research,” in *Digital Tools in Media Studies: Analysis and Research. An Overview*, ed. Michael Ross, Manfred Grauer, and Bernd Freisleben (Bielefeld: Transcript-Verlag, 2009), 69–82.

I make use of GIS in the final two chapters of this dissertation, most often to better understand the spatial landscape of the city in relation to its movie theaters and adult entertainment offerings. I use maps in a manner corresponding to what Verhoeven, Bowles, and Arrowsmith argue, which is that maps “impel us to decentre the cinema, revealing it as one place amidst other locations, one moment in the busy context of everyday life.”¹² Such a perspective is particularly important to my project given my argument that to understand the history of the regulation and exhibition of adult movies in Detroit, one has to also account for other types of adult businesses and media formats. Moreover, decentering the cinema means understanding the changing demographics and socioeconomic landscape of Detroit and its surrounding suburbs, an undertaking in which mapping can also be enormously helpful.

I am nevertheless mindful of Jeffrey Klenotic’s warning that GIS is “no methodological magic bullet, no cure-all for long-standing problems of historical enquiry.” In Klenotic’s view, this means resisting the urge to treat digital mapping as a “cartographic endpoint,” instead using it as a tool or practice that can help elucidate key questions, while being incapable of answering them on its own.¹³ Verhoeven, Bowles, and Arrowsmith similarly argue that mapping in film studies “offers most when it raises new questions about spatial and temporal connectivity, rather than promising closure on the question of what was going on in the past.”¹⁴ When using digital maps in this dissertation then, I try to foreground the limits of this approach, particularly as it comes to the nature of studying adult film history. Whereas I am able to map with confidence the location of mainstream movie theaters in Detroit, due to a scarcity of sources my attempts to plot

¹² Verhoeven, Bowles, and Arrowsmith, “Mapping the Movies: Reflections on the Use of Geospatial Technologies for Historical Cinema Audience Research,” 78.

¹³ Klenotic, “Putting Cinema History on the Map: Using GIS to Explore the Spatiality of Cinema,” 60–61.

¹⁴ Verhoeven, Bowles, and Arrowsmith, “Mapping the Movies: Reflections on the Use of Geospatial Technologies for Historical Cinema Audience Research,” 79.

out the location of the city's adult businesses in the final chapter are, by their nature, limited. This is not to say that the attempt is not worth undertaking, as even when using incomplete data, maps can still tell us much about the location of adult entertainment venues in the city. Still, the issue of the dearth of sources when it comes to media as marginalized as pornography, and the questionable accuracy of the available sources, means that it is doubly important to not blindly rely upon maps as impartial arbiters of truth.

Even as this project in many ways can be situated within the new cinema history, it also departs in key respects. One way is that it remains unclear exactly what place, if any, the study of movie censorship has in new cinema history. Richard Maltby, Daniel Biltereyst, and Philippe Meers' edited collection *Explorations in New Cinema History* does not include any essays dealing primarily with censorship or the regulation of movies.¹⁵ Instead, it is the circulation and consumption of moving images that are the focus, with local case studies of film distribution and exhibition dominating the collection. Likewise, at the 2015 conference "What is Cinema History?," there was just one panel dealing with movie censorship (of which I was one of the presenters), with the rest of the conference devoted to issues surrounding film exhibition and distribution.

Certainly many of the key figures in new cinema history are also interested in the history of movie censorship—including Maltby himself—making the absence of work on censorship falling under the header of "new cinema history" all the more glaring. This absence though speaks to some of the key aspects of new cinema history as first postulated by Maltby. In "How Can Cinema History Matter More?," Maltby argued for the need to "write cinema history from below; that is, to write histories that are concerned not with the 'great men' and women of

¹⁵ Maltby, Biltereyst, and Meers, *Explorations in New Cinema History*.

Hollywood but with their audiences.” The question then is how one can write a history from below of censorship, which by its nature is top-down, instituted by a few select governmental elites to control the access of the masses to certain media. Maltby also argued in that piece that cinema history should be concerned with “the social experience of cinema-going.”¹⁶ Here again, film censorship history presents a challenge, given the way that censorship has so often been done in secrecy, with moviegoers never made aware of the fact that the film they are seeing might have had parts cut out by unseen authorities, or that some films might be completely unavailable. How then does the censorship of movies fit into new cinema history when the aim of censorship is to deprive individuals of a particular experience?

Still, I would argue that these challenges can be answered, and that a history of regulation and censorship can and should be included as part of new cinema history. Given the way that new cinema history has been centrally interested in the circulation and exhibition of motion pictures, it is crucially important to understand how regulatory forces shape these processes. Censorship not only can alter the distribution of movies, but movie theaters, the primary site for the experience of viewing cinema until recent decades, have always been bound up in regulatory concerns. The location of theaters and the shape of both their exterior and interior have been subject to the regulation of local governments for over a century now. Moreover, if one is concerned with the experience of moviegoing, then understanding what are the types of cinematic experiences available to consumers, and which are not due to censorship, would seem to be a central concern.

As to the issue of new cinema history favoring a bottom-up approach rather than a focus on “great men,” I would argue that studies of the history of regulation and censorship need not

¹⁶ Maltby, “How Can Cinema History Matter More?,” 3, 4.

focus exclusively on those doing the censoring. Though this dissertation centers on the various ways in which powerful men (and more rarely women) in Detroit's government regulated indecent media, I am equally interested in the "ordinary" people pushing the city to take action. Local anti-porn activism—be it from Catholic groups, homeowners, or simply city residents—was what time and time again spurred the city to action against indecency, and so I argue that a history of censorship "from below" is not only possible but also necessary to understand why a government should choose to make the censorship of indecent media a high priority.

Besides its involvement in new cinema history, this dissertation also engages centrally with scholarship on the history of film censorship. On the whole, work on movie censorship history tends to be bifurcated into scholars who focus on local censorship and those who look at censorship on the national scale. In the latter category, the Production Code has received the lion's share of attention, with scholars looking at the ways in which Hollywood's self-censorship regime operated throughout the classical era. This has entailed scholarship on the inner workings of the Production Code Administration, the influence of Catholics on Hollywood self-censorship, the particulars of the Code's regulation of violence and sexuality, and lastly the "Miracle Case" which granted movies First Amendment protections in 1952.¹⁷ Recent work has also looked at

¹⁷ For work providing an overview of the formation and inner workings of the Production Code Administration, see Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema; 1930-1934* (Columbia University Press, 1999); Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2007); Leonard J. Leff and Jerold L. Simmons, *The Dame in the Kimono: Hollywood, Censorship, and the Production Code* (Lexington: University Press of Kentucky, 2001).

For work on the Catholic influence on Hollywood self-censorship, see Gregory D. Black, *Hollywood Censored: Morality Codes, Catholics, and the Movies* (Cambridge: Cambridge University Press, 1996); Gregory D. Black, *The Catholic Crusade Against the Movies, 1940-1975* (Cambridge: Cambridge University Press, 1998); Frank Walsh, *Sin and Censorship: The Catholic Church and the Motion Picture Industry* (New Haven: Yale University Press, 1996); James M. Skinner, *The Cross and the Cinema: The Legion of Decency and the National Catholic Office for Motion Pictures, 1933-1970* (Praeger, 1993).

For work focusing on the Production Code's censoring of violence and sex, see Stephen Prince, *Classical Film Violence: Designing and Regulating Brutality in Hollywood Cinema, 1930-1968* (New Brunswick, N.J.: Rutgers

the adoption of the ratings system in the late 1960s and its operation throughout the following decades.¹⁸

Though my project has more of a local focus, I nevertheless draw extensively on this literature in a number of ways. For one, my dissertation engages directly with scholarship that looks at the influence of Catholics on movie censorship. The Catholic activism spurring Hollywood to adopt the Production Code also helped encourage Detroit to regulate indecent movies more squarely. As chapter one shows though, Catholic influence on censorship went beyond just the movies, as Catholics helped steer Detroit to censor indecent literature. Consequently, I argue that film scholars have not adequately considered how Catholic groups incited not only the censorship of cinema but also literature, and that there was an interplay between the two requiring closer examination.

My dissertation also is in conversation with work dealing with the adoption of the ratings system and the controversy surrounding the X rating. This is particularly the case in chapter two, which discusses the ratings system in relation to the increased censorship of movie advertisements in Detroit's newspapers in the early 1970s. In that chapter, I examine the decision of the *Detroit News* to ban ads for X-rated movies in 1972, a move that was seen as a direct

University Press, 2003); Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film, 1928-1942* (University of California Press, 1997).

For work on the "Miracle Case," see Laura Wittern-Keller and Raymond J. Haberski Jr., *The Miracle Case: Film Censorship and the Supreme Court* (Lawrence: University Press of Kansas, 2008); William Bruce Johnson, *Miracles and Sacrilege: Robert Rossellini, the Church, and Film Censorship in Hollywood* (Toronto ; Buffalo: University of Toronto Press, 2008); Ellen Draper, "'Controversy Has Probably Destroyed Forever the Context': The Miracle and Movie Censorship in America in the 1950s," in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 238–63.

¹⁸ Jon Lewis, *Hollywood v. Hard Core: How the Struggle Over Censorship Created the Modern Film Industry* (New York: NYU Press, 2000); Justin Wyatt, "The Stigma of X: Adult Cinema and the Institution of the MPAA Ratings System," in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 238–63; Kevin S. Sandler, *The Naked Truth: Why Hollywood Doesn't Make X-Rated Movies* (New Brunswick, N.J.: Rutgers University Press, 2007); Christie Milliken, "Rate It X?: Hollywood Cinema and the End of the Production Code," in *Sex Scene: Media and the Sexual Revolution*, ed. Eric Schaefer (Durham: Duke University Press, 2014), 25–52.

attack on the nascent ratings system, and that in turn prompted a harsh backlash from the film industry. This chapter therefore not only draws on scholarship dealing with the industry's self-censorship through the ratings system, but in turn shows how there was a dynamic interplay between the local and the national, with the *News*' decision a vitally important milestone in the history of the marginalization, and ultimately the demise, of the "X" rating.

The second line of scholarship on movie censorship has focused on regulation at the local level. Most of this work has been concentrated on the silent era of cinema, when local censorship abounded across the United States from the largest cities to the smallest towns. Censorship efforts during this period often were centered on uneasiness surrounding the entrance of women into the public sphere as well as concern over the supposed "low character" of movie audiences due to the cinema's popularity with working class immigrant and ethnic groups. Scholars have demonstrated how during the nickelodeon era of 1905 to 1908, much of this regulatory focus was on the theaters themselves which often had unsafe conditions. By contrast, during the transitional era of cinema, lasting from roughly 1908 to 1917, things began to shift as regulatory forces increasingly turned their attention away from the theaters and toward the content of the screen. Scholars have also examined local movie censorship in the 1920s and particularly the early 1930s, when the pre-Code era saw a flowering of local regulatory efforts against the movies.¹⁹

¹⁹ Lee Grieveson, *Policing Cinema: Movies and Censorship in Early-Twentieth-Century America* (Berkeley: University of California Press, 2004); Janet Staiger, *Bad Women: Regulating Sexuality in Early American Cinema* (Minneapolis: University Of Minnesota Press, 1995); Tom Gunning, "From the Opium Den to the Theatre of Morality: Moral Discourse and the Film Process in Early American Cinema," in *The Silent Cinema Reader*, ed. Lee Grieveson and Peter Kramer (London and New York: Routledge, 2003), 145–54; Mary P. Erickson, "'In the Interest of the Moral Life of Our City': The Beginning of Motion Picture Censorship in Portland, Oregon," *Film History* 22, no. 2 (2010): 148–69; Ben Strassfeld, "Infectious Media: Debating the Role of Movie Theaters in Detroit during the Spanish Influenza of 1918," *Historical Journal of Film, Radio and Television*, 2017, 1–19; Shelley Stamp, *Movie-Struck Girls: Women and Motion Picture Culture After the Nickelodeon* (Princeton University Press, 2000), 41–101; Garth S. Jowett, "'A Capacity for Evil': The 1915 Supreme Court Mutual Decision," in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 16–40.

The amount of scholarship on local movie censorship drops off significantly though after Hollywood's adoption of the Production Code in 1934. Hollywood agreed to abide by the Code in part to stem the tide of local censorship that proliferated during the pre-Code era of the early 1930s; thus, most histories of movie censorship after 1934 focus on national censorship through an examination of the inner workings of the Production Code Administration in Hollywood. Still, there has been at least some notable work on local censorship during the Code era, particularly with regards to the few state censorship boards that survived, including Laura Wittern-Keller's *Freedom of the Screen* and Gerald R. Butters Jr.'s *Banned in Kansas*.²⁰ By contrast, censorship at the municipal level during the Code era has received little scholarly attention, with no monographs devoted to the subject, though there have been some articles on censorship in individual cities, such as Whitney Strub on Memphis, Margaret T. McGehee on Atlanta, and Brian O'Leary on Dallas.²¹

My dissertation argues that there is still much to be written on the history of local movie censorship. The focus on the silent era has belied the continuation of local censorship long after Hollywood's adoption of the Production Code in 1934. During the Production Code era, numerous cities continued to censor movies, either through the police department or through legislation that created standing censorship boards. A study of Detroit is particularly useful in

²⁰ Laura Wittern-Keller, *Freedom of the Screen: Legal Challenges to State Film Censorship, 1915-1981* (Lexington, Ky: The University Press of Kentucky, 2008); Gerald R. Butters Jr., *Banned in Kansas: Motion Picture Censorship, 1915-1966* (Columbia and London: University of Missouri, 2007). Ellen C. Scott has also written on the suppression of "race films" and movies dealing with miscegenation at the state level. See Ellen C. Scott, *Cinema Civil Rights: Regulation, Repression, and Race in the Classical Hollywood Era* (New Brunswick: Rutgers University Press, 2015), 68–107.

²¹ Whitney Strub, "Black and White and Banned All Over: Race, Censorship and Obscenity in Postwar Memphis," *Journal of Social History* 40, no. 3 (2007): 685–715; Margaret T. McGehee, "Disturbing the Peace: Lost Boundaries, Pinky, and Censorship in Atlanta, Georgia, 1949-1952," *Cinema Journal* 46, no. 1 (2006): 23–51; Brian O'Leary, "Local Government Regulation of the Movies: The Dallas System, 1966-93," *Journal of Film and Video* 48, no. 3 (1996): 1966–93.

this regard in that the city's police department had a functioning Censor Bureau for over half a century. When the city's censorship regime finally expired in 1969, Detroit was one of the last cities in the country still actively censoring movies in this traditional mode.

This project, however, does not cut off in 1969 when the Censor Bureau ended; instead the last chapter shows how censorship of the cinema evolved to fit the new era. I therefore argue that local movie censorship continued into the 1970s and beyond, albeit in a different form. I detail how Detroit came to pass a zoning ordinance that sought to disperse adult businesses, including all adult movie theaters. This regulatory approach sought to bypass questions of free speech and the First Amendment, with zoning seemingly unconcerned with the content of pornography itself. In this way, my last chapter also speaks to a major tenet of new cinema history, which is the idea that cinema history cannot be reduced to a history of particular films. Along these lines, I would argue that the history of movie censorship cannot be told through a history of the censorship of particular movies. What is needed is a focus less on extraordinary cases of individual banned films than an examination of the broader mechanisms by which censorship was practiced at specific times in specific places. Throughout this dissertation, therefore, I focus less on the censorship of individual works than the mechanics of censorship as a whole, from literary censorship in the 1950s up through and including zoning-based regulation in the 1970s.

Moreover, the zoning-based approach to regulating movie theaters pioneered by Detroit can be seen as something of a return to the early years of cinema, wherein to regulate the movies was to regulate movie theaters. As Lee Grieveson writes though, from 1908 to 1917, there was a "shift from a regulatory focus on buildings and space, to a focus both on the social function of cinema characteristic of the transitional era, and on representations and effects that have

subsequently dominated policy discussions of cinema.”²² In many ways then the use of zoning to regulate theaters recalls an earlier era of cinema; indeed, I argue that the notion that the regulation of movie theaters ended during the transitional era holds true only if you exclude certain types of cinemas from this historical narrative. Thus the last chapter of this dissertation engages directly with scholarship on local censorship during the silent era and work looking at the regulation of movie theaters rather than just movies.

In so doing, I also argue for a need to understand the anti-porn efforts of the 1970s within the context of the broader history of movie censorship. Too often the history of the censorship of mainstream cinema is walled off as separate from the history of the censorship of adult movies. Certainly there are notable exceptions to this—as in Jon Lewis’ book *Hollywood v. Hard Core*—but most scholars seem to treat the censorship of pornography as wholly distinct from the censorship of mainstream and art cinema. In reality though, these areas of censorial activity were never fully separate from one another. The same Detroit Censor Bureau that inspected Hollywood movies during the classical era also inspected nudist exploitation films during this same time period. Likewise, the history of the censorship of a celebrated art film like *A Clockwork Orange* (1971) needs to be understood alongside the censorship of contemporaneous adult films like *Deep Throat* (1972), as anti-porn activists in Detroit protested against both, while the *Detroit News*’ ban on advertisements for X-rated movies affected both films equally.

The way in which scholarship on the history of movie censorship tends to ignore pornography is part of a larger marginalization of adult cinema within the discipline of film and media studies. As Peter Alilunas writes:

Adult film, rarely taught to undergraduates (or graduate students) as part of film history curricula, is almost never included in textbooks. At best, academia tends

²² Grieveson, *Policing Cinema*, 23.

to cordon it off and treat it as a toxic element best carefully contained and kept from too much exposure, lest it seemingly taint “official” film histories... At worst, scholarship ignores it completely, denying it any place in film history.²³

As Alilunas argues, this is particularly the case in film exhibition history, where adult film has been marginalized, if not absent entirely, from the major works.²⁴ This is no less true in histories of movie censorship though, where pornography is all too often treated as an entirely separate category to be kept away from studies of the censorship of dominant mainstream cinema. This move to put pornography, in Constance Penley’s words, “in a quarantine zone,”²⁵ has meant that histories of movie censorship have tended to focus on the censoring of “important” films, usually meaning respectable art pictures emanating from Hollywood or overseas. The reality though is that most of the movies censored in the United States during the twentieth century had no aspirations toward being great art, just as most banned books had no ambition of being great literature, a point I explore in my first chapter. There has always been a continuum of film censorship encompassing both the artistic and the tawdry, with the line between the two often blurry. To write a history of movie censorship during the twentieth century that leaves out pornography is to fail to account for the full picture of censorship.

²³ Peter Kenneth Alilunas, “Smutty Little Movies: The Creation and Regulation of Adult Video, 1976--1986” (University of Michigan, 2013), 33–34.

²⁴ As Alilunas explains in a footnote to his dissertation: “If scholars were to take the following list of otherwise excellent and comprehensive works to be a solid and dependable history of film exhibition in the United States, they would be forced to conclude that pornography did not exist. See: Gregory A. Waller, ed., *Moviegoing in America: A Sourcebook in the History of Film Exhibition* (Malden, MA: Blackwell Publishers, 2002); Richard Maltby, Melvyn Stokes and Robert C. Allen, eds., *Going to the Movies: Hollywood and the Social Experience of the Cinema* (Exeter, UK: University of Exeter Press, 2007); Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States* (Madison, WI: University of Wisconsin Press, 1992); Ina Rae Hark, ed., *Exhibition: The Film Reader* (New York: Routledge, 2002).” See Alilunas, 34.

²⁵ Constance Penley, “‘A Feminist Teaching Pornography? That’s Like Scopes Teaching Evolution!’,” in *The Feminist Porn Book: The Politics of Producing Pleasure*, ed. Tristan Taormino et al. (New York: The Feminist Press at CUNY, 2013), 186.

Finally, my dissertation also engages centrally with a notion put forward by Richard Maltby, which is that cinema history needs to move beyond medium-specificity. As he writes, “So long as cinema history remains solipsistically committed to medium-specificity, starting and ending with the film text, then the history of entertainment will remain no more than an entertaining diversion decorating the illustrative margins of other histories.”²⁶ While I wholeheartedly agree with this statement, my dissertation goes further. Whereas Maltby argues for moving beyond a medium-specificity based around the study of films, I argue that cinema history must be willing to look beyond the cinema altogether. To be sure, cinema history needs to, in some way, be a history of the cinema, and this project began with my own questions about how movies were both exhibited and regulated in the city of Detroit. I soon realized, however, that I would need to engage with urban history to understand the place of cinema in Detroit. Then, as regulation moved to the forefront of this project during the research process, it soon became clear that any history of how the city of Detroit censored movies would also have to include an exploration of how the city’s newspapers censored movie advertisements. Of course, this extralegal censorship still revolved around how movies were regulated in Detroit, but what then of the censoring of literature? Any history of movie censorship in Detroit that left out the censoring of literature would necessarily be incomplete, as the two mediums were regulated in conjunction with one another. One might counter that the censoring of books still falls under the header of media studies, but this dissertation also looks at the regulation of topless dancing in bars, which one would have to strain to describe as media. All this history is intimately related though, and I am arguing that any history of movie censorship needs to be willing to look far

²⁶ Maltby, “How Can Cinema History Matter More?,” 4.

beyond the movies. For cinema history to matter more, it must be willing to not confine itself to just being a history of cinema.

In the end, this project argues that cinema history needs to be radically interdisciplinary in its approach. This may seem an easy and obvious statement; after all, new cinema history has been grounded in interdisciplinarity from the start. However, what film scholars often mean when they claim their work is interdisciplinary is that they quote scholars working in other fields. But quoting from another area is only interdisciplinary in the narrowest sense, and true interdisciplinarity means not only drawing on other fields, but actively seeking to contribute to them as well. In the sections that follow, I detail how this dissertation models such an approach by both drawing on and contributing to other fields, beginning with porn studies.

Porn Studies

Given my project's engagement with the history of anti-porn politics and the regulation of adult entertainment, I also engage directly with the field that has come to be known as "porn studies."²⁷ In this section I detail some of the main currents in porn studies, from the sex wars of the 1970s and 1980s, to two foundational works in the field released in the late 1980s, to more recent work that has expanded the field in new directions. I demonstrate how differing definitions of pornography have shaped the field, positioning myself along the way as working in the vein of those who treat pornography as in some sense defined by the urge to regulate and censor it, as opposed to those who treat pornography as a filmic genre. In defining the object of

²⁷ It is worth noting that there is some disagreement over whether the field should be called "porn studies" or "pornography studies." Despite having edited an influential anthology with the former name, Linda Williams has more recently argued for adopting the latter name give the way "porn" adopts the familiarity of industry terminology. As she writes, "When scholars adopt the language of the industry for the name of their object of study, it is a little similar to film or cinema studies calling itself movie studies or flick studies." Still, in this dissertation I rely on "porn studies" due to that name still being the standard used to describe the field, acting as the title both for Williams' anthology as well as the field's only scholarly journal. Linda Williams, "Pornography, Porno, Porn: Thoughts on a Weedy Field," in *Porn Archives*, ed. Tim Dean, Steven Ruszczycky, and David Squires (Durham: Duke University Press Books, 2014), 38.

study this way, I again make the case against medium specificity, arguing that there has long been tremendous continuity across the regulation of different forms of adult media. I also contend that porn studies has failed to fully engage with urban studies, and that the histories of racial politics and anti-porn politics are inextricably linked with one another. In so doing, I make the case that a new form of anti-porn politics emerged in the grassroots anti-porn campaigns of the early 1970s in Detroit and in communities across the country, an anti-porn politics that drew on white racial politics in its rhetorical strategies. This discursive analysis I pair with a legal analysis, showing how the methods used to regulate adult entertainment shifted over time in Detroit, and how these regulatory approaches held an immense influence far outside the city's borders.

Despite the popularity of pornography throughout the twentieth century, it only came to be studied in academia outside of purely legalistic terms beginning in the late 1970s. During that time, and throughout the 1980s, scholarly interest in pornography revolved around the feminist sex wars over pornography. This debate—which might be said to have been as vicious and tumultuous as any academic argument in the United States in the latter half of the twentieth century—was spearheaded on the one side by anti-porn feminists, who not only argued that much of pornography was sexist, but that it was in fact central to the oppression of women and the sustaining of hegemonic patriarchy. Pornography in this view was built around male power and the objectification of women, and this objectification in turn was seen as a root cause of violence against women. As Robin Morgan famously wrote, “Pornography is the theory, and

rape is the practice.”²⁸ The notion then was not just that pornography was harmful to those performing in it, but that the presumed male viewer would internalize the misogyny of pornography and act on this influence. Supporters of this view attempted to elevate anti-porn politics to the heart of mainstream feminism, even becoming strange bedfellows with the Religious Right in an unholy alliance against pornography during the 1980s.²⁹

Those on the other side of the debate—sometimes referred to as sex-positive feminists or anti-censorship feminists³⁰—argued both that pornography was not inherently sexist and that feminists should be wary of the censorship being advocated by anti-porn feminists. These critics also pointed out the normative ways in which anti-porn feminists tended to view sexuality, with S/M porn (and in turn those finding pleasure in S/M practices) particularly singled out as an evil that oppressed women. Likewise, critics highlighted the way in which anti-porn feminists tended to ignore gay and lesbian pornography as well as the potential for women to have their own pleasure from watching pornography. Despite sometimes being mischaracterized as such, feminists on this side of the debate did not argue that pornography was inherently feminist in nature or at the very least not implicitly sexist. Rather, they simply argued that pornography, like

²⁸ Robin Morgan, “Theory and Practice: Pornography and Rape,” in *Take Back the Night: Women on Pornography*, ed. Laura Lederer (New York: Morrow, 1980), 131.

²⁹ For more on the feminist anti-porn movement, see Carolyn Bronstein, *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge: Cambridge University Press, 2011); Whitney Strub, *Perversion for Profit: The Politics of Pornography and the Rise of the New Right* (New York: Columbia University Press, 2011), 213–55.

³⁰ As Carolyn Bronstein writes regarding the question of the terminology used to describe those who stood in opposition to the feminist anti-porn movement: “These activists dubbed themselves pro-sex in the early 1980s as a way of opposing what they saw as anti-pornography’s conservative vision of sexuality and its emphasis on the dangers inherent in the sexual exchange. The implication that anti-pornography feminists were anti-sexual was clear, although that description was unfair to many women active in the anti-pornography movement. The most accurate, albeit clumsy, label for the pro-sex feminists would have been ‘anti-anti-pornography’ because they organized to challenge the main premise and tactics of the anti-pornography movement.” Bronstein, *Battling Pornography*, 16.

all forms of media, could be sexist, and in fact that only by engaging with pornography could you really critique sexist representations in pornography.³¹

Even decades on, the feminist debates over pornography still linger in discussion over pornography in academia and continue to inform the field. As Peter Alilunas argues, one legacy of the debates over the feminist anti-porn movement has been the tendency that the study of pornography be “taken up under a feminist heading and debated on political or ideological terrain mostly centered on content.” This, in Alilunas’s view, has led to a dearth of scholarship on the history of pornography working outside this paradigm, with the feminist anti-porn movement thus having a legacy of being “radically destructive in terms of basic historical knowledge.”³² Though I touch on it briefly at the end of chapter five, this dissertation is for the most part not concerned with the feminist anti-porn movement, and I end in the mid-1970s, before the anti-porn feminist movement truly took shape. Neither Detroit’s grassroots anti-porn activists nor the city officials crafting new anti-porn legislation that I look at in this dissertation employed anything resembling the type of discourse later proffered by anti-porn feminists. Neither, for that matter, did those defending pornography in Detroit against censorship use rhetoric similar to sex-positive or anti-censorship feminists. This dissertation then seeks to explore a paradigm in the history of the anti-porn movement operating outside of what would later be seen in the feminist anti-porn movement.

The fiery nature of the feminist sex wars has also meant that scholars have long been expected to situate themselves on either side of the debate, or more broadly to state their position

³¹ See Gayle S. Rubin, “Misguided, Dangerous, and Wrong: An Analysis of Antipornography Politics,” in *Deviations: A Gayle Rubin Reader* (Durham, NC: Duke University Press Books, 2011), 137–81; Bronstein, *Battling Pornography*, 279–308; Alex Warner, “Feminism Meets Fisting: Antipornography, Sadomasochism, and the Politics of Sex,” in *Porno Chic and the Sex Wars: American Sexual Representation in the 1970s*, ed. Carolyn Bronstein and Whitney Strub (Amherst: University of Massachusetts Press, 2016), 249–73.

³² Alilunas, “Smutty Little Movies,” 2013, 38.

on the morality of pornography. As Eric Schaefer argues though, “It is the task of scholars and archivists working together to emphasize that one does not have to approve of, be an apologist for, or a champion of adult movies to recognize that they are a part of our culture and that they represent a legitimate area of scholarly interest.”³³ To this I wholeheartedly agree, further noting that there is no similar presumption that I should have to explicitly state my own politics when it comes to other controversial topics central to this dissertation, such as race and racism or the history of Detroit. What I will say though is that it is decidedly not my intention in this dissertation to make a case for or against pornography nor demonstrate who was right and who was wrong in debates over its regulation. I am not naively claiming a pure objectivity in my writing, but I do hope that I have managed here to portray with a sympathetic lens the views of everyone whom I write about in this dissertation, including those with whom I might personally disagree.

As the debate and controversy surrounding the feminist anti-porn movement began to recede in the late 1980s, two books were released in the still-mostly nonexistent field of porn studies. The first of these, and probably the less well-known of the two today, was Walter Kendrick’s 1987 book *The Secret Museum*, which sought to look at pornography as a vehicle for debates over censorship and freedom of expression. Beginning in the nineteenth century, Kendrick charts the formation of “pornography” as a concept, detailing the arguments used by anti-porn advocates stretching from the United States’ most intrepid nineteenth century anti-porn advocate Anthony Comstock to anti-porn feminists of the 1980s. His work spans across a variety

³³ Eric Schaefer, “Dirty Little Secrets: Scholars, Archivists, and Dirty Movies,” *The Moving Image* 5, no. 2 (2005): 94.

of different mediums, looking at how the label of “pornography” was deployed against literature, movies, paintings, and sculptures. In so doing, he demonstrates the repetitiveness of anti-porn discourse, the way in which anti-porn advocates continually proffered the same arguments with little regard to history or even the specific work in question.

The second work, Linda Williams’ 1989 book *Hard Core*, sought to analyze pornography as a genre of film and media, one with a specific cinematic form and a history worthy of analysis. In her book Williams details the history of pornographic film, showing how the genre changed as it moved from the stag films of the first half of the twentieth century to the hard-core feature films of the 1970s. She does so while placing pornography into a conversation with contemporary discourse on sexuality, drawing both on the work of anti-censorship feminists looking at pornography as well as feminist film studies scholarship. She utilizes such work to probe the films themselves, looking at, for instance, how notions of female visual pleasure get attended to (or not) in pornography.

In many ways, the disparate approaches taken by these two books can be said to act as two major pillars of the field that has come to be known as porn studies. The differences between the books essentially come down to the question that for well over a century has vexed not only academics but also the public at large and even the U.S. Supreme Court: how does one define pornography? Examining the differing answers to this in the two books illustrates the critical stakes in the question of how one defines pornography, with the two authors’ starkly different approaches to the study of pornography flowing from their respective definitions.

In his book, Kendrick makes a distinction between pornography and “pornography.” The former refers to a “thing,” meaning objects—be they books, plays, or movies—labeled pornographic at some point in time. The latter, complete with requisite scare quotes, refers to an

“argument,” “concept,” or “thought structure” always invoked when discussing pornography. As Kendrick wrote in his preface to the paperback edition, “In *The Secret Museum*, I have talked a good deal about the paintings, books, and pictures that have instigated battles over ‘pornography,’ but I have devoted less attention to the things themselves than to what was thought and felt about them—the threat they posed, the victims they claimed, the usually self-appointed rescuers they galvanized. *The Secret Museum* is not a history of pornography; it is a history of ‘pornography.’” In defining his object of study in this way, Kendrick avoids the pitfalls made by so many of those he writes about throughout modern history who tried—and inevitably failed—to provide a stable definition of pornography. As Kendrick writes, “The real existence of any *thing* ought to be thrown in doubt by the failure of several generations’ efforts to define it.”³⁴ In the end then, in Kendrick’s view, “pornography” is simply whatever media a dominant class or group of people want to keep out of the hands of those who are viewed as threatening the social order at a given point in time. The creation of the concept of “pornography” in the eighteenth century thus was no mere accident, but occurred alongside and as a result of the rise of modern mass culture. For Kendrick, no internal definition of pornography—meaning one focused only on the “things” and not the debate over them—can adequately explain how exactly James Joyce’s *Ulysses* and a film like *Debbie Does Dallas* (1978) are supposed to fit together under the same header of pornography. Given this, in Kendrick’s view the only workable definition of pornography must center on the debate over objects deemed to be pornography at a given point in time.

³⁴ Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley, Calif: University of California Press, 1997), xiii.

Linda Williams, by contrast, critiques Kendrick for the way in which his definition of pornography means that he never comes to grips with “the nature of the sexual representations themselves.” As she writes:

Kendrick’s insight—and his limitation—is to have claimed that the various attempts to censor pornography, whatever it is, *are* its history. The argument that the history of modern pornography consists only in what has offended the fickle “gentlemen” is too facile. Certainly modern pornography is intimately tied up with legal and moral attempts at censorship, but like all productions of culture it has its own ‘relative autonomy’ as well.³⁵

For Williams then, Kendrick’s treatment of the history of pornography as the history of the censorship of pornography is inadequate for the way it elides the texts themselves. Rather than focusing on censorship, Williams gives as her definition of filmic pornography that it is “the visual (and sometimes aural) representation of living, moving bodies engaged in explicit, usually unfaked, sexual acts with a primary intent of arousing viewers.”³⁶ With this definition in place, Williams proceeds to analyze movie pornography as a genre with a history and a set of cinematic conventions worthy of study.

Williams’ definition of film pornography has some key advantages over Kendrick’s. Most centrally, by defining pornography in the fashion she did, Williams’ book managed to act as one of the first works to truly analyze pornographic texts in a serious and sustained way. By focusing on the films themselves, Williams ably demonstrates the major insights into society’s views on gender and sexuality that can be gleaned from an analysis of pornographic cinema. For this reason, *Hard Core* has remained, nearly three decades on, an immensely influential work not only in porn studies but in film and media studies as well.

³⁵ Linda Williams, *Hard Core: Power, Pleasure, and the “Frenzy of the Visible”* (Berkeley: University of California Press, 1989), 14.

³⁶ Williams, 30.

Williams' focus on filmic pornography—which allows her to come to a strong and workable definition of pornography—nevertheless leads to a major limitation of her book, which is its lack of applicability to works labeled “pornographic” in mediums outside of film and video. For Williams, the performance of a sexual act is what separates cinematic pornography from its literary counterpart. This is a fair distinction to make, but it means that movie pornography is cordoned off as a category separate from pornography in other media. It would make a study along the lines of Kendrick's—which looks at pornography across the worlds of painting, literature, and film—nearly impossible. In other words, it still fails to provide a workable definition of how exactly it came to be that *Ulysses* and *Debbie Does Dallas* have both been labeled as pornography at different points in time. While some of this can be explained away by the loosening of moral and sexual standards over the course of the twentieth century, it also points to a major advantage of Kendrick's definition of pornography, which is the way that it highlights how our changing understanding of what constitutes pornography is rooted in evolving views of mediums themselves.

When the film *Fifty Shades of Grey* (2015) was released into theaters, for instance, it was rated R by the Motion Picture Association of America, meaning those under age seventeen would have to be accompanied by an adult to see the film. And yet, those under the magic age of seventeen could simply walk down the street to their local bookstore and buy the novel *Fifty Shades of Grey*, which was sold throughout most of the United States without restriction. As Kendrick argues, the need to censor a particular medium is very much based on changing popular understandings as to the power of that medium; as society as a whole has come to look at moving images as more powerful than literature, the perceived necessity of censoring literature has waned. Whereas once the moral arbiters of society decried the availability of cheap

pornographic paperback books, bemoaning the impact they would have on impressionable children, today such consternation is reserved for moving images, which are now seen as inherently more powerful than literary works. While some have pointed out how the marketing of the book *Fifty Shades of Grey* as “erotic fiction” is yet another explication of the seemingly arbitrary porn/erotica dichotomy, what this point misses is the fact that “pornographic literature” is, at this point, almost a contradiction in terms.

Because of this, while acknowledging Williams’ critiques of Kendrick, I nevertheless rely more on Kendrick in this dissertation than I do Williams. Primarily I do so because, as explained above, this is a project that does not confine itself to a single medium, and thereby argues that there is a continuity between the regulation of pornography across a variety of different media formats. In chapter one I look at literary censorship in the 1950s, when Detroit banned hundreds of books, exactly none of which would elicit governmental censorship if released today. The final chapters focus on the 1970s, when Detroit was busy regulating adult businesses offering works that would very much still be considered censorable today. The only workable definition of pornography capable of encompassing the “pornography” of both these chapters in my view is to return to Kendrick and his view that “‘pornography’ is a fighting word.”³⁷ This dissertation is therefore centrally interested in exploring the history of the fight surrounding pornography.

Finally, I would also argue that Kendrick and Williams’ approaches need not be in conflict with one another. One focuses on censorship—how a dominant class comes to label a work “pornographic” and thus in need of shielding from the eyes of society’s most vulnerable—the other on the works themselves—the representations contained in the films and the internal

³⁷ Kendrick, *The Secret Museum*, 223–24.

form of the genre. Given how I have already situated myself as more interested in doing what Richard Maltby calls “cinema history” rather than “film history,” the former approach to pornography more easily fits my methodology. This is not to say that work more in the vein of Williams is somehow less valid, only that it does not fit as well with my project and approach to historical work.

In the decades following the release of *Secret Museum* and *Hard Core*, a loosely defined academic area known as porn studies has emerged. Linda Williams’ 2004 edited collection *Porn Studies* was an important milestone in the formation of the field, with Williams writing in her introduction that the book was intended to be “serious about installing the critical and historical study of pornography in the academic curriculum.”³⁸ Many more edited collections on all aspects of pornography have followed, as have a growing number of monographs. In 2014, *Porn Studies* became the first academic journal devoted to the study of pornography, with its inaugural issue featuring an essay by Williams. Meanwhile, that same year saw the founding of the “Adult Film History Scholarly Interest Group” within the Society of Cinema and Media Studies, the largest and most prominent academic organization in film and media studies. Though it would be mistakenly naïve to think that Porn Studies is now fully ensconced within the academy—there will continue to be scholars who look down on pornography, and in turn those who study it, for the foreseeable future—unquestionably pornography has gained newfound levels of acceptance as a valid object of academic inquiry.

Because of *Hard Core* and her extensive subsequent work in the field, Linda Williams has continued to be at the center of porn studies. Work on pornography in the vein she pioneered

³⁸ Linda Williams, ed., *Porn Studies* (Durham: Duke University Press, 2004), 5.

has pushed the field to consider more diverse representations of sexuality, including notably pornography made by and for LGBTQ populations.³⁹ There has also been a growing area of scholarship situated at the intersection of race studies and pornography, particularly work examining the representation of black sexuality in pornography.⁴⁰ Still others have sought to combine Williams' focus on representation with Kendrick's focus on censorship and regulation, as in Peter Alilunas' *Smutty Little Movies*.

There has also been scholarship that more directly takes after Kendrick's *Secret Museum* by focusing on the history of the censorship of pornography. Much of this work has come from legal historians who have elucidated the mechanisms through which pornography has been regulated for the past century. Obscenity law in particular has been at the center of many works looking at the history of porn censorship.⁴¹ This dissertation draws heavily on this work given that my project often acts as a legal history examining the mechanisms of censorship. Beyond just helping me make sense of court decisions that I would otherwise find myself lost in, such legal histories provide the context for the national legal trends on censorship and obscenity upon which judges in Michigan and Detroit relied upon (and at times departed from). The place where I diverge from this legal history is the same as Whitney Strub, who writes that "a legion of

³⁹ For just a few of the many examples of work in this area, see Thomas Waugh, *Hard to Imagine: Gay Male Eroticism in Photography and Film from Their Beginnings to Stonewall* (New York: Columbia University Press, 1996); John Champagne, "'Stop Reading Films!': Film Studies, Close Analysis, and Gay Pornography," *Cinema Journal* 36, no. 4 (1997): 76–97; Rich Cante and Angelo Restivo, "The Cultural-Aesthetic Specificities of All-Male Moving-Image Pornography," in *Porn Studies*, ed. Linda Williams (Durham: Duke University Press, 2004), 142–66; Rebecca Beirne, "Interrogating Lesbian Pornography: Gender, Sexual Iconography and Spectatorship," in *Hard to Swallow: Hard-Core Pornography on Screen*, ed. Claire Hines and Darren Kerr (London: Wallflower Press, 2012), 229–43.

⁴⁰ Mireille Miller-Young, *A Taste for Brown Sugar: Black Women in Pornography* (Durham: Duke University Press Books, 2014); Jennifer Christine Nash, *The Black Body in Ecstasy: Reading Race, Reading Pornography* (Durham: Duke University Press, 2014).

⁴¹ Whitney Strub, *Obscenity Rules: Roth v. United States and the Long Struggle over Sexual Expression* (Lawrence: University Press of Kansas, 2013); Geoffrey R. Stone, *Sex and the Constitution: Sex, Religion, and Law from America's Origins to the Twenty-First Century* (New York: Liveright, 2017).

scholars has written the history of pornography and obscenity—often portrayed as a joint subset of the larger category ‘censorship’—as a legalistic one, moving from episode to episode anecdotally rather than analytically in terms of the historical context. My intention is not to reject this body of work but rather to expand on it, drawing from its leads to present a deeper, richer depiction of pornography’s convoluted dialectic with American history.”⁴²

As Strub points out then, such legalistic approaches to censorship too often leave out the political contexts informing the mechanisms by which pornography has been regulated, a gap that Strub has ably filled in his book *Perversion for Profit*. In it, Strub looks at the history of the politics of pornography from the 1950s through the 1980s, showing in particular the links between anti-porn politics and the rise of the religious-powered “New Right” in the United States. He also demonstrates how questions surrounding free speech and pornography “provided a fatal flaw in the ideology of the postwar liberal consensus,” examining how progressive groups like the American Civil Liberties Union tended to at best offer only an ambivalent defense of pornography. Strub’s key intervention was to place the debate over pornography firmly within the broader realm of U.S. political history, showing how the politics of pornography was shaped by modern conservatism while simultaneously exposing contradictions in liberalism. Along the same lines as Kendrick, who he quotes in his introduction, Strub defines pornography as a “discursive site onto which varied social tensions are mapped out,” using the term “pornography” throughout the book to mean “anything deemed pornographic by a given authority at a given moment.”⁴³ I draw on this definition in this dissertation, further relying on Strub’s careful attention to the interplay between efforts to censor media and U.S. politics.

⁴² Strub, *Perversion for Profit*, 3.

⁴³ Strub, 2–4.

Also of major importance to this dissertation are works that look at local porno moviegoing culture. In this category, the book that hovers over all efforts to examine moviegoing practices at adult theaters is Samuel Delany's *Times Square Red, Times Square Blue*. Delany's first-hand account of going to adult theaters in Times Square provides an avenue into a deeper discussion of social relations across race and class lines formed in some of the most disreputable of places. Delany's lively account is invaluable as a portrait of porno moviegoing culture, though there are fair questions as to the generalizability of his book given that—as I previously discussed in relation to film exhibition history—New York City is nothing if not unique.

While Delany focuses on the experience of going to adult movies in New York City, his book nevertheless points to the way in which adult moviegoing culture was always bound up in regulatory processes at work on the municipal level. My dissertation draws heavily on this and other treatments of the history of local porn censorship. Some of this work focuses on New York City, including not only Delany's book but also an essay by Marilyn Adler Papayanis.⁴⁴ Josh Sides has written on the regulation of adult entertainment in San Francisco, while Robert Self has done so in Los Angeles.⁴⁵ To date though, no scholar has looked centrally at the history of porn censorship in Detroit. I would argue that this is a problem for the field for two reasons. First—and similarly to the earlier discussion around the trajectory of scholarship on film exhibition history—there has been an overemphasis on the major coastal cities when considering the history of the regulation of pornography at the municipal level. A focus on Detroit can help move

⁴⁴ Marilyn Adler Papayanis, "Sex and the Revanchist City: Zoning out Pornography in New York," *Environment and Planning D: Society and Space* 18, no. 3 (2000): 341 – 353.

⁴⁵ Josh Sides, "Excavating the Postwar Sex District in San Francisco," *Journal of Urban History* 32, no. 3 (2006): 355–79; Robert O. Self, "Sex in the City: The Politics of Sexual Liberalism in Los Angeles, 1963–79," *Gender & History* 20, no. 2 (2008): 288–311.

scholars' gaze toward the middle of the country, toward an industrial city, and toward a city with a complex and fluid relationship between city and suburb.

The second major reason for the necessity of a study on Detroit adult entertainment regulation is Detroit's outsized influence on the history of porn censorship. During the 1950s, Detroit was the country's main hub of literary censorship, a status it held due to the vast reach of Detroit's banned book list, which meant that decisions made by Detroit's censors had national implications. These practices were curtailed in 1957 after the U.S. Supreme Court struck down the Michigan obscenity law the city relied upon, but until then Detroit was the country's de facto censor of literature. Later, in 1972, Detroit passed a zoning law aimed at dispersing adult businesses which, after being affirmed as constitutional by the Supreme Court, was replicated by nearly every major American city in the years ahead, including all three of the cities already mentioned: New York, San Francisco, and Los Angeles. Quite simply, this dissertation argues that Detroit was perhaps the single most influential city in the United States during the latter half of the twentieth century when it came to the regulation of pornography.

Despite this immense importance, Detroit's regulation of pornography has received little scholarly attention to date. Detroit's literary censorship regime of the 1950s has garnered only passing mention since that time, and has largely been forgotten or neglected. Likewise, Detroit's anti-porn zoning law has been largely ignored outside of two areas, the first being when it is mentioned as the progenitor to similar laws passed in other cities, as in the aforementioned work of Marilyn Adler Papayanis, Josh Sides, and Robert Self.⁴⁶ The second way it has been discussed is in legal histories and histories of censorship, though these works tend to elide the particular

⁴⁶ Papayanis, "Sex and the Revanchist City," 343–45; Sides, "Excavating the Postwar Sex District in San Francisco," 369–71; Self, "Sex in the City," 303.

roots of the law in Detroit for instead a study of the legal precedent it eventually set in the Supreme Court.⁴⁷ In other words, while the Supreme Court's decision in the case that grew out of Detroit's zoning law has been studied, and in turn the imitation of the law by other cities that followed that decision, no one has gone back to the origins of the law itself, asking why Detroit passed this law and what were the local contexts that shaped it.

This study aims to do exactly that, showing how the urban crisis that wreaked havoc on Detroit's economy also critically influenced the direction of its approach to regulating pornography. The deindustrialization, racial strife, and suburbanization that devastated nearly every major American city during the 1960s and 1970s hit Detroit particularly hard, resulting in the city's precipitous economic decline. Within this context, I argue that a new form of anti-porn politics emerged in Detroit, one that eschewed the religious-based activism that characterized much of the history of the movement. Rather than basing their opposition to pornography primarily in moral terms, advocates made economic- and rights-based arguments in opposing pornography. In this way, anti-porn politics drew on and reframed discourse used in white racial politics of the era, where colorblind conservatism had made it possible for whites to simultaneously oppose efforts to redress racial inequities while still claiming to not be racist. Similarly, anti-porn advocates and activists sought to elide free speech debates by emphasizing instead the perceived negative economic impact of adult businesses on neighborhoods, and the rights of homeowners to decide whether they could be situated in their community. I argue that scholars have failed to fully grasp the ways in which local anti-porn politics of the 1970s, particularly in the years preceding the feminist anti-porn movement, shifted away from religious-

⁴⁷ Richard F. Hixson, *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem* (Carbondale: Southern Illinois University Press, 1996), 135–46; Lewis, *Hollywood v. Hard Core*, 273–75; Strub, *Perversion for Profit*, 173–74; Jeremy Geltzer, *Dirty Words and Filthy Pictures: Film and the First Amendment* (Austin: University of Texas Press, 2016), 282–84.

tinged arguments and toward a discourse adapted from and inspired by the urban crisis and white racial politics.

In this respect I am greatly influenced by Eric Schaefer and Eithne Johnson's article "Quarantined! A Case Study of Boston's Combat Zone." In contrast to Detroit's zoning approach which sought to disperse adult businesses, in the 1970s Boston aimed to quarantine pornography in an area popularly dubbed the "Combat Zone." In their article, Schaefer and Johnson not only chronicle the history of the rise and fall of the Combat Zone, but also the way in which rhetoric emphasizing disease and war were embedded in the discourse surrounding the area. This rhetoric justified and shaped Boston's particular approach to regulating pornography, with the disease of adult businesses requiring them to be quarantined in one area, leaving the rest of the city safe from the sickness and warlike atmosphere inside the Combat Zone. Schaefer and Johnson thereby place the formation of the Combat Zone within the context of the urban crisis of the 1970s, an approach that heavily informs my work.⁴⁸

In summary, this dissertation draws heavily on the work of scholars who look at "pornography" as, following Walter Kendrick, "a fighting word," thereby stressing the way in which anti-porn advocates shape definitions of pornography across different media formats. In contrast to much work in this vein though, I focus on urban history and the politics of race as heavily informing the regulation of pornography. While I touch on religious-based anti-porn politics as well as (to a much lesser extent) anti-porn feminism, I argue that the urban crisis, and racial tensions surrounding it, critically informed the regulation of adult entertainment. I therefore draw heavily on urban history, which is the focus of my next section.

⁴⁸ Eric Schaefer and Eithne Johnson, "Quarantined! A Case Study of Boston's Combat Zone," in *Hop on Pop: The Politics and Pleasures of Popular Culture*, ed. Henry Jenkins, Tara McPherson, and Jane Shattuc (Durham: Duke University Press, 2002), 430–53.

Urban Studies and the History of Detroit

One of the longstanding questions in the field of urban studies has been how both suburbanites and city dwellers construct notions of their own neighborhoods as separate from one another, even as the line between the two is so often blurry, if not invisible. This question was addressed directly by David Freund in his book *Colored Property*, which looks at the impact of state policy on segregated housing and white racial politics in Detroit and its suburbs. Freund notes in his introduction that for much of the postwar era, the outermost neighborhoods of Detroit looked nearly indistinguishable from the surrounding suburbs. Nevertheless, white suburban residents vociferously fought to protect their neighborhoods from perceived outsiders and imagined “their new communities as distinct, uniquely suburban places that had little in common with Detroit.” So what then made these places distinct, at least in the minds of white suburbanites? In Freund’s view it was “suburban political culture, not simply suburban geography, architecture, and amenities, [that] played a crucial role in shaping whites’ ideas about the racial character of the places where they lived.”⁴⁹ This view is dominant in the field, with Kevin Kruse and Thomas Sugrue similarly writing in the introduction to their edited collection *The New Suburban History*, “In most of the United States, the difference between cities and suburbs is political.”⁵⁰

My dissertation seeks to supplement this account by arguing that both moviegoing culture and the presence of adult entertainment, along with the regulation of the two, has long played a crucial role in producing differing conceptions of urban and suburban space. This is

⁴⁹ David M. P. Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (University of Chicago Press, 2010), 29.

⁵⁰ Kevin M. Kruse and Thomas J. Sugrue, “Introduction: The New Suburban History,” in *The New Suburban History*, ed. Kevin M. Kruse and Thomas J. Sugrue (University Of Chicago Press, 2006), 5.

demonstrated by looking at two quotes from a January 2014 *New Yorker* profile of Oakland County Executive L. Brooks Patterson titled “Drop Dead, Detroit!,” an article that deserves much of the credit (or perhaps blame) for the direction that this dissertation has subsequently taken. In the piece, Patterson, who for decades has been a vocal critic of the city of Detroit, is quoted as saying, “I used to say to my kids, ‘First of all, there’s no reason for you to go to Detroit. We’ve got restaurants out here.’ They don’t even have movie theatres in Detroit—not one.”⁵¹ Patterson’s negative opinion of Detroit then is based not only on economics and politics but also on the city’s supposed cultural deficit, embodied here through a dearth of movie houses. In his specific mention of Detroit not having any movie theaters (which, it is worth mentioning, is simply not true), Patterson indicates the way in which culture, or a perceived lack thereof, is critical to his understanding of the distinction between Detroit and its suburbs in Oakland County.

At the same time, in the article Patterson also gives another reason for how he distinguishes the suburbs of Oakland County from the city of Detroit. Beyond the cultural differences, in his imagination sexual differences also define the two areas. This was made clear in relation to the supposed lack of strip clubs on the Oakland County side of Eight Mile in comparison with their abundance on the Detroit side of the dividing line between city and suburb. As Patterson explains of the reasons for this, a strip club “destroys neighborhoods,” further bragging, “There’s not a topless bar in Oakland County, not an X-rated movie theatre, not a house of ill repute. I shut ‘em down.”⁵² Still, Patterson was quick to point out that his stance against pornography “had nothing to do with morality. I wasn’t getting on my white horse.”

⁵¹ Paige Williams, “Drop Dead, Detroit!,” *The New Yorker*, January 27, 2014, 32.

⁵² Williams, 37.

Rather, as he explained, “This was always an economic issue. It was about the effect these places have on the business climate in these communities.” Patterson here emphasized the way in which the preponderance of adult businesses could be seen as defining an area, with Detroit seemingly a den of pornography and commercial sex in contrast to the allegedly porn-free Oakland County. It was for this reason that Patterson believed it necessary to crack down on adult businesses, and in fact his attacks on pornography helped bring him to political prominence early on in his career during the 1970s.

Put together then, what Patterson’s statements indicate is the way in which the availability of “good” entertainment options like mainstream movie theaters or “bad” entertainment options like topless bars could come to define the differences between and identities of Detroit and its suburbs. This view does not discount the importance of politics to distinguishing city and suburb; it only seeks to supplement it with an understanding of how the availability of different types of public amusements, alongside their regulation, could come to play a major factor in such determinations.

Throughout this dissertation I look closely at how censorship played a role in defining both city and suburb, moving from the cooperation between Detroit and its suburbs that facilitated the city’s literary censorship campaign in the 1950s, to the ways in which pornography’s rise in the 1970s came to define Detroit as a seedy and illicit place in contrast to the suburbs that were, in the dominant conception of the public (if not necessarily in reality), porn-free. In examining this dynamic and oft-times contentious relationship between Detroit and its suburbs, I am influenced by what Kruse and Thomas call the “metropolitan perspective.” This means not looking at cities and suburbs as distinct and separate, but rather considering the fluid interactions between the two. The metropolitan perspective has been an important corrective to

histories of cities that cordoned off the suburbs, as well as suburban histories leaving out any discussion of neighboring cities.⁵³ In this project I move freely across the line between city and suburb, exploring both the variations in the approaches to the regulation of media and adult entertainment across Detroit and its suburbs and how these variations helped create distinct urban and suburban identities.

This project is heavily indebted to scholarship looking at the history of race in cities in the United States, particularly around the urban crisis of the postwar era. Work by scholars like Sugrue, Kruse, Freund, and Matthew Lassiter inform my project through their examination of the complexities of white racial politics as it developed over the latter half of the twentieth century. In particular, I rely on scholarship looking at the development of colorblind conservative politics, which allowed whites to push back against efforts to combat racial segregation and structural inequality while still claiming to be non-racist. This reshaping of white racial politics was done by embracing a discourse emphasizing homeowner rights as well as arguments about the perceived economic impact of racial integration on neighborhoods. In the latter chapters of this dissertation, I draw from this literature in arguing that anti-porn activists of this era adapted and reshaped colorblind conservative rhetoric in forming a new mode of anti-porn discourse that broke from the religious-based and morality-tinged anti-porn arguments of old. This new anti-porn rhetoric emphasized the rights of homeowners and the economic effect of adult businesses on neighborhoods, all while allowing anti-porn advocates to deny that they were “prudes” curtailing free speech rights. In this way, I aim to contribute to scholarship on white racial politics by showing how it infused the discursive strategies used in other arenas.⁵⁴

⁵³ Kruse and Sugrue, “Introduction: The New Suburban History,” 4–6.

⁵⁴ Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*, Revised (Princeton University Press, 2005); Freund, *Colored Property*; Matthew D. Lassiter, “The Suburban Origins of ‘Color-Blind’ Conservatism: Middle-Class Consciousness in the Charlotte Busing Crisis,” *Journal of Urban History* 30, no. 4

This dissertation also engages centrally with work operating at the intersection of urban history and the history of sex and sexuality. Much of this work has grown out of LGBTQ history, with George Chauncey's 1994 book *Gay New York* a touchstone. Chauncey's book examines gay life during the late nineteenth century and early twentieth century in New York City, challenging the notion that gay life existed only in the closet before the 1960s.⁵⁵ Subsequent work has further explored queer city life, with scholars detailing the relationship between LGBTQ groups and urban public spaces such as gay bars or public parks.⁵⁶ Meanwhile, a large body of scholarship has also developed looking at the history of commercial sex in major metropolises, as with Timothy Gilfoyle's *City of Eros*, which examines the history of prostitution in New York City from 1790 to 1920.⁵⁷ A subset of this work on commercial sex in cities is scholarship on the relationship between pornography and cities, as in the aforementioned Samuel Delany book *Times Square Red, Times Square Blue*.

As indicated by the above paragraph, much of the work in this area has focused on the city of New York. The other major city drawing a tremendous amount of scholarly attention has been San Francisco, with countless articles and books looking at the history of sex and sexuality

(May 2004): 549–82; Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton University Press, 2007); Kevin M. Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton: Princeton University Press, 2007).

⁵⁵ George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940* (New York: Basic Books, 1995).

⁵⁶ See Nan Alamilla Boyd, *Wide-Open Town: A History of Queer San Francisco to 1965* (Berkeley: University of California Press, 2003); Marc Stein, *City of Sisterly And Brotherly Loves: Lesbian And Gay Philadelphia, 1945-1972* (Philadelphia: Temple University Press, 2004); Peter Boag, *Same-Sex Affairs: Constructing and Controlling Homosexuality in the Pacific Northwest* (Berkeley: University of California Press, 2003); Daniel Hurewitz, *Bohemian Los Angeles: And the Making of Modern Politics* (Berkeley: University of California Press, 2008); John D'Emilio, *Sexual Politics, Sexual Communities* (Chicago: University Of Chicago Press, 1998).

⁵⁷ See Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York: W.W. Norton, 1994); Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980); Phil Hubbard, *Sex and the City: Geographies of Prostitution in the Urban World* (Brookfield (VT): Ashgate Publishing Company, 1999).

in the Bay Area. This has included work focusing on queer appropriations of public spaces, the formation of the modern gay rights movement, transgender history, and the history of commercial sex in the city.⁵⁸ Within this body of scholarship on sex and San Francisco, of particular significance to my own project is Josh Sides' book *Erotic City*. In it, Sides looks at the way in which the sexual revolution helped shape modern day San Francisco, examining the gay liberation movement, the commercial sex industry, pornography, and the geography of sex in the city. By ranging across these topics, Sides manages to contribute one of the few scholars who does not cordon off the history of pornography in urban areas from the broader history of sex and sexuality in cities.⁵⁹

Recent work has also begun to move the field's focus away from New York and San Francisco to other cities across the United States. This has included other major metropolises like Chicago and Los Angeles, but also smaller cities, as with Bryant Simon's work on Atlantic City. Smaller cities have also come under scrutiny by scholars—as in Beth Bailey's *Sex in the Heartland*, which chronicles the sexual revolution in Lawrence, Kansas—while gay rural life has increasingly been the focus of LGBTQ histories.⁶⁰

⁵⁸ Boyd, *Wide-Open Town*; Christopher Lowen Agee, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950-1972* (Chicago: University Of Chicago Press, 2014); Neil Larry Shumsky and Larry M. Springer, "San Francisco's Zone of Prostitution, 1880-1934," *Journal of Historical Geography* 7, no. 1 (1981): 1880–1934; Neil Larry Shumsky, "Vice Responds To Reform San Francisco, 1910-1914," *Journal of Urban History* 7, no. 1 (1980): 1910–14; John D'Emilio, "Gay Politics and Gay Community in San Francisco Since WWII," in *Hidden From History: Reclaiming and Gay and Lesbian Past*, ed. Martin Duberman, Martha Vicinus, and George Chauncey (New York: New American Library, 1989), 456–73; Susan Stryker, "Transgender Liberation," in *Transgender History* (Berkeley: Seal Press, 2008), 59–89; Gayle Rubin, "The Miracle Mile: South of Market and Gay Male Leather 1962-1997," in *Reclaiming San Francisco: History, Politics, Culture*, ed. James Brook, Chris Carlsson, and Nancy Joyce Peters (San Francisco: City Lights, 1998), 1962–97.

⁵⁹ Josh Sides, *Erotic City: Sexual Revolutions and the Making of Modern San Francisco* (Oxford; New York: Oxford University Press, 2009).

⁶⁰ Beth Bailey, *Sex in the Heartland* (Cambridge, Mass.: Harvard University Press, 2002); Mary L. Gray, *Out in the Country: Youth, Media, and Queer Visibility in Rural America* (New York: NYU Press, 2009).

As is perhaps already evident, work within urban studies dealing centrally with the history of race and racism has quite often been unconcerned with issues of sex and sexuality, with the reverse true as well. Certainly there are major exceptions to this, but the field has tended to be split into scholarship focusing on race and scholarship focusing on sexuality. The way in which work on these topics has often been figured as dichotomized is demonstrated in Sides' book *Erotic City*. In his introduction, Sides writes:

In this book, I challenge the notion that race was always the prime mover in postwar urban history by arguing that it was the shifting *culture* of cities that more directly influenced their destiny. Cities' changing racial profiles represented one of the most important transformations in postwar America, but the case of San Francisco also suggests that these racial shifts—and the anxieties they produced—were part of a larger cultural shift that was frequently understood in moral and not strictly racial terms.⁶¹

In focusing on cultural, sexual, and moral issues as the impetus behind urban change, Sides argues against the way in which race is sometimes treated as a totalizing force shaping the histories of cities. But even as his argument acts as an important corrective to the preponderance of work on race in cities that ignore the issues that Sides focuses on, his stance continues to treat these categories as largely separate from one another. As Whitney Strub wrote in his review of *Erotic City*, “Sides’ introduction takes a somewhat adversarial historiographical stance in arguing for sexuality and culture as having ‘more directly influenced’ the postwar city than race. A richer analysis of the categories as mutually constitutive might prove more productive here.”⁶²

Thankfully, there is some scholarship to draw on that demonstrates such a model.

Clayton Howard's article “Building a ‘Family-Friendly’ Metropolis” shows how sexuality was

⁶¹ Sides, *Erotic City*, 10.

⁶² Whitney Strub, review of *Review of Erotic City: Sexual Revolutions and the Making of Modern San Francisco*, by Josh Sides, *Southern California Quarterly* 93, no. 4 (2011): 508–11.

closely tied into postwar housing policy in the San Francisco Bay Area.⁶³ Bryant Simon's *Boardwalk of Dreams* teases out the way in which discourses of race and sexuality were closely imbricated with one another throughout Atlantic City's history. Robert Self has similarly made the case for treating these issues as linked, writing, "Rather than seeing race on one hand and gender, sex, and family on the other as distinct crucibles of political contest, we might find it more profitable to conceive of them as intertwined."⁶⁴

Along these lines, this dissertation treats the "moral" terms used in debates over sex and sexuality as always in dialogue with race-based discourse. I examine anti-porn politics within the context of issues surrounding race and racism while simultaneously making the case that the history of race in cities was also shaped by the history of commercial sex and its regulation. Here we might return to L. Brooks Patterson, who crucially drew not only on race in distinguishing the suburbs he represents from the city they buttress, but the availability of adult entertainment as well. In the 1970s, Patterson made his name in Michigan politics for his opposition to two issues: race-based school integration busing and the spread of pornography. In lieu of treating these two areas of Patterson's work as separate and unrelated, this dissertation argues that the two must be understood in concert with one another.

In the field of urban studies, Detroit has long held something of a privileged position. This centrality was established in large part due to Thomas Sugrue's seminal 1996 book, *The Origins of the Urban Crisis*, a work that looms over anyone attempting to write on the history of

⁶³ Clayton Howard, "Building a 'Family-Friendly' Metropolis Sexuality, the State, and Postwar Housing Policy," *Journal of Urban History* 39, no. 5 (September 1, 2013): 933–55.

⁶⁴ Robert O. Self, *All in the Family: The Realignment of American Democracy Since the 1960s* (New York: Hill and Wang, 2012), 7.

Detroit. Sugrue delves into the history of Detroit, fully puncturing the long-held (and still prevalent) view that Detroit's economic decline was triggered by the events of 1967. Instead, Sugrue shows how complex structural forces set the stage for the decline of Detroit's economy long before the violence that shook the city that summer. As Sugrue writes, "Detroit's postwar urban crisis emerged as the consequence of two of the most important, interrelated, and unresolved problems in American history: that capitalism generates economic inequality and that African Americans have disproportionately borne the impact of that inequality."⁶⁵ By examining areas like postwar housing policy, urban revitalization efforts, and white racial politics, Sugrue manages to both describe and analyze these complex structural forces at work. This allows for a new narrative of Detroit's decline to emerge, one able to challenge the deeply-prevalent notion that the city's economic freefall began with the violence of 1967 alongside the ascendancy of black political leadership in the 1970s. Sugrue's book also had the effect of changing the understanding of the urban crisis that impacted cities across the country, forcing scholars to look to the immediate postwar era to analyze the web of structures that laid the groundwork for later urban decline. In so doing, Sugrue's book has not only managed to be immensely influential to subsequent work on the history of Detroit but also more broadly to the field of urban studies, where it continues to hold central significance.

David Freund's *Colored Property* expands on *Origins of the Urban Crisis* by focusing more concretely on the state's role in both creating and maintaining segregation, and also how property and housing were bound up with evolving notions of race and racism in the twentieth century. For the latter point, Freund draws on histories of whiteness by scholars like Matthew Jacobson and David Roediger to argue that whiteness came to be tied to homeownership as well

⁶⁵ Sugrue, *The Origins of the Urban Crisis*, 5.

as suburban identity and politics during this era. In this way, Freund further builds upon the notion of homeowners' rights critical to Sugrue and numerous other urban and suburban historians by showing how a rhetoric emphasizing market imperatives rather than explicitly racist ideology was at the core of white suburban politics.⁶⁶ This language of homeowners' rights, and the related notion of colorblind conservatism developed by Matthew Lassiter and others, is critical to my dissertation as a whole and in particular the latter chapters where I look at the regulation of adult entertainment in the early 1970s.⁶⁷

Though I focus on Sugrue and Freund's books respective here, there has also been a tremendous amount of other scholarship in the field of urban history on Detroit. The violence of the summer of 1967 in Detroit has been the focus of some scholarly attention, most notably in Sidney Fine's *Violence in the Model City*. Detroit has loomed large in work on the history of urban planning, as in Heather Ann Thompson's *Whose Detroit?* and June Manning Thomas's *Redevelopment and Race*. Given the critical role of Detroit to the history of the automobile industry, and in turn the important role played by the automobile industry in the history of organized labor in the United States, it is no surprise that Detroit has also frequently been the object of study in books on labor history, as in work by Kevin Boyle and Nelson Lichtenstein.⁶⁸

⁶⁶ Freund, *Colored Property*.

⁶⁷ Lassiter, "The Suburban Origins of 'Color-Blind' Conservatism: Middle-Class Consciousness in the Charlotte Busing Crisis."

⁶⁸ Sidney Fine, *Violence in the Model City: The Cavanagh Administration, Race Relations, and the Detroit Riot of 1967* (East Lansing: Michigan State University Press, 2007); Heather Ann Thompson, *Whose Detroit?: Politics, Labor, and Race in a Modern American City* (Ithaca, N.Y.; London: Cornell University Press, 2004); June Manning Thomas, *Redevelopment and Race: Planning a Finer City in Postwar Detroit* (Detroit: Wayne State University Press, 2013); Kevin Boyle, *The UAW and the Heyday of American Liberalism, 1945-1968* (Ithaca: Cornell University Press, 1998); Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (New York, NY: Basic Books, 1995).

See also Frank B. Woodford and Arthur M. Woodford, *All Our Yesterdays: A Brief History of Detroit* (Detroit: Wayne State University Press, 1969); Robert Conot, *American Odyssey: A History of a Great City* (Detroit: Wayne State University Press, 1986); Jerry Herron, *AfterCulture: Detroit and the Humiliation of History* (Detroit: Wayne State University Press, 1995); Karen R. Miller, *Managing Inequality: Northern Racial Liberalism in Interwar Detroit* (New York: NYU Press, 2014); Joe T. Darden and Richard W. Thomas, *Detroit: Race Riots, Racial*

By contrast, the study of the history of popular culture and media in Detroit has received far less scholarly attention. The most notable work in this vein is Suzanne Smith's *Dancing in the Street: Motown and the Cultural Politics of Detroit*, which looks at what is arguably Detroit's second most famous source of export behind the automobile: the record company Motown. The company, which tended to want to keep its distance from the contemporaneous controversies of the Civil Rights Movement, nevertheless was highly political both through the expressed beliefs of some of its most famous artists and due to the reality of Motown being a black-owned company selling black music to largely white consumers. In contrast to most popular histories of Motown, Smith seeks to localize the history of the company, contextualizing its rise within the history of black cultural politics in Detroit. In doing so, she shows how key moments in the history of racial politics in Detroit—be it the Martin Luther King Jr.-led Walk to Freedom in 1963 or the violence of the summer of 1967—had a dynamic relationship with Motown in particular and popular culture more broadly. While I engage with *Dancing in the Street* by also looking at mass entertainment and media in Detroit, I depart by focusing on the reception and regulation of popular culture rather than its production, which is more the emphasis in Smith's book.⁶⁹

A key work on Detroit informing this project is Timothy Retzliff's dissertation, "City, Suburb, and the Changing Bounds of Lesbian and Gay Life and Politics in Metropolitan Detroit, 1945-1985." Beyond just being something akin to a *Gay New York* for Detroit, Retzliff's work

Conflicts, and Efforts to Bridge the Racial Divide, 1 edition (East Lansing: Michigan State University Press, 2013); Joe T. Darden et al., *Detroit: Race and Uneven Development* (Philadelphia: Temple University Press, 1987); Amy Maria Kenyon, *Dreaming Suburbia: Detroit and the Production of Postwar Space and Culture* (Detroit: Wayne State University Press, 2004); John Hartigan Jr., *Racial Situations: Class Predicaments of Whiteness in Detroit* (Princeton, N.J: Princeton University Press, 1999).

⁶⁹ Suzanne E. Smith, *Dancing in the Street: Motown and the Cultural Politics of Detroit* (Harvard University Press, 2009).

makes a compelling case for the need for scholars to deploy a “metropolitan lens of sexuality,” meaning a consideration of lesbian and gay life across both city and suburb.⁷⁰ Retzloff therefore works to counteract the dichotomization of cities as spaces for gay life whereas the suburbs are heterosexual spaces seemingly devoid of LGBTQ-identifying persons. Instead, Retzloff argues that gays and lesbians have long been an active and prominent part of suburban life going back to at least the mid-1940s in the Detroit metropolitan region.

Retzloff does more than just demonstrate the place of gays and lesbians in suburban history; rather, he also challenges what he deems the “virtual omission of sexuality from the new suburban history.”⁷¹ Here, Retzloff correctly points to a failing of work on suburban history, which for the most part has continued to relegate issues of sex and sexuality to city life. This is not just true of histories of LGBTQ life, but also histories of commercial sex and pornography. This is well-illustrated by the words of L. Brooks Patterson quoted above, in which he distinguishes Oakland County from Detroit based on the absence of topless bars in the former as compared to their abundance in the latter. And yet, as I argue throughout this dissertation, pornography and adult entertainment have very much been fixtures of suburban life for decades. Consequently, in my chapter on the regulation of topless bars, I demonstrate that at certain points, exotic dancing was flourishing more in the suburbs than within the Detroit city limits. Likewise, Detroit’s oft-times stringent censorship of movies through the end of the 1960s meant that quite often, if moviegoers wanted to see the latest racy foreign art-house release or exploitation feature, they would be more likely to find these offerings in suburban movie houses rather than theaters in the city itself.

⁷⁰ Tim Retzloff, “City, Suburb, and the Changing Bounds of Lesbian and Gay Life and Politics in Metropolitan Detroit, 1945-1985” (Yale University, 2014), 6.

⁷¹ Retzloff, 6.

Following Retzliff, my project seeks to contribute to scholarship on the history of Detroit by adding sexuality to the field's primary concerns surrounding the urban crisis, suburbanization, and race. Beyond just supplementing this literature, I also argue that the field's traditional concerns had a dynamic and complex interplay with rhetoric used in fights over adult entertainment. The politics of race, and in particular white racial politics, was inextricably bound up in anti-porn politics during this era. My project, therefore, not only seeks to give an alternative history of Detroit to the ones usually offered, but also critically engages with the dominant concerns of scholarship on Detroit by showing the ripple effects of racial politics into the arenas of sexuality and the regulation of adult entertainment. In turn, I argue that issues of censorship and sexuality impacted the history of race in the city.

Methodology and Sources

One of the central challenges of looking at the history of pornography and adult entertainment is the dearth of sources to draw upon. This lack of readily available sources is the result of trying to write the history of an industry that, in Peter Alilunas' words, "existed on the cultural fringes, often deliberately hiding in the shadows to avoid prosecution and other regulatory pressures."⁷² This is in addition to the always-marginalized nature of adult media in the popular press, which has meant that it has received far less coverage in newspapers and journals than mainstream media industries. This stigmatization of pornography has also resulted in few archives or libraries collecting adult material, with those that do often only doing so behind-the-scenes and out of the view of their official catalogs. All this has led scholars looking at the history of pornography to develop their own methodologies, as with Alilunas, who uses

⁷² Peter Alilunas, *Smutty Little Movies: The Creation and Regulation of Adult Video* (Oakland: University of California Press, 2016), 28.

what he calls “trace historiography,” an approach that pieces together adult film history from whatever traces of that history still exist in the form of scattered and incomplete sources.⁷³ Eric Schaefer has similarly posited a “critical mess” historiography for examining adult cinema, arguing for the need for scholars to search amidst the trove of scattered sources for patterns and “fortuitous convergences.”⁷⁴

I draw upon these models in this project, with the set of sources accumulated through research providing ample grist for the discursive analysis I engage in throughout this dissertation. Still, the particular focus of my project brings its own set of possibilities and limitations. My emphasis on the regulation and censorship of adult media rather than its production means that there are in some ways more sources for me to utilize. Court cases breed records, both in the form of written judicial decisions and, as cases move up the legal ladder, in amicus briefs and other legal documentation. That my dissertation is bookended by two U.S. Supreme Court cases was particularly fortuitous for the wealth of written documentation that cases at the highest level tend to generate. While such sources are invaluable, they also present their own set of challenges, not the least of which is that I have no background in law, meaning that I had to enmesh myself in this material to understand the intricacies of this legal history, to say nothing of the necessity of learning the meaning of Latin words and phrases previously foreign to me to even understand this writing.

Beyond legal writing and documentation, my focus on regulation also means that there is a wealth of local news coverage for me to draw upon. Whereas local newspapers across the country were unlikely to cover the production side of the pornography industry, they tended to be

⁷³ Alilunas, 30.

⁷⁴ Eric Schaefer, “The Problems with Sexploitation Movies,” *Illuminace* 3 (2012): 151.

eager to report on when the local police raided and shut down an adult business. Meanwhile, when city governments debated new anti-porn legislation, local papers were there to cover the action. The *Detroit Free Press* and *Detroit News* thus figure heavily in this dissertation, providing invaluable sources cataloging the various regulatory efforts of the city.

And yet, I also explore in this dissertation the limitations of these same local newspapers, with the *Free Press* and *News* sometimes giving faulty information in their reporting or even refusing to cover certain topics. For instance, in my first chapter I discuss the lack of reporting in the local newspapers on Detroit's censorship of literature, with the city's news media mostly acceding to the request of the police department to not report on its banning of books. Similarly, in chapter two I discuss the censorship of movie advertisements in the local newspapers, particularly the *News*' decision to ban all ads for X-rated movies starting in early 1972. With these issues in mind, while I rely on the *Free Press* and *News*, I also frequently call into question their reliability, necessitating that I triangulate their reporting with each other as well as other sources.

This brings me to another limitation of the sources I rely on, which is that while I have a rich set of sources to pull from when it comes to the regulation of adult entertainment, I have far fewer sources when it comes to understanding the circulation, exhibition, and consumption of adult entertainment and pornography in Detroit. The basic question of what exactly was going on in Detroit's adult businesses remains something of a mystery to me. Certainly there is a considerable wealth of information pointing to what anti-porn advocates thought was going on, but far less on the actual reality. And, while a police raid on an adult business often generated some useful (if at times unreliable) news coverage, those adult-oriented establishments that did not find themselves in court operated almost entirely in the shadows with respect to historical

documentation. There is no one source that provides a comprehensive and unbiased overview as to who were the customers of adult businesses and what exactly went on inside them. Here I must lament the winds of fate that brought Samuel Delany to New York rather than Detroit, as there is simply no equivalent to *Times Square Red*, *Times Square Blue* for Detroit (nor for any other city for that matter).

To reconstruct this history, I draw on Alilunas' trace historiography and Schaefer's critical mess historiography in amassing a set of disparate sources that provide an image, albeit incomplete, of the circulation and consumption of adult entertainment and pornography in Detroit. Tim Retzloff's dissertation on LGBTQ history in the Detroit metropolitan area is particularly helpful in this regard, as he interviewed dozens of residents for the project, many of whom discussed the culture of cruising in adult movie theaters. As mentioned before, despite their unreliability, local newspapers also provide useful information, with reporters occasionally doing exposés on adult businesses, talking to both customers and business owners. Finally, published guides to the city can provide information on adult businesses, as do city directories. All these sources are useful material for the type of discursive analysis I engage in in the chapters ahead.

Still, the nature of what sources are available means that this dissertation is ultimately more about the regulation of adult entertainment than its consumption. Along these same lines, with notable exceptions (particularly in the chapter on the regulation of topless dancing), I focus here more on the views of anti-porn advocates than I do the views of those in the industry or its defenders. In part, this is due to being most interested in issues of censorship and regulation, which necessitates a focus on those doing (and calling for) the censoring and regulating. Just as significantly though, while the views of anti-porn forces in Detroit are well-catalogued across the

various sources I rely upon here, the views of their would-be opponents are often less so simply due to the fact that those nominally opposed to censorship were often unmoved to speak up. As Walter Kendrick writes, “[T]hose who feel that no harm is being done are unlikely to form pressure groups in order to advance that view. Contentment and indifference are silent, while fear and outrage bellow; and in the pornography debate, hysteria on the part of a few has traditionally been given free rein by the obliviousness of the many.”⁷⁵ If in this dissertation I focus primarily on those that bellow in fear and outrage against pornography, I nevertheless also seek to amplify those who reject contentment and indifference by speaking in return their opposition to censorship.

Yet the nature of debates over pornography has long been that liberals who otherwise are staunch defenders of free speech are reticent, at best, to be seen as advocating on behalf of adult entertainment. In part this is due to the fact that, as Whitney Strub argues, postwar liberal ideology proved largely unable to respond to the rise of pornography. This dissertation argues this same point, but goes further in showing not just how liberals failed to come to the defense of pornography, but also how in time they came to lead the charge against adult entertainment. This was made possible by the changes in grassroots anti-porn politics which allowed opponents of pornography to argue for greater censorship while simultaneously evading questions regarding the curtailment of free speech, questions that had long turned off would-be liberal supporters. In this way, I argue that the debate over adult entertainment and pornography complicated the usual battle lines drawn between liberalism and conservatism, with liberals eager to censor adult media so long as their regulatory efforts were not labeled censorship.

Chapter Organization

⁷⁵ Kendrick, *The Secret Museum*, 226.

The chapters that follow to some degree proceed chronologically, beginning in the immediate postwar era and ending in the mid-1970s. Still, the more concrete organizing principle is a move across different forms of censorship and regulation in Detroit. In moving across this terrain, I also draw connections between them, showing the continuities between the methods used to regulate different types of media. Though outside the first chapter this dissertation focuses primarily on the early 1970s, I nevertheless frequently return to the 1950s and 1960s as important context for the regulation of the later era. Across all these chapters, I treat debates over adult entertainment as at its core being about, in the words of Walter Kendrick, “the urge to regulate the behavior of those who seem to threaten the social order.”⁷⁶

In chapter one, I explore the history of literary censorship in Detroit. Beginning with the pre-history of how the city censored movies during the early twentieth century, I examine how the city’s police department began to move toward literary censorship beginning in the late 1930s before fully embracing its role as literary censors in the postwar era. I attempt to reconstruct the inner workings of the Censor Bureau, doing so in spite of the secrecy that surrounded its practices. This secrecy allowed the Censor Bureau to become perhaps the country’s most important center of literary censorship, with Detroit holding an influence over the circulation and censorship of literature across the country. I also demonstrate how literary censorship in Detroit relied on the cooperation of a number of key constituencies, including local Catholic groups, the print industry, and the city’s newspapers. Though I discuss the books that were banned by the city, this censorship was not rooted solely in the content of this literature, and so I delve into popular conceptions of the demographic and psychological makeup of the people who were perceived to be the intended readers of these books. Finally, I end by

⁷⁶ Kendrick, *The Secret Museum*, 235.

examining the Supreme Court decision that largely ended this type of literary censorship by the Censor Bureau while simultaneously setting an important legal precedent on the scope of obscenity law and the way in which media could be regulated.

Chapter two looks at a very different type of censorship, focusing on the history of the censoring of advertisements for adult movies in the pages of the *Detroit Free Press* and *Detroit News*. I begin in the 1960s, when both papers frequently drew the ire of local film exhibitors due to their censorship of movie advertisements, which typically meant them removing an offending word or image. This became a bigger and more intractable point of contention in the early 1970s, when adult movies grew enormously in popularity and hard-core pornography began to appear on movie screens throughout the city. Public pressure over this issue eventually led the *Detroit News* to ban all ads for X-rated movies. This set off a massive controversy, leading not only readers to weigh in, but also local film exhibitors, prominent filmmakers, and even the head of the Motion Picture Association of America. This chapter thus examines how the censorship of movie advertisements in Detroit's newspapers catalyzed a debate in the city over pornography, free speech, and Hollywood's ratings system.

In chapter three, I examine the city's regulation of topless bars. Controversy surrounding exotic dance in Detroit, and the perceived need for the city to regulate it, had been present throughout much of the 1950s and 1960s, but the debate kicked into high gear after topless dancing was inaugurated in Detroit in 1969. In the years that followed, the legal decisions of judges, alongside the legislative priorities of city officials, worked to create new restrictions on exotic dance in Detroit. As this was going on, topless bar owners and dancers fought back, using economic-based arguments to make the case for not enacting new legislation against the industry. Meanwhile, the regulations placed on exotic dance in Detroit led more suggestive

dancing to, at times, flee to suburban locales with laxer restrictions, challenging notions of the city as a bastion of adult entertainment while the suburbs were, by comparison, supposedly staid and buttoned-up.

Chapter four explores early 1970s anti-porn politics through a case study of the protests of one neighborhood in northwest Detroit against an adult bookstore that had opened in its midst. In the months after the Adult World Bookstore set up shop in the neighborhood of Redford, residents mounted a campaign aimed at stamping out the adult business, inundating the offices of the mayor and city councilmen with hundreds of letters calling for the city to take action against the spread of pornography. Rather than using traditional religious-inflected and morality-based anti-porn rhetoric, residents wrote letters steeped in seemingly more mundane concerns surrounding declining property values, neighborhood deterioration, and white flight. In so doing, anti-porn advocates managed to adopt and adapt the color-blind rhetoric that had become central to white racial politics of the era. This chapter, therefore, argues for the need to situate anti-porn politics of the early 1970s within the context of urban history and contemporaneous battles over racial integration.

The final chapter examines the zoning law Detroit passed in 1972 to regulate adult businesses. I begin by looking at the leadup to the adoption of the law, demonstrating how liberals failed to mount a defense of the free speech rights of pornography, and at times were the ones leading the campaign against porn in the city. Zeroing in on the inner workings of the City Council, I explore how its members tried to use obscenity law to ban pornography only to be stymied by adverse court decisions. This led to the proposing of an approach based in zoning law, one that could harness the type of anti-porn discourse explored in chapter four and turn its rhetoric into legislation. I then look at the legal challenge to the zoning law as the case made its

way up to the U.S. Supreme Court, which affirmed the legality of the ordinance in 1976. I conclude by exploring the influence of Detroit's zoning approach on the countless cities across the country that replicated it, making the law passed the single more important and potent form of anti-porn regulation during the 1970s and 1980s.

Finally, the epilogue picks up on the various threads of the final chapter by examining the 1973 mayoral race in Detroit. The election of Coleman Young that year not only marked a historic moment for Detroit as the city elected its first black mayor, but his victory also spoke to the limits of the politics of pornography. All the various city officials who, in chapter five, saw anti-porn politics as a stepping stone to higher office were stymied in the face of Young's form of brash black political leadership. Still, as indicated by Young's inaugural address, the politics of indecent media would continue to be central to this new era, even as the ways in which this indecency was defined took on more explicitly racial terms.

Ultimately, I argue throughout this dissertation for the need to better understand anti-porn politics within the context of urban history. I do so by charting the evolution in both the rhetoric deployed against pornography—from a religious- and morality-based discourse to one centered around economics and the rights of homeowners—as well as the legal mechanisms used to regulate adult media—from an approach based in obscenity law to one dependent on zoning—further arguing that these changes were inextricably linked with changes in racial politics during this era. Finally, this project argues for the central importance of Detroit to the broader history of anti-porn politics, demonstrating how the city had an influence stretching far beyond its borders, shaping the methods used to regulate pornography and adult entertainment across the country.

CHAPTER ONE

Burn the House to Roast the Pig: Literary Censorship and Juvenile Delinquency



Figure 1. *Detroit Free Press*, April 26, 1964, p. 2-B.

During the early 1950s, the men of the Detroit Police Department's Censor Bureau read through every comic book and paperback novel entering the city, eyeing them for four-letter words and sexual content, banning those that fell afoul of their censorial standards. Their list of banned titles circulated widely, both in Michigan and across the United States. Their power and influence as a literary censor was such that publishers and distributors willingly cooperated by sending their entire line of new publications to Detroit's Censorship Bureau, knowing full well

the harsh economic consequences of appearing on the banned list. Perhaps the most remarkable detail about Detroit's literary censorship operation was that hardly anyone in Detroit knew that this was going at the time, and even fewer know about it today.

This chapter seeks to recover a history that has long since been forgotten, a history in which Detroit, for a time, established itself as something akin to the de facto literary censor for the entire country. No scholars have written in detail on the topic: in fact, it has garnered little more than passing mention in over half a century. In large part this is due to the secrecy that Detroit's Censorship Bureau cultivated during its heyday, a secrecy which left only a handful of sources detailing the bureau's operations. This chapter relies on these select few sources from the era, in particular a three part exposé on Detroit censorship published in the *Minneapolis Star*, transcripts from the testimony of the head of the Censorship Bureau before a congressional hearing, and lastly sporadic articles appearing in the *Detroit Free Press* and *Detroit News*. Each of these has their own blind spots, but together they paint a complex and detailed portrait of Detroit's censorship practices.

As I do throughout this dissertation, I argue for the outsized role played by the city in the broader history of media censorship in the United States. Detroit's Censorship Bureau was highly influential during the early 1950s, both in terms of its widely disseminated list of banned books, and as a model of effective police censorship for other cities across the country. Still, even as I make the case for the exceptionalism of Detroit media censorship of the era, I also demonstrate how broader national trends shaped the city's censorship practices. The growing popularity of comic books and paperback books during the postwar era spurred concerns over the impact they were having on both children and "weak-minded" adults, concerns that shaped the rhetoric and strategies used by Detroit's Censor Bureau. Critically too, the city's censorship

regime was shaped by outside pressure groups, particularly Catholic organizations in the city, which not only encouraged the city to take action, but also worked hand in hand with Detroit's censors.

I begin this chapter by examining the history of police media censorship in Detroit, starting with the silent era of cinema, and moving up through rise of literary censorship in the latter half of the 1930s and the comic book scare of the late 1940s. I then examine the working practices of the Censorship Bureau during the early 1950s, detailing how various forms of "cooperation" greased the wheels of Detroit's censorship machine, allowed Detroit to become the center of literary censorship, and lastly made possible the secrecy that surrounded the bureau's operation. From here, I look at what books were banned by the city alongside what was thought to be the effect of this indecent literature on its intended readers. I conclude by looking at the 1957 U.S. Supreme Court decision that effectively ended the practices of the Detroit Police Department's Censorship Bureau and constrained obscenity law, the preferred legal justification for media censorship.

Silent Censorship

To understand how censorship functioned in Detroit during the 1950s, along with what made censorship of that period distinct, a brief overview of the history of censorship in Detroit is needed. Detroit's first nickelodeon theater, the Casino, opened in 1906, and not long after that calls to regulate the new movie medium began to circulate in the city. At first, the regulation of movies focused on the regulation of movie theaters. The flouting of fire safety codes in many theaters, combined with high-profile tragedies at other theaters around the country, led the city's regulatory forces to focus their attention on the need for basic renovations to theater architecture. However, during what film historians have christened the "transitional era" of cinema, lasting

from roughly 1908 to 1917, regulatory forces increasingly shifted their focus away from movie theaters and instead onto movies themselves. As Lee Grieveson writes, the period saw a “shift from a regulatory focus on buildings and space, to a focus both on the social function of cinema characteristic of the transitional era, and on representations and effects that have subsequently dominated policy discussions of cinema.”¹

In light of this, Detroit began to create a system for film censorship, one that would continue in the city for over half a century to come. Starting in 1912, any film hoping to play in Detroit would first need to be submitted to the Detroit Police Department’s Censor Bureau. There, the film would be examined for indecent content, with the police in particular focused on scenes glorifying crime or depicting violence. Permits would then be issued certifying a film’s permissibility, with these permits required to be displayed at all movie theaters in the city. To check on compliance, members of the Censor Bureau would regularly pay visits to theaters, which also lent occasion to pass judgment on the tastefulness of their advertising displays.²

What is perhaps most striking about the history of Detroit’s censorship of movies during the 1910s through the 1930s was the degree to which Detroit’s censors were friendly with local film exhibitors and distributors. This is illustrated through the case of one Lieutenant Royal A. Baker, who acted as the Detroit Police Department’s chief film censor for much of this period after originating the position in 1911. Baker’s path to becoming Detroit’s police censor was circuitous, to say the least. At age fourteen Baker dropped out of school to enter the entertainment industry, ignoring the exhortations of his father to follow in his footsteps by

¹ Lee Grieveson, *Policing Cinema: Movies and Censorship in Early-Twentieth-Century America* (Berkeley: University of California Press, 2004), 23.

² “Detroit Police Make Rules,” *Moving Picture World*, August 5, 1911, 279; “Need Permit to Show Each Film,” *Detroit Free Press*, May 28, 1912, 9.

becoming a police officer. At various points over the next decade Baker worked as an actor, managed a vaudeville house, and wrote scenarios for plays and films, all before taking on the role of film censor for Detroit.³

Baker would go on to act as a movie censor for the city for over two decades, which is not to say he gave up his ambitions of making it within the industry. Just two years after essentially creating the position of film censor in Detroit, Baker left the job to become business director of the Columbia Educational Motion Picture Company. As *Moving Picture World* wrote of the move, “Readers of *The Moving Picture World* will recall Mr. Baker as the genius who formulated the rules of censorship for pictures to govern the work of the Detroit police censorship. Now he is going into the business of making pictures, which would indicate that he is not afraid to take a dose of his own medicine.”⁴ By August of 1914, Baker was back with the police while still insisting to *Moving Picture World* that “he was devoting considerable of his spare time to writing scenarios, and that he was working out a number of new and original ideas.”⁵ Baker would continue to work on the side as an aspiring writer for decades to come. In 1931, *Variety* reported that Baker was writing “a musical comedy which he hopes to have finished in time for production this year... Writing the score, lyrics and book himself, Baker describes it as a return to the ‘sweet music type’ of show.”⁶ By 1934, Baker could also boast of being a radio author for local station WXYZ.⁷ After announcing his retirement from the police

³ “Detroit Policeman Is Playwright,” *Detroit Free Press*, February 4, 1912, sec. C, 3.

⁴ “Facts and Comments,” *Moving Picture World*, June 21, 1913, 1227.

⁵ “Detroit,” *Moving Picture World*, August 22, 1914, 1116.

⁶ “It Gets ‘Em All,” *Variety*, August 25, 1931, 1.

⁷ “Detroit Notes,” *Film Daily*, December 7, 1934, 7.

force in 1935, *Billboard* said of Baker's plans, "He will devote his time to painting and writing music and screen plays; a scenario for a musical comedy is now accepted for production."⁸

Perhaps not surprisingly, Baker's dalliances with the entertainment industry led to a cozy relationship with it in his role as censor. Baker routinely went out of his way to complement the work of producers whose films he favored. Upon viewing Maurice Tourneur's *The Last of the Mohicans* in 1920, Baker felt compelled to write a letter to the Detroit office of its production company, hailing it as "the first motion picture classic" and "a cinematographic achievement—not a small achievement, but a far reaching one."⁹ A 1922 letter from Baker to the Cosmopolitan Productions Company reads more like the work of a film critic or enthusiastic fan than that of a man charged with the censorship of cinema, as he wrote, "The delicate symbolism of *Enchantment* (1921) was most pleasing. The theme of the play with its careful delineations of character shows what can be done when really literary tactics are applied with sense and a consideration to the plays for the silver screen."¹⁰ In return, the industry also embraced Baker. Few challenges to Baker's censorship decisions ever emerged, with Baker saying, "It is a pleasure to make cuts without getting any squawks from the exhibitors."¹¹ Meanwhile, as the *Exhibitors Herald* reported, "Detroit exchanges and exhibitors are not afraid of unfair censorship while Royal A. Baker is on the job."¹²

Baker's relatively lenient approach to censorship occasionally drew the ire of local groups calling for stricter censorship. This was particularly so during the pre-Code era of the

⁸ "Detroit Police Censor to Retire Next Month," *Billboard*, January 26, 1935, 19.

⁹ "'Last of the Mohicans' Labeled Picture Classic by Police Censor," *Exhibitors Herald*, January 1, 1921, 63.

¹⁰ "Detroit Censor Compliments Cosmopolitan on Productions," *Exhibitors Trade Review*, January 14, 1922, 461.

¹¹ "Geo. Trendle Agrees With Police Censor," *Variety*, November 7, 1933, 31.

¹² Harry E. Nichols, "With the Detroit Filmmen," *Exhibitors Herald*, June 12, 1920, 75.

early 1930s, a period during which Hollywood made increasingly sexually explicit and violent movies until being curtailed by the adoption of the Production Code in 1934.¹³ In early 1934, Judge John J. Maher, in a written opinion sentencing the manager of the Adams Theater to ninety days jail time for displaying obscene stills in his theater's lobby, expressly called for the city to supplant Baker by creating a new board of censorship.¹⁴ With the continued support of the mayor though, these protestations of Baker's friendly and lenient approach to his job never amounted to any major changes to movie censorship while Baker reigned.¹⁵

In interviews, Baker tended to talk less like a bluenose censor than an advocate for the film industry. As Baker told the *Free Press* in 1921, "They're all wet ['wet' being slang for deluded] when they say the motion pictures influence persons to commit crimes. It is just as sensible to think that seeing a man jump from a 10-story window would make me want to jump from that height."¹⁶ This of course directly contradicted the notion at the center of almost all movie censorship, which is that movies have direct effects on people, with immoral movies leading to immoral behavior in viewers. Given this view, unsurprisingly Baker was somewhat hesitant about the necessity of the job with which he was tasked. In an interview given to *Billboard* upon his retirement in 1935, Baker said of the era's growing calls for increased censorship of movies:

Such finely detailed art cannot be chopped to pieces to satisfy reformers who know nothing of the technical work involved. If the form of prohibition shown by contemporary demands for stricter regulation is to grow continuously, where is the stopping place? It will happen to our free press. It will destroy the free speech

¹³ For more on the pre-Code era of Hollywood, see Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema; 1930-1934* (New York: Columbia University Press, 1999).

¹⁴ "Detroit Man Fined on 'Elysia' Stills," *Motion Picture Daily*, January 18, 1934, 10.

¹⁵ "Setback for Detroit Censors," *Film Daily*, February 2, 1934, 1.

¹⁶ "Miles of Film Cut by Censor," *Detroit Free Press*, March 27, 1921, sec. five, 1.

of this country. The creative writer and artist must have freedom of self-expression. We must not set up such barriers.

In the same article, Baker responded specifically to mounting pressure for national censorship of motion pictures by saying, “But if national censorship is threatened, let the theaters strike. I would dare all houses to close for 30 days. The public protest would be so overwhelming that the move for censorship of this kind would be at an end forever.”¹⁷

Despite the seeming paradox of a censor decrying censorship, in truth Baker’s words fit perfectly with his approach to censorship for over two decades. From his start as censor in 1911 to his retirement in 1935—the news of which was greeted with the *Variety* headline “Lieut. Baker, a Liberal, Resigns as Det. Censor”¹⁸—Baker continually took a lenient attitude toward the industry, defending it even when, as during the early 1930s, more explicit films led to calls for greater censorship of cinema throughout Detroit and across the country. More broadly, Baker’s views in many ways were indicative of the Detroit Police Department’s approach toward media censorship during this era. Though the 1910s, 1920s, and 1930s certainly saw plenty of films cut, books banned, and plays postponed for obligatory revisions, this era in Detroit nevertheless was marked by a relatively lax approach to censorship of media by the city. This permissive approach to media would drastically change by the end of the 1940s due to a host of shifts in the media landscape and an altered political climate.

The Rise of Print Censorship

Over the course of the 1930s, Detroit police censorship increasingly shifted its attention away from movies and toward indecent literature. A turning point for police censorship came

¹⁷ H. F. Reves, “Highlights in Film Censorship: The Career of Royal A. Baker, Former Detroit Censor,” *Billboard*, April 13, 1935, 36.

¹⁸ “Lieut. Baker, a Liberal, Resigns as Det. Censor,” *Variety*, February 5, 1935, 21.

when Hollywood adopted the Production Code in 1934. The Code regulated what Hollywood could and could not show, and through the industry's embrace of self-censorship, the urgency of local film censorship began to subside. Though Detroit's censorship of movies would continue for decades to come, the primary targets became foreign films and exploitation cinema, with Hollywood pictures largely left untouched. In its stead, the Detroit Police Department began to focus more of its attention on obscene literature, highlighted by the creation of the Literary Censorship Bureau in 1937.

Though numerous groups during the late 1930s urged the police department to go after obscene literature, it was Catholic organizations that undoubtedly led the charge. In large part, this can also be attributed to the adoption of the Production Code, which bore heavy Catholic influence. The Code had been co-written by Father Daniel A. Lord and *Motion Picture Herald* editor and Catholic layman Martin Quigley, with the two imbuing the document with Catholic views on decency and morality. The Legion of Decency, a Catholic organization invested in regulating movie morality, helped spearhead the threat of a mass boycott campaign on the part of Catholics, a threat which helped force Hollywood to adopt the Code. Finally, once the Code era was ushered in, it was another Catholic, Joseph I. Breen, who was put in charge of the enforcement of the Code as head of the Production Code Administration.¹⁹ Though the Legion of Decency would continue to keep Hollywood in check for decades to come, there was some sense that the battle against movie immorality had been won, and that a new battlefield was needed in the broader war over morality in American society. Catholic censorial activity thus began to turn

¹⁹ See Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2007).

toward other media formats. In indecent literature, Catholic leaders and organizations found their new target (see figure 2).



Figure 2. *Drive for Decency in Print*, p. 11 (1938).

Central to the Catholic war on obscene literature was the formation of the National Organization for Decent Literature (NODL) in 1938, an organization that was something of the literary counterpart to the Legion of Decency. Among local chapters of the NODL across the country, Detroit was renowned for having, in the words of historian Thomas O'Connor, “a very active parish-level campaign” against obscene literature, with “enthusiastic lay and clerical

leadership.”²⁰ Detroit’s NODL chapter officially launched their campaign on March 26, 1939, with parishioners across Detroit treated to a sermon condemning obscene literature and encouraging them to take the NODL pledge of clean which read: “I promise to refrain from purchasing and reading all reading matter which violates the Code of the National Organization for Decent Literature, and I promise not to enter places where such literature continues to be sold.”²¹

The campaign though was not limited to boycotts of obscene literature and the establishments selling them. Catholic leaders in Detroit worked both with and against various parts of the city government. One city institution the NODL found fault with was the Detroit Public Library, which came under fire after one Alban J. Norris wrote to the *Michigan Catholic*, the Detroit Archdiocese’s newspaper, telling of the “trash” his daughter had brought home from the library, including *The Friendly Tree* by C. Day Lewis and *I Am the Fox* by Winifred Van Etten.²² Though nationally the NODL made a point to not target public libraries, Catholic leaders in Detroit apparently had no such qualms.²³ What ensued was a series of letters between Anthony Beck, editor of the *Michigan Catholic*, and Adam Strohm of the Detroit Public Library. For Beck, a major issue was the public availability of these books. As he said, “The books in question are not works in the research section but books in general circulation and available to

²⁰ Thomas F. O’Connor, “The National Organization for Decent Literature: A Phase in American Catholic Censorship,” *Library Quarterly* 65, no. 4 (1995): 395.

²¹ Archbishop Edward Mooney, March 21, 1939, Edward Mooney Papers, Box 53, Folder 20, Archdiocese of Detroit Archives; *The Drive for Decency in Print: Report of the Bishops’ Committee Sponsoring the National Organization for Decent Literature* (Huntington, IN: Our Sunday Visitor Press, 1939), 211.

²² Alban J. Norris to Anthony J. Beck, November 22, 1937, Edward Mooney Papers, Box 53, Folder 20, Archdiocese of Detroit Archives.

²³ O’Connor, “The National Organization for Decent Literature,” 392.

young folks.”²⁴ Strohm responded by noting that one of the missions of a public library is that of “developing broad-minded intelligence and willingness to consider all sides of a problem and its presentation.”²⁵ Ultimately Strohm held out in refusing to remove the books, though there would be more battles to come between the Detroit Public Library and local Catholic leaders.

More successful for Catholic groups were the times that they joined forces with other Detroit institutions and organizations. Among these were other religious groups, with the League of Jewish Women’s Organizations joining Catholics in their plea for the City Council to act against obscene literature, while the Detroit Council of Churches, composed of approximately 400 Protestant congregations, officially voted to support the NODL in their campaign.²⁶ Such efforts to reach across religious lines were part of a broader NODL strategy to court allies. As O’Connor writes, “Catholics were always in the majority in NODL, but Protestants and Jews were also encouraged to participate. It was for this reason that the organization was deliberately not called the Catholic Organization for Decent Literature.”²⁷ This strategy allowed Catholic leaders to not only gain key allies in the war against obscene literature, but also to position the cause as uniting a variety of religious institutions, rather than this being just another instance of Catholics trying to force their moral standards upon the rest of the country.

Still, the most important ally for Catholic organizations in the city was undoubtedly the Literary Censorship Bureau of the Detroit Police Department. In early 1938, a group representing hundreds of religious and civic organizations gathered to discuss the war on

²⁴ Anthony J. Beck to Adam Strohm, December 30, 1937, Edward Mooney Papers, Box 53, Folder 20, Archdiocese of Detroit Archives.

²⁵ Adam Strohm to Anthony J. Beck, January 3, 1938, Edward Mooney Papers, Box 53, Folder 20, Archdiocese of Detroit Archives.

²⁶ “License Is Asked for Book Sellers,” *Detroit Free Press*, June 6, 1936; *The Drive for Decency in Print*, 104.

²⁷ O’Connor, “The National Organization for Decent Literature,” 393–94.

obscene literature and to urge the city to take firm action. At the meeting, Raymond Cameron, president of the Detroit Council of Catholic Organizations and lay director of the Detroit chapter of the NODL, presented a list of 34 “objectionable” periodicals, with a further 82 falling under the heading of “questionable.” After some individuals at the meeting questioned the rationale behind placing certain titles on the list, Cameron “revealed that he had prepared the list with the aid of Sergt. Newton Peters, police book censor.”²⁸ The local NODL and Detroit’s Censorship Bureau would continue to work in concert with one another for decades to come, though at least at this meeting, the various organizations represented failed to agree upon a firm plan of action.

More tangible results came later in 1938, when the Catholic censorship campaign began to bear fruit with Detroit’s banning of Ernest Hemingway’s *To Have and Have Not*. The incident started when Catholic organizations in the city launched a concerted attack on the book. The *Michigan Catholic* harshly criticized Hemingway’s novel, calling for it to be removed from high school classrooms and public libraries. Arthur D. Maguire, chairman of the board of directors of the Detroit Council of Catholic Organizations, wrote a letter to Adam Strohm of the Detroit Public Library, demanding that they remove the book from circulation, and declaring that “what we are asking for is plain American decency and we propose to get it.”²⁹ The Detroit Council of Catholic Organizations also sent a letter of complaint to Judge Thomas M. Cotter of the Recorder’s Court in Detroit, who in turn forwarded the complaint to Wayne County Prosecutor Duncan C. McCrea.³⁰ Following this, McCrea, “acting at the request of a member of the Detroit Council of Catholic Organizations,” banned the book on the grounds that it violated state law and a Detroit ordinance prohibiting the sale or distribution of any book containing “obscene,

²⁸ “Asks Control of Magazines,” *Detroit News*, February 10, 1938, 24.

²⁹ “Hemingway’s Novel Criticized by Paper,” *Detroit News*, April 29, 1938, 9.

³⁰ “McCrea Bans Library Book,” *Detroit News*, May 3, 1938, 1.

immoral, lewd or lascivious language, manifestly tending to the corruption of the morals of youth.”³¹

The banning of *To Have and Have Not* would soon be challenged in court, with the Wayne County Circuit Court ultimately ruling in favor of Detroit and Michigan, upholding the constitutionality of the law under which the book was banned, even as the court refused to rule on whether the book itself was or was not obscene.³² In the wake of the decision, William Dowling, Chief Assistant Prosecutor for Wayne County, wrote a letter to Reverend John A. Donovan, secretary to Detroit Archbishop Edward A. Mooney, lauding him for his role in the campaign against the book. As he wrote, “I feel that this victory is due in large measure to the efforts of men like yourself in bringing the subject to the attention of your parishioners and especially in enlisting their support in the drive for clean literature. For this kind assistance please accept my sincere thanks.”³³

The Detroit Archdiocese’s interest in banning *To Have and Have Not* was ostensibly due to their view of the book as being indecent and obscene. Still, others saw a different motivation behind this censorial action. In a letter to the editor published in *Nation*, writers Van Wyck Brooks, Archibald MacLeish, and Thornton Wilder called the city’s action less an attack on the book itself than one aimed at Hemingway for his political leanings. As they wrote, “[T]he real reason for the suppression is Mr. Hemingway’s known sympathy for the Spanish government in the civil war in Spain and his activity in securing ambulances for the service of the Spanish army

³¹ Van Wyck Brooks, Archibald MacLeish, and Thornton Wilder, “Letters to the Editors: Question for Catholic Church Leaders,” *Nation*, July 23, 1938, 96; Judge Ira W. Jayne, Alice C. Hamer, et al, vs. Duncan McCrea, et al, No. 278–506 (Wayne County Circuit Court December 1939).

³² Jayne, Alice C. Hamer, et al, vs. Duncan McCrea, et al.

³³ Mooney, March 21, 1939.

and the bombed population.”³⁴ This would seem to be lent credibility based on the fact that one of the city’s most prominent Catholic leaders, the infamous and fascist-leaning Father Charles Coughlin, vociferously defended Spain’s dictator to-be Francisco Franco, calling him a “rebel for Christ, a rebel for humanity’s sake.”³⁵ Regardless of the true reason for the Detroit Archdiocese’s interest though, what is clear is the degree to which Catholic organizations in the city held sway over the censorial activity of those in power, with their campaign against obscene literature achieving concrete results.

Local Catholic activism against obscene literature gained an important ally in 1937 when Hebert W. Case joined the newly-formed Literary Censorship Bureau. In time, Case would become the driving force behind the expansion of Detroit police censorship and perhaps the country’s most important literary censor. During the late 1930s and throughout much of the 1940s though, Case and the Literary Censorship Bureau’s activities remained rather limited, and for the most part only minor censorial action occurred during this time. The most notable exception to this was the banning of Lillian Smith’s race-themed novel *Strange Fruit* in 1944. This brief episode saw Case employ a number of the tactics he would refine over the course of his career, even as he was faced with constraints that distinguished the incident from his later censorial exploits.

Rather than outright banning *Strange Fruit*, Case asked stores and libraries to voluntarily remove the book. As he said of his reasoning, “I didn’t want to ban the book because that only creates that much more public interest. I went to bookstores and the library seeking their co-operation after receiving complaints from a number of people, including some parents, and got

³⁴ Brooks, MacLeish, and Wilder, “Letters to the Editors: Question for Catholic Church Leaders.”

³⁵ Dominic Tierney, *FDR and the Spanish Civil War: Neutrality and Commitment in the Struggle That Divided America* (Durham: Duke University Press Books, 2007), 92.

agreements in most places not to sell the book.”³⁶ Such a reliance on the cooperation of distributors and books dealers would be a hallmark of Case’s brand of censorship, as he sought to avoid formal legal action and the attendant free publicity for the banned work. With *Strange Fruit*, however, after the Detroit Public Library and the labor-run Union Book Store both refused to cooperate, Case was forced to turn to state law to argue that the book was legally obscene.³⁷

Still, even as the banning of *Strange Fruit* in certain ways resembled the mechanisms of censorship Case would employ during the 1950s, in other ways it fell short of later, more successful efforts. A key difference was that whereas Case here acted in response to complaints his office had received, as we shall see, later no such impetus would be required for censorial action. Perhaps more centrally though, while Case may have sought to sidestep a public debate over the merits of *Strange Fruit*, his efforts in this regard were an abject failure. The very fact that the episode was receiving coverage in the *Detroit Free Press* and *Detroit News*, to say nothing of national news outlets like *Variety*, speaks to the way that Case’s efforts to avoid publicity in this case were largely unsuccessful. Predictably, mounting public pressure ultimately forced Case to lift the ban on the book, after which it immediately “leaped to first place on the local best seller list.”³⁸

Beyond signaling a number of the major strategies Case would go on to deploy in censoring literature, Detroit’s banning of *Strange Fruit* speaks to a separate point about the myth of the racist exceptionalism of the South. Whereas studies of the civil rights movement for some time pitted an imagined racist South versus a racially liberal and tolerant North, in recent years

³⁶ “City’s Censor Wants Ban on ‘Strange Fruit,’” *Detroit Free Press*, May 18, 1954, 7.

³⁷ “‘Fruit’ Sour in Michigan, Too,” *Variety*, May 24, 1944, 39.

³⁸ “Book Ban Lifted,” *Detroit Free Press*, May 26, 1944, 18; “‘Strange Fruit’ First Again,” *Detroit Free Press*, May 28, 1944, 6.

scholars have begun to push back on this notion. As Thomas Sugrue writes, this myth of southern exceptionalism “ignores the long and intense history of racial violence and conflict in northern towns and cities.”³⁹ The case of the banning of *Strange Fruit* is illustrative in this regard. In the North, the book was banned not only in Detroit but also in Boston, prompting author Lillian Smith to remark, “I had been uneasy about how the South might take my book... But I had not even thought that *Strange Fruit* would find official disfavor in Boston.”⁴⁰ That Smith had not contemplated the possibility of her book getting banned in a Northern city speaks to the power of the myth of Southern racist exceptionalism, just as the book’s banning in Boston and Detroit speaks to the power of white racism in the North.

Comics and Criminality

The year 1948 marked a turning point in Detroit censorship with the retirement of Charlie Snyder, who had started as film censor in 1935 before ascending to head of the Censor Bureau in 1943.⁴¹ Snyder left the police force to become the “goodwill ambassador” for Allied Theatres of Michigan, a trade group representing the state’s film exhibitors, thereby continuing in the tradition of Royal A. Baker in moving through the revolving door between Detroit’s police censors and the industries they were charged to regulate. Coupled with the announcement of Snyder’s move was speculation in the industry regarding his replacement as head of censorship in Detroit, with *Variety* writing that the “best guess is that it will be Lt. Herbert Chase [sic], Snyder’s assistant.”⁴² In 1948 Case took over as head censor, tasked to lead the newly formed

³⁹ Thomas J. Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York: Random House Trade Paperbacks, 2009), xiv.

⁴⁰ Cyrus Durgin, “‘Strange Fruit’ Ban Here Surprised Lillian Smith,” *Boston Globe*, November 7, 1945, 9.

⁴¹ “All Censorial Bodies in Detroit Merged: Pix, Stage, Cafes, Etc.,” *Variety*, January 20, 1943, 7.

⁴² “Ex-Censor Joins Allied,” *Variety*, January 21, 1948, 16.

License and Censor Bureau.⁴³ And, as luck would have it, just as Case was promoted, there emerged a perfect target for the new regime: comic books.

During the era immediately preceding the Second World War, comic books achieved their “gold-rush period,” as the number of published titles ballooned from 150 in 1937 to nearly 700 by 1940.⁴⁴ Attendant with this burgeoning popularity was growing concern over the impact that comics were having on the youth of America, leading to some of the first calls for comic book censorship. Still, the coming of the war largely set these concerns aside. As David Hajdu writes, “By the end of 1941, American families were absorbed with dangers clearer and more present than comic books. Much as the First World War had snuffed early criticism of newspaper strips, the Second damped the debate over comic books before it caught fire. In fact, the idea of superheroes began to seem acutely patriotic—a simple, democratic, home-grown symbol of American might and surety of purpose.”⁴⁵

The good times would not last though, as the end of the war brought with it renewed calls for comic book censorship. This was largely tied to growing fears of an alleged epidemic of juvenile delinquency.⁴⁶ The most famous purveyor of the idea that comic books were linked to, and indeed the cause of, juvenile delinquency was Dr. Fredric Wertham. Something of a spiritual heir to the United States’ most notorious censor, Anthony Comstock, Wertham drew on his background in psychiatry, as well as pseudo-scientific data, to argue vociferously that comic books were the cause of postwar juvenile delinquency. Between his writing appearing in popular

⁴³ “Toy Combines 2 Agencies into Unit,” *Detroit Free Press*, September 23, 1948, 15.

⁴⁴ David Hajdu, *The Ten-Cent Plague: The Great Comic-Book Scare and How It Changed America* (New York: Picador, 2009), 34.

⁴⁵ Hajdu, 47.

⁴⁶ For more on the juvenile delinquency scares of the era, see James Gilbert, *A Cycle of Outrage: America’s Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986).

magazines of the day, his 1954 testimony before the United States Senate Subcommittee on Juvenile Delinquency, and his book *Seduction of the Innocent*, Wertham managed to galvanize public opinion against comic books. Wertham helped spark a movement to censor comic books, a movement that the city of Detroit and its License and Censor Bureau eagerly joined.⁴⁷

In April of 1948, Detroit Police Commissioner Harry S. Toy announced that the police would begin inspecting comic books for objectionable material. This crackdown on comics was the result of Toy's view of comic books as being "loaded with communistic teachings, sex and racial discrimination."⁴⁸ Just a few years earlier, critics of comic books had accused them of having fascist leanings, with *Time* magazine publishing an article asking, "Are Comics Fascist?"⁴⁹ The postwar era brought with it new enemies though, and so the "fascist tendencies" of war-era comic books morphed into communist ones once the country's war turned cold.

⁴⁷ For more on Wertham see Bart Beaty, *Fredric Wertham and the Critique of Mass Culture* (University Press of Mississippi, 2005).

⁴⁸ "Police Must Read Comics," *Charleroi Mail*, April 14, 1948, 1.

⁴⁹ "Are Comics Fascist?," *Time*, October 22, 1945, 67–68.



Figure 3. *Detroit Free Press*, April 14, 1948, p. 19.

Reflecting the variety of concerns that comic books represented, the city's war on comic books was waged jointly by the police department's anti-communist Red Squad, the License and Censor Bureau, and the Juvenile Crime Prevention Bureau (see figure 3). The last of these was headed by Lt. Ralph Baker, who stated that comic books "contribute directly to juvenile delinquency." As an example, Baker cited the case of "three brothers who broke into 20 homes in their neighborhood [and] admitted that they 'learned how' by reading comic books."⁵⁰ Such anecdotal tales of comic book-inspired juvenile criminality drove censorship efforts in Detroit, leading Commissioner Toy to announce in April of 1948 that thirty-six comic books had been banned for being "corrupting to youth," with another nineteen given the label "partially

⁵⁰ Jack Schermerhorn, "Juvenile Crime Fighters Join in Drive on Comics," *Detroit Free Press*, April 15, 1948, 1.

objectionable,” and a further ten categorized as “questionable.” Prosecutor James McNally listed four types of objectionable comics:

1. Those planning or perpetrating a crime.
2. Those involving youth in crime.
3. Entire comic[s] dealing with crime or criminal deeds.
4. Those portraying gruesome or brutal conduct on women, children or race.⁵¹

Fears that youth would simply copy the crimes they saw depicted in comic books drove much of the rhetoric used by Detroit police officials. Similarly, the list of banned comics—including titles like *Crime Exposed Comics*, *True Crime Comics*, and *Gangster Comics*—bear out the centrality of fears of juvenile delinquency to Detroit’s efforts to censor comic books.⁵²

This tumult also led other cities in Michigan to follow Detroit’s lead. Some, including Ann Arbor, mimicked Detroit’s approach in having their police departments inspect individual comic book titles.⁵³ Others directly copied Detroit’s list of banned comic books, as in the case of Hillsdale, Michigan.⁵⁴ The headlines generated by Detroit’s censorship of comics meant that the city’s censorship bureau received, in the words of Case, “in excess of 10,000 letters... We had them from the Hawaiian Islands, from the university over there, from practically every State in the United States.”⁵⁵ Clearly then there was interest in what Detroit was doing far outside the city itself, and even outside the state of Michigan.

Detroit’s censorship of comic books relied on the cooperation of a number of key local organizations. As Police Commissioner Toy said, “We need the full co-operation of the parents,

⁵¹ “36 Comic Books Banned by Detroit’s Censors,” *Benton Harbor News Palladium*, April 29, 1948, 17.

⁵² Jack Schermerhorn, “McNally Outlaws 64 Comic Books,” *Detroit Free Press*, April 29, 1948.

⁵³ “Comic Books Banned,” *Holland Evening Sentinel*, May 17, 1948, 10.

⁵⁴ “Three Cities Curb Comics,” *New York Times*, May 25, 1948, 25.

⁵⁵ “Investigation of Literature Allegedly Containing Objectionable Material,” § Hearings before House Select Committee on Current Pornographic Materials on H. R. 596 and 597 (1952), 132.

churches, schools and civic groups if we are going to rid the city of this menace. The Police Department cannot do it alone.”⁵⁶ The local Catholic Archdiocese in turn offered their assistance, telling Toy that they were behind him “all of the way.”⁵⁷ Detroit’s parent-teacher association also provided vocal support, promising to “enlist 18,000 members to march behind Police Commissioner Harry S. Toy in his crusade against unfit comic books.” The statewide parent-teacher association similarly pledged to “mobilize 163,000 members to back Toy’s drive.”⁵⁸ This public backing of groups like these not only lent political support to police efforts to clear away indecent comics, but also provided the legwork the police could not manage on their own, with private citizens inspecting magazine racks all over the city to make sure dealers and store owners kept in line.

Critically, Prosecutor James N. McNally, in announcing the ban of thirty six comic books, also revealed that the Ludington News Co. and Detroit News Co., both major distributors of comic books in the region, would voluntarily remove those comics from sale immediately. This cooperation went beyond just removing offending titles from store shelves. As Case would later say, “Some of the [comic book] publishers sent in advance copies to us [for inspection].”⁵⁹ Publishers and distributors correctly reasoned that it was cheaper and easier to cooperate rather than instigate a lengthy and expensive battle in court. This move by comic book publishers and distributors was indicative of a larger industrywide effort to clean up comic books in the face of increasing scrutiny and censorial activity. Eventually, these efforts would coalesce into the comic book industry following Hollywood’s lead in adopting a self-regulatory code, one that could

⁵⁶ Jack Schermerhorn, “Toy Wars on Comic Book Smut,” *Detroit Free Press*, April 13, 1948, 1.

⁵⁷ Jack Schermerhorn, “Distributors Join in Drive on Comics,” *Detroit Free Press*, April 16, 1948, 25.

⁵⁸ Jack Schermerhorn, “Parent-Teacher Groups Back Toy Comics Purge,” *Detroit Free Press*, April 18, 1948, 8.

⁵⁹ Investigation of Literature Allegedly Containing Objectionable Material, 115.

stave off local censorship efforts.⁶⁰ Critically for the License and Censor Bureau, this moment marked a shift away from a system of censorship based on complaints to one based on proactive and preventative censorship. Rather than waiting for the public to express outrage over specific titles, the police began to scan and pass judgment on works before the public had a chance to complain, a practice that would soon become a hallmark of police literary censorship in Detroit.

Pocket-Sized Pornography

In time, the tumult surrounding comic books in Detroit would calm down. Quickly there to take its place was a new controversy regarding indecent paperback books. The popularity of cheap paperbacks exploded during the postwar era, though their existence as a popular form of mass entertainment was hardly new. In *Mechanic Accents*, Michael Denning explores the links between dime novels and working class culture during the nineteenth century. The inexpensive price of dime novels made them particularly popular among ethnic groups and the working class, which in turn generated concern from middle-class reformers over the impact these books were having. As Denning writes, the battles over dime novels “marked a social conflict over the relations between the dominant genteel culture, the relatively autonomous and ‘foreign’ working class cultures, and the new commercial culture, the new ‘mass culture.’”⁶¹

Though the dime novels Denning focuses on had subsided in popularity by the beginning of the twentieth century, a half century later a new form of paperback novels had revived the format’s popularity and prominent place in working class culture. The term “mass market paperback” was introduced in 1939, though the format was already rapidly gaining in popularity

⁶⁰ See Amy Kiste Nyberg, *Seal of Approval: The History of the Comics Code* (Jackson, MS: University Press of Mississippi, 1998).

⁶¹ Michael Denning, *Mechanic Accents: Dime Novels and Working-Class Culture in America* (London: Verso, 1987), 47.

by then. Paperbacks of the era came in a variety of forms, ranging from inexpensive versions of literary classics to cheap genre stories doling out equal measures of sex and violence. The paperback rapidly grew in popularity during the postwar era as a new consumer culture took hold, washing away the lean years of the war. As historian Kenneth C. Davis writes, “Paperback books and the baby boomers were made for each other, a mass medium for a mass generation.”⁶² The inexpensive price of these paperbacks, in the words of Davis, “democratized reading in America,” helping to make books available to a generation of Americans unable to afford the high price of hardcovers.⁶³ And, just like their dime novel forbearers, reformers soon seized on fears regarding the impact that these paperback books were having on working class readers.

It was within this context that Detroit began to wade into the censorship of paperback books in 1950. As one news story stated, “In the fall of 1950, Case says, the police department received complaints ‘from individual citizens as well as from church and civic groups and the board of education.’ Since then the censor bureau has attempted to pass judgment on all the pocket-size books that enter Detroit.”⁶⁴ This entailed a movement away from complaint-based paperback censorship to a proactive examination of all paperbacks before complaints could be lodged, a shift presaged by the city’s censorship of comic books.

⁶² Kenneth C. Davis, *Two-Bit Culture: The Paperbacking of America* (Boston: Houghton Mifflin Company, 1984), 1.

⁶³ Davis, 4.

⁶⁴ Leo Sonderegger, “Censors Guard Young Morals in Detroit,” *Minneapolis Star*, February 9, 1953, 18.

Table 1. Detroit Police Department censorship

(Note: all figures come from the *Detroit Police Department Annual Report* except where noted. Blank fields signify incomplete data.)

Year	Books reviewed	Books withheld from circulation (number of copies)	Magazines (including comics) reviewed	Magazines withheld from circulation (number of copies)	Film eliminated	Cabaret corrections
1943	7	3 (250 copies)	387	9 (54,000 copies)	26,600 feet	
1944	15	1 (250)	352	5 (16,700)	19,840	152
1945	20	0	318	1 (2,500)	4,220	153
1946	19	0	343	2 (10,500)	12,500	121
1947	25	2 (15,000)	364	3 (24,000)	11,750	116
1948	17	1 (3,000)	778	53 (636,000)	59,300	66
1949	23	3 (26,000)	488	8 (90,000)	39,950	63
1950	167	30 (295,000)	334	8 (85,000)	26,340	91
1951	726	39 (400,000)	394	5 (54,600)	17,299	71
1952	1,131	58 (569,000)	501	19 (175,000)	37,600	72
1953	1,109	58 (501,000)	493	13 (123,000)	16,650	82
1954		60 ⁶⁵			27,200	88
1955	1,010	(455,000)			44,380	89
1956	1,084	72 (708,000)	836	104 (576,000)		88
1957	593	15 (150,000)	795	53 (233,000)		145

The increased censorship of paperback books corresponded to a broader trend after Case became head of the Detroit Police Department’s License and Censor Bureau. Namely, even as Detroit’s censorship of other entertainment formats stayed at a relatively stable rate during the late 1940s and 1950s, this period saw a marked explosion in literary censorship (see table 1). A spike in the number of magazines withheld from circulation in 1948 corresponds to the comic book scare of that year. Likewise, the number of books reviewed, as well as the number of them

⁶⁵ Dave Smith, “Detroit Renews Book Ban Despite Court’s Decision,” *The Michigan Journalist*, March 27, 1957, 4.

banned—or, in the euphemism employed by the police department in their annual reports, the number “withheld from circulation”—skyrocketed beginning in 1950 as complaints spurred the censorship bureau to take a closer look at paperback books. Between 1943 and 1949, the Censorship Bureau annually reviewed around 18 books, banning on average just one or two of them per year. 1950 acted as something of a transition year, with the department beginning to examine all paperbacks in the fall, and thus the number of books reviewed reaching 167, and the number of books banned totaling 30, more than the previous seven years combined. Between 1951 and 1956, the year preceding the United States Supreme Court ruling that severely curtailed Detroit’s censorial activity, the censorship bureau on average reviewed 1,012 books each year and banned around 57, increases of roughly 5,500 and 3,500 percent, respectively, from the period of 1943 through 1949. Within the span of less than a decade, Detroit went from having only limited censorship activities regarding literature to making the censorship of it a major priority. The reasons for this are many—including notably increased concern over juvenile delinquency and the rapid growth of the paperback book industry—but just as important as why this increased focus on literary censorship occurred is how exactly it occurred. To appropriate what film critic and theorist André Bazin once said of the Hollywood studio system, what truly set Detroit’s literary censorship operation apart was the “genius of the system.”

The Censorship Machine

As this focus on indecent literature expanded, the Detroit Police Department’s censorship bureau grew in tandem. More important than the growth in the number of officers assigned to the bureau was the development of a system of censorship, a machine shaped by the knowledge Inspector Herbert W. Case had amassed during his time as literary censor, with the principles of Fordism adapted for the field of media censorship. This machine was built with thoroughness in

mind, with the tall task of inspecting every comic and paperback book entering the city made possible through an assembly line approach to censorship. It was built to operate seemingly without human intervention, with dispassionate legal guidelines belying the notion that any judgments of morality or value were taking place at all. And lastly, and perhaps most importantly, this machine was built to operate silently, with its smooth workings giving off none of the noise that might draw the public's attention.

The assembly line began once paperbacks and comic books were first submitted to the censorship bureau for inspection. The twelve man crew would then flip through the books, searching for objectionable material, a process Case would refer to as "skimming off the filth, so to speak, at the top."⁶⁶ The Wayne County assistant prosecutor, John J. Rusinack, would then inspect objectionable passages that had been highlighted by officers of the censorship bureau, and give his official opinion as to whether the book was, under Michigan law, obscene. As a 1955 *Newsweek* article said of Rusinack's role, "In a sense, the prosecutor is the unsung hero of the Case censorship operation, because he never gets to read anything in business hours but pure, distilled pornography. Not a nickel's worth of context. Just dirt, or what the clockers think is dirt."⁶⁷ If Rusinack did find the book obscene (and he almost always sided with the police censors), the distributor would then be asked to withhold the book from circulation in Detroit. At this point, distributors were given the choice of challenging the bureau, thereby paying enormous court costs and further garnering the anger of Detroit's censors, or simply withdrawing the book quietly. Almost without fail, distributors chose the latter option.

⁶⁶ Investigation of Literature Allegedly Containing Objectionable Material, 116.

⁶⁷ John Lardner, "Let 'Em Eat Newspapers," *Newsweek*, March 14, 1955, 92.

Through this process, the censorship bureau would create two lists of books, the first being books officially banned in Detroit, the second being a list of books that did not quite qualify for banned status, but were nevertheless labeled “objectionable.” Distributors or bookstore owners caught selling a banned book would quickly find themselves in court, though it hardly ever came to that. For those books on the objectionable list, dealers were told that any complaints from residents would necessitate the immediate withdrawal of the book. Once again though, it was rare that things ever got to that point. As one article on Detroit’s censorship practices stated, “[T]he dealer often simply withholds the book on the theory that it might be more nuisance than its sales are worth. To that extent, the ‘objectionables’ are effectively banned.”⁶⁸ The result of this was that hundreds of banned and objectionable books never made it onto store shelves in Detroit.

The enforcement of the banned book list came through unannounced visits to book dealers made by both the Censor Bureau and allied local organizations. This meant the forming of what Rusinack called a “watchdog system,” such that “numerous civic and church groups” in the city helped to keep an eye on dealers.⁶⁹ Reverend Clement Esper, assistant pastor of St. Aloysius Church and the Detroit moderator for the NODL, explained this practice, saying, “Our council of Catholic Women checks closely and constantly on the distributors’ shelves, newsstands, drugstores and candy stores near schools. Whenever they find an objectionable book they urge the dealer to take it off his stand and, in the event of a refusal, we complain to the police.”⁷⁰ In this way, the Censorship Bureau very much relied on outside groups to act where

⁶⁸ Leo Sonderegger, “Detroit Public Not Told What Is Censored,” *Minneapolis Star*, February 10, 1953, 18.

⁶⁹ Sonderegger, 18.

⁷⁰ Louis Tendler, “Vigilance Rids City News Racks of Objectionable Comic Books,” *Detroit News*, April 26, 1954, 18.

they could not. As Rusinack said, “Where we cannot act legally and we know a certain book should be off the stands, that’s where a pressure group comes in handy.”⁷¹ Allied organizations thereby not only helped make sure dealers kept in line, but also extended the Censorship Bureau’s reach beyond what it could legally ban.

The “watchdog system” points to one of the defining features of Detroit censorship of the era, which is the degree to which it skirted the line between legal and extralegal. In interviews, Case was careful to maintain that the entire censorship process was one based on the law, rather than his own views and the views of the officers working below him. As Case said, “We primarily are police officers, and we try never to forget that we’re going to act according to law and not according to our personal opinions. My personal opinion means absolutely nothing.”⁷² Elaborating on this elsewhere, Case said, “We do not, in any instance, act solely upon our personal views or preferences.”⁷³ Case’s protests notwithstanding, this alleged objectivity is belied by the very nature of media censorship and the subjective decision of what falls under the category of “obscene” literature. More centrally, however, Detroit’s censorship practices were designed to avoid having to prove the obscene nature of any book in a courtroom. This stands in opposition to Case’s claims that his office was not in the business of legal rather than moral judgment. It was Case who said that “only a judge or jury can say whether a thing is obscene.”⁷⁴ The genius of Detroit’s censorship system was that no judge or jury ever had to.

⁷¹ Sonderegger, “Detroit Public Not Told What Is Censored,” 18.

⁷² Sonderegger, 15.

⁷³ Harold Tyler, “City Takes Lead in Smut War,” *Detroit Free Press*, March 16, 1953, 18.

⁷⁴ Sonderegger, “Detroit Public Not Told What Is Censored,” 15.

“The Nation’s Capital of Police Censorship”⁷⁵

The city’s lists of banned and objectionable books were closely guarded by Case, fearing it would leak to the public, though certain local groups, including parent-teacher associations and Catholic organizations, were given the lists.⁷⁶ As Detroit’s censorship regime grew, an issue arose requiring that the list make its way outside of the city’s borders. As Case said, “It became apparent that a man at the city limits on one side of the street could sell the material, and a man on the other side of the street, he could get away with it with no prosecution whatsoever.”⁷⁷ This speaks to an issue identified by historian James Gilbert, who notes that as a result of the “mobility of modern Americans... it becomes hard to employ censorship or other devices of self-isolation simply because a sustainable local community is so elusive.”⁷⁸ In the face of this, the Censor Bureau began circulating the list to every chief of police in Wayne County and to numerous cities and towns across Michigan who requested it. As Case said, “All this material and our information and things we make available to other law-enforcing agents and offices in the state of Michigan. There are about 17 or 18 other cities that are quite dependent on us, in this set-up.”⁷⁹ Among these was Saginaw, a city of about 92,000, an hour and a half drive’s north of Detroit.⁸⁰

Detroit’s list of banned books also made its way far beyond Michigan. As *Newsweek* columnist John Lardner put it in 1954:

⁷⁵ James M. Haswell, “Is Dirty-Book Banning Legal?,” *Detroit Free Press*, October 8, 1956, 7.

⁷⁶ Sonderegger, “Censors Guard Young Morals in Detroit,” 18.

⁷⁷ Investigation of Literature Allegedly Containing Objectionable Material, 116.

⁷⁸ Gilbert, *A Cycle of Outrage*, 8.

⁷⁹ Investigation of Literature Allegedly Containing Objectionable Material, 131.

⁸⁰ Louis A. Zurcher Jr and R. George Kirkpatrick, *Citizens for Decency: Antipornography Crusades as Status Defense* (Austin: University of Texas Press, 1976), 40.

When a police chief or city censor wants to know what books to ban, he sends for the ‘Detroit Line’—which is the obscenity list compiled and rechecked from month to month by Inspector Herbert W. Case of the Detroit police license and censor bureau... [T]he Detroit Line is now standard for local book-banners around the country. Censors in some 70 or 80 towns are said to have subscribed to the Line.⁸¹

In particular, the list was frequently used by smaller towns and cities unable to afford the type of operation being run in Detroit. As Lardner cheekily wrote, “[Case] and his team of twelve censors think of themselves as ‘big brothers,’ the inspector said one time, to smaller communities who don’t have the time and money to find out for themselves that [Hans Christian] Andersen’s fairy tales are obscene.”⁸² Seemingly lost on Case was the irony of a literary censor proudly calling himself “big brother” just a few short years after the 1949 release of George Orwell’s *Nineteen Eighty-Four*.

Detroit’s censorial influence was also felt in a number of ways beyond just the distribution of its banned book list. As one article said, “Case reported several men from the police departments of other cities have been sent to the censor bureau for a month of training.” Meanwhile, when Minnesota was considering a new censorship law, the proposal was “patterned after the Detroit system.”⁸³ The federal government was also a major ally of Detroit’s Censor Bureau. When the Select Committee on Current Pornographic Materials held congressional hearings in 1952, it was Case who was called as a star witness, with Committee Chairman E.C. Gathings fawningly saying at the close of Case’s testimony, “As a matter of fact, we have a prohibition against the use of radio or television in the committee room, but I would like your

⁸¹ Lardner, “Let ’Em Eat Newspapers,” 92.

⁸² John Lardner, “The Smut Detective--Part II,” *Newsweek*, March 21, 1955, 95.

⁸³ Leo Sonderegger, “What Detroit Censors May Affect All U.S.,” *Minneapolis Star*, February 11, 1953, 46.

testimony to have gone out over America.”⁸⁴ Case and his department also regularly communicated with federal government officials, including postal authorities, the United States Attorney’s office, and the Federal Bureau of Investigation.⁸⁵ Not for nothing was it said that “Detroit sets a pattern for national censorship,” and Case called “the country’s leading handicapper of literature, or smut sleuth.”⁸⁶

This widespread influence led to another, perhaps unintended consequence, one that only further speaks to the city’s outsized role in literary censorship during this era. Because Detroit’s list of banned books circulated so widely, publishers were faced with a harsh economic reality: as Freeman Lewis, executive vice president of Pocket Books, Inc., put it, “A publishing company... cannot afford to print a special Detroit edition and another for the rest of the country.” Given this, it should perhaps come as no surprise that in 1953 it was reported that “one publisher now is sending the bureau his entire line in proofs,” the idea being that the Censor Bureau would give their comments on an unpublished book, with the publisher then making those changes before going to press. A *Minneapolis Star* reporter who got access to Detroit’s censorship bureau described the scene: “In the office of the censor bureau a policeman sits at a desk reading the long proof sheets of a novel. This man is engaged in censoring a book before publication. He is censoring it for readers in Detroit. He also is censoring it, in effect, for thousands of other readers in all parts of the country.” That the city’s censorship bureau not only reviewed published books but also proofs of as yet unpublished books is another indicator of the

⁸⁴ Investigation of Literature Allegedly Containing Objectionable Material, 142.

⁸⁵ Investigation of Literature Allegedly Containing Objectionable Material, 126, 132, 142.

⁸⁶ Tyler, “City Takes Lead in Smut War,” 18; Lardner, “The Smut Detective--Part II,” 95.

enormous influence held by Case and his censorship bureau. As the title of the aforementioned *Minneapolis Star* article succinctly put it, “What Detroit Censors May Affect All U.S.”⁸⁷

The key element that greased the wheels of this censorship machine was the cooperation of the industry. This included the book dealers controlling the local sale of publications in the city. As Case said, “We find very rarely does a merchant who has a store in the neighborhood, where it is dependent upon the livelihood of the neighborhood, want to purvey smut. We find exceptions... but generally I think they are wholeheartedly in cooperation and sympathy with this program we have.”⁸⁸ Though the occasional arrest of a book dealer occurred during this era, uniform cooperation with Detroit’s censorship bureau was the norm. As Case summed up, “I’m happy to say that I’ve received the finest co-operation from Detroit book dealers.”⁸⁹

A level above dealers in the print industry food chain were local distributors, another key partner for Detroit’s Censor Bureau. For the city’s censorship machine to function, distributors needed to agree to submit their publications to the censorship bureau before giving them to store owners. The importance of this step in the censorship process was not lost on Case, who said, “If we can keep that thing [indecent literature] out of circulation and it doesn’t hit the streets, why, we are accomplishing a lot more than attempting to do something about it after it has gained its objective of being circulated.”⁹⁰ As Case explained of how he got the cooperation of local distributors:

Now, in 1951 we called in—we have two distributors in Detroit. We called in the one independent distributor—the other is the American News Co.—and on one we had voluntary cooperation which, naturally, is the ideal method of suppression of this type of material, and the other was forced.

⁸⁷ Sonderegger, “What Detroit Censors May Affect All U.S.,” 33.

⁸⁸ Investigation of Literature Allegedly Containing Objectionable Material, 130.

⁸⁹ Louis Tendler, “City Censor’s Influence Felt Over All U.S.,” *Detroit News*, April 25, 1954, 21.

⁹⁰ Investigation of Literature Allegedly Containing Objectionable Material, 122.

We called them in, and we threatened prosecution in one instance, in view of the fact that we could not very well say to the one who was cooperating that he could put it out, and the other one can't. We had them in a conference with the Wayne County prosecuting attorney's office, and there they voluntarily agreed to submit to us for inspection the pocket-size magazines before distribution.⁹¹

Regardless of whether the cooperation of local distributors was voluntary or forced, the result was the same, with both of Detroit's major distributors submitting their entire line of books for inspection before store owners, let alone the public, could get their hands on them.

Finally, the cooperation of publishers was also enlisted. As of May 18, 1952, as one article explained, "More than 50 publishers are co-operating now by sending advance copies of their lurid literature to [Detroit's] police censors."⁹² For publishers, the cost of a legal fight over any one book was simply not worth the time and effort, particularly given that, as discussed below, most of the books banned were cheap paperbacks with no aspirations to being great literature. As a result, publishers almost always simply acceded to the censorship bureau by withdrawing banned books from circulation in Detroit; it would be years before a publisher actually took Detroit to court over the banning of a book.

Laws, Sausages, and Censorship

One of the defining features of the Detroit Police Department's censorship bureau was the secrecy that surrounded it. Case figured out what so few censorial-minded individuals do, which is that to publicly ban a work is to publicize it. As Walter Kendrick writes of the opponents of pornography throughout the nineteenth and twentieth centuries:

The real problem—though no one recognized this—was publicity itself, the permeation of the culture by images. Once the process was fully underway, as it was by the middle of the nineteenth century, any attempt to mark out a certain

⁹¹ Investigation of Literature Allegedly Containing Objectionable Material, 116.

⁹² Leo Donovan, "Eight Police Censors Sift Literary Sewage," *Detroit Free Press*, May 18, 1952, 2.

category of representations, to forbid them while permitting the rest, could only be futile. So it proved: “pornography” spread irresistibly, flourishing in direct proportion to the energy of its combatants. It seemed, vampirelike, to batten on their strength, to rise up refreshed from each new campaign to put it down.⁹³

Throughout his career, Case strove to avoid the type of publicity generated by publicly banning a book. Case correctly reasoned that, like laws and sausages, the inner workings of the production of censorship are best hidden away from the public eye.

The avoidance of court cases by the bureau was a direct response to this perceived need for secrecy. On the rare occasions that publishers did push back on the banning of a particular book, the censorship bureau would begin negotiations long before a disagreement made it to a courtroom. As Rusinack said, “If we get a whiff of it that there’s going to be a [legal] challenge, then we start employing a little diplomacy.” In this case, “diplomacy” meant negotiations happening outside the courtroom, and therefore outside the public eye. Indeed, Freeman Lewis, executive vice president of Pocket Books, Inc., explained that his firm had “gone to bat with the censors over more than one book,” and in each one of those cases the censorship bureau eventually backed down.⁹⁴ As Case explained of this practice, “I don’t like to go to court except as a last resort because usually the title is exploited, and it is given impetus toward sales in a great many parts of the country.”⁹⁵ These efforts to avoid court challenges is what made the cooperation of dealers, distributors, and publishers so critically important to the censorship operation

A less obvious area of cooperation came from Detroit’s newspapers. As Case said in 1952, “The reaction of the press in Detroit has been the very best. I cannot speak too highly of

⁹³ Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley: University of California Press, 1987), 238.

⁹⁴ Sonderegger, “What Detroit Censors May Affect All U.S.,” 33.

⁹⁵ Investigation of Literature Allegedly Containing Objectionable Material, 117.

the cooperation we have received.”⁹⁶ Thus, the *Detroit Free Press* and the *Detroit News*, the city’s two largest papers, also lent their own form of support to Case and the Censor Bureau. They tended to only cover the goings-on of the Censor Bureau in response to those rare times when the Bureau made it into the national news. When they did run stories, the newspapers were uniformly supportive of Case, lavishing him and the Censor Bureau with praise. Most crucially of all, the newspapers helped Case keep quiet about which books had fallen afoul of the bureau by never publishing the banned or objectionable lists, and only on the rarest of occasions mentioning specific banned titles.

Comparing the coverage of the *Detroit Free Press* to that of the *Minneapolis Star* is illustrative in this regard. In February of 1953, the *Star* published a three-part exposé that, for the first time, publicly revealed the extent of Detroit’s censorship practices. The articles were written by Leo Sonderegger, who was given access to the offices of the Censorship Bureau, interviewing Case among others. The series of articles were harshly critical of Case and his team, and informed much of the writing on Detroit’s Censorship Bureau from the era.⁹⁷ They were also read far outside of Minneapolis, moving out into the open what had, until then, largely been kept secret.

Given all this, it became difficult for the *Free Press* to continue to remain silent on what was going on, and so in March of 1953 the newspaper published its own three-part series of articles on censorship. On the face of it, these articles seem to mirror the *Minneapolis Star*’s

⁹⁶ Investigation of Literature Allegedly Containing Objectionable Material, 127.

⁹⁷ In particular, Sonderegger’s reporting was extensively cited in William B. Lockhart and Robert C. McClure’s “Literature, the Law of Obscenity, and the Constitution,” one of the most influential legal articles on obscenity from this period. See William B. Lockhart and Robert C. McClure, “Literature, The Law of Obscenity, and the Constitution,” *Minnesota Law Review* 38, no. 4 (March 1954): 310–19. For more on Lockhart and McClure’s article, see Whitney Strub, *Obscenity Rules: Roth v. United States and the Long Struggle over Sexual Expression* (Lawrence: University Press of Kansas, 2013), 130–31.

harsh view of censorship. In the first piece, titled “Mental Cancer of Censorship Spreads in U.S.,” writer Harold Tyler looks generally at censorship in the country, largely avoiding Detroit in particular. Early in the article he insists that “wherever practiced, censorship has high purpose and high principle for its beginning. Its ending is written in the bloody pages of history—Nazi Germany, Franco Spain, Red Russia, Peron’s Argentina, the Japanese Empire and Mussolini’s Italy.”⁹⁸ Such comparisons to fascist and communist regimes’ censorship were a common refrain during the era as a means of highlighting the superiority of American values and the importance of the First Amendment.

Still, this general opposition to censorship was far from absolute. As Tyler goes on to say, “Who can question that dirt—obscenities, smut—should not be thrust into the hands of our school children?”⁹⁹ Such assertions were taken as givens. Instead, according to the *Detroit Free Press* the problem with censorship lay in its targeting works that fell outside this seemingly indefensible category of obscenity. As Tyler goes on to say, “Once censorship clears out the pornography, forces begin to work which want to clear out books which discuss opposing theological views, or varying educational opinions.”¹⁰⁰ This type of argumentation allowed critics of censorship to hold the seemingly contradictory positions that, while censorship may be un-American in principle, censorship of pornography is warranted. Whitney Strub links this paradox to Cold War era fears, writing, “Allowing either communist speech or obscene materials was simply not included in what Americans meant when they expressed opposition to censorship.”¹⁰¹

⁹⁸ Harold Tyler, “Mental Cancer of Censorship Spreads in U.S.,” *Detroit Free Press*, March 15, 1953, 1.

⁹⁹ Tyler, 1.

¹⁰⁰ Tyler, “Mental Cancer of Censorship Spreads in U.S.,” 1.

¹⁰¹ Strub, *Obscenity Rules*, 106.

In that first article, Tyler leaves Detroit's censorship practices unmentioned until the end, at which point he writes:

In Detroit, censorship has been going on for 15 years, through the Detroit Police censor bureau. Here too, the purpose is high, the accomplishment good, and small complaint exists as to the operation of Inspector Herbert Case and his staff. But the cancer is there: Inspector Case will not live forever, and real danger lurks in the secrecy which shrouds this police activity.¹⁰²

Here is indicated one of the biggest differences between Sonderegger and Tyler's respective takes on Detroit censorship. Each time Tyler puts forward a critique of Case or the Censor Bureau, he almost immediately walks it back or tempers it with a compliment. In this case, the key problem with the Censorship Bureau is that Case, who is seemingly above reproach in these articles, will eventually be replaced by someone not able to live up to the high bar set by him.

The second article in the series more squarely deals with Detroit's censorship practices (though coincidentally or not, it appears on page ten of the paper rather than the above-the-fold page-one placement of the first article). Tyler similarly goes out of his way to flatter Detroit censorship, writing, "Inspector Herbert Case and his staff conduct the Police Censor Bureau within strict limitations, and with such integrity that the operation has been called the 'most brilliant and most intelligent argument there is on behalf of censorship.'"¹⁰³ Though this quote is unattributed, Case is given the chance to speak extensively in Tyler's piece, responding to any and all criticisms. Regarding the criticism leveled by Tyler in the first article that censorship invariably misses its target of pornography and hits "books which discuss opposing theological views, or varying educational opinions," Case is allowed to list the things his unit will not do:

1. Pass upon the literary merits or value of a book, nor upon the integrity and literary standing of an author or publisher.
2. Take a position in a theological dispute.

¹⁰² Tyler, "Mental Cancer of Censorship Spreads in U.S.," 8.

¹⁰³ Tyler, "City Takes Lead in Smut War," 18.

3. Attempt to pass on social standards.¹⁰⁴

The article continues along these lines, told mostly in Case's own words interspersed with Tyler alternately raising objections to censorship in general and flattering Case in particular. Much of this involves Case, as above, saying what he does not do, emphasizing the restraint of the censor bureau. This trend is continued in the third and final article in the series, in which Tyler writes, "Detroiters sometime write to Inspector Herbert Case, of the Police Censor Bureau, demanding that he ban this girlie book or that bosomy calendar. They appear quite pained when he explains that the objects of their wrath are not obscene within the legal definition."¹⁰⁵ Rather than someone aggressively pushing censorship, Tyler continually paints Case as reticent to use his authority, and indeed quite measured in responding to the complaints of citizens.

Perhaps the greatest difference between Sonderegger and Tyler's respective series of articles is their diverging views when it comes to the secrecy of the censorship bureau. Sonderegger was critical of much of the bureau's censorial activity, but reserved his harshest criticisms for Case's refusal to publish the list of banned books, with the title of the second article in the series reading, "Detroit Public Not Told What is Censored." Case refused to give Sonderegger the list, but he did permit him to look at it, which allowed Sonderegger to publish the names of some dozen banned books, singling out the most lofty and prestigious literature on the list. By contrast, while Tyler does provide some criticism of the secrecy surrounding Detroit censorship, he conspicuously never mentions any books on the list. In fact, not a single book title is mentioned in the *Free Press* articles in any capacity. This illustrates an important characteristic of the way in which Detroit's newspapers tended to cover the Censor Bureau,

¹⁰⁴ Tyler, 18.

¹⁰⁵ Harold Tyler, "'Idea' Censorship Seen As Peril to City, Nation," *Detroit Free Press*, March 17, 1953, 10.

which was their steadfast refusal to mention any specific banned titles. In so doing, local newspapers provided necessary cooperation to Case, helping to avoid the tide of publicity that would inevitably result from the public banning of a book in Detroit.

The necessity for this secrecy points toward the complex relationship between the Censorship Bureau and the people of Detroit. On the one hand, Case did all he could to keep the workings of his office secret so as to avoid giving free publicity to banned books. On the other hand, it was only with the tacit support of the general public that the Censorship Bureau could function. Indeed, Case wanted, and claimed he had, the vocal support of the public. In his 1952 appearance before Congress, Case expressed this viewpoint in an exchange with H. Ralph Burton, general counsel for the congressional Select Committee on Current Pornographic Material:

Mr. Burton: What would you say is the most essential single item in successfully prosecuting an effective campaign against obscene materials?

Mr. Case: Without question that is militant public opinion.

Mr. Burton: And the more that is done in the direction of arousing that public opinion, the better the results would be?

Mr. Case: Unqualifiedly so; yes, sir.¹⁰⁶

There is a clear disconnect between Case's view of the importance of "militant public opinion" as compared to his concerted efforts to keep the public in the dark about Detroit's censorship operation. While the Censorship Bureau did receive something akin to militant support from Catholic organizations, alongside a handful of other local groups, the wider public provided no such explicit backing. Rather than leading to "militant public opinion," the secrecy of the Censor Bureau and a lack of public knowledge could more accurately be said to have bred apathy and indifference among the general population of Detroit.

¹⁰⁶ Investigation of Literature Allegedly Containing Objectionable Material, 123–24.

In part, this apathy on the part of the general public can be attributed to the fact that many Detroiters did not know that literary censorship was occurring, or at least to what extent. Just as critically though, this apathy speaks to a broader trend in the history of censorship and anti-porn politics. As Walter Kendrick writes: “[T]hose who feel that no harm is being done are unlikely to form pressure groups in order to advance that view. Contentment and indifference are silent, while fear and outrage bellow; and in the pornography debate, hysteria on the part of a few has traditionally been given free rein by the obliviousness of the many.”¹⁰⁷ This apathy, and not the militant public opinion cited by Case, was the real reason that the Censorship Bureau was able to thrive. Crucial to fostering this public indifference was the secrecy of the censorship operation, and in particular the refusal to publish or publicize the list of banned books. As one article stated, “[T]here are regularly more than 300 books which Detroiters not only never have seen, but never have heard of, since the censorship list is censored, or, anyway, unannounced.”¹⁰⁸

Banned and Objectionable

In those articles from the era criticizing Detroit’s Censorship Bureau, critics trotted out the same handful of books and authors as examples of the overreach of Detroit’s literary censorship regime. The banning of the fairy tales of Hans Christian Andersen, for one, drew particular condemnation from critics.¹⁰⁹ Also repeatedly invoked were works by celebrated authors like Ernest Hemingway, James T. Farrell, John O’Hara, John Dos Passos, and J.D.

¹⁰⁷ Kendrick, *The Secret Museum*, 226.

¹⁰⁸ Lardner, “Let ’Em Eat Newspapers,” 92.

¹⁰⁹ In his 1973 musical *A Little Night Music*, Stephen Sondheim posed the question, “Is Hans Christian Andersen ever risqué?” Unbeknownst to Sondheim, some two decades earlier the Detroit Police Department’s License and Censor Bureau decidedly answered that question in the affirmative.

Salinger.¹¹⁰ This invocation of prestigious authors by critics of the Censor Bureau strategically focused attention on the censorship of highbrow literature. It also ignored the vast majority of books banned by Detroit, works with little in the way of artistic aspirations.

Though the list of banned books was vigilantly guarded by Case, fearful of it becoming public, one stray copy did find its way out into the world. In 1957, the *Michigan Journalist*, billing itself as the “Experimental Laboratory Newspaper of the Department of Journalism, University of Michigan,” became the only newspaper, to my knowledge, to publish Detroit’s complete list of banned books (without it, the list likely would not exist in any form today). Boasting of being the first paper to publish the list, the accompanying article states, “A list of the books, obtained from a reliable source who attests to its authenticity, is reprinted exclusively in this edition of *The Michigan Journalist*.”¹¹¹ That list covers books banned from 1950 through March of 1955 and includes some 276 specific titles. Though the list does include a number of celebrated books by respected authors, most of the banned works are pulp novels that long ago fell into obscurity. The authors appearing most frequently on the list are figures long since forgotten, including Norman Bligh (seven books banned), Gordon Semple (seven), and Jack Hanley (four). Uniting these three authors was their reliance on sex as part of their appeal, with book titles like *Fast, Loose and Lovely*, *Man Crazy Hussy*, and *Blond Temptress*.

Books spanning a number of genres were banned in Detroit., though it was works that dealt with sex in some way that most often fell afoul of the Censor Bureau. A particular target were “lesbian pulp” novels, the first of which, Tereska Torrès’s *Women’s Barracks*, was not only

¹¹⁰ Sonderegger, “Detroit Public Not Told What Is Censored,” 18; “Hemingway Meets Detroit Censorship Trouble Again,” *Minneapolis Star*, February 10, 1953, 18; Lardner, “Let ’Em Eat Newspapers,” 92; William White, “Detroit Police Censorship,” *American Book Collector* XII, no. 4 (December 1961): 23–24.

¹¹¹ Smith, “Detroit Renews Book Ban Despite Court’s Decision,” 1.

banned in Detroit, but also helped spur the aforementioned congressional hearings by the House Select Committee on Current Pornographic Materials. The book's financial success helped jumpstart a wave of lesbian pulp novels, including *Spring Fire* by Vin Packer (a pseudonym for Marijane Meaker), a book that strangely enough managed the rare feat of getting banned twice by Detroit, appearing on the list of prohibited books in both 1952 and 1954.¹¹² Even science books dealing with sex—including Dr. G. Lombard Kelly's *Sexual Feeling in Married Men and Women*, Dr. Frederick M. Rossiter's *The Torch Of Life: A Key To Sex Harmony*, and Havelock Ellis *Psychology of Sex*—fell victim to Detroit censorship. This singular focus was not just a reflection of a particular brand of sexual puritanism, but also was an attempt to maintain the moral and social order that was seen as undergirding the city's prosperity.

¹¹² For more on lesbian pulp novels, see Paula Rabinowitz, *American Pulp: How Paperbacks Brought Modernism to Main Street* (Princeton, New Jersey: Princeton University Press, 2014), 184–208.

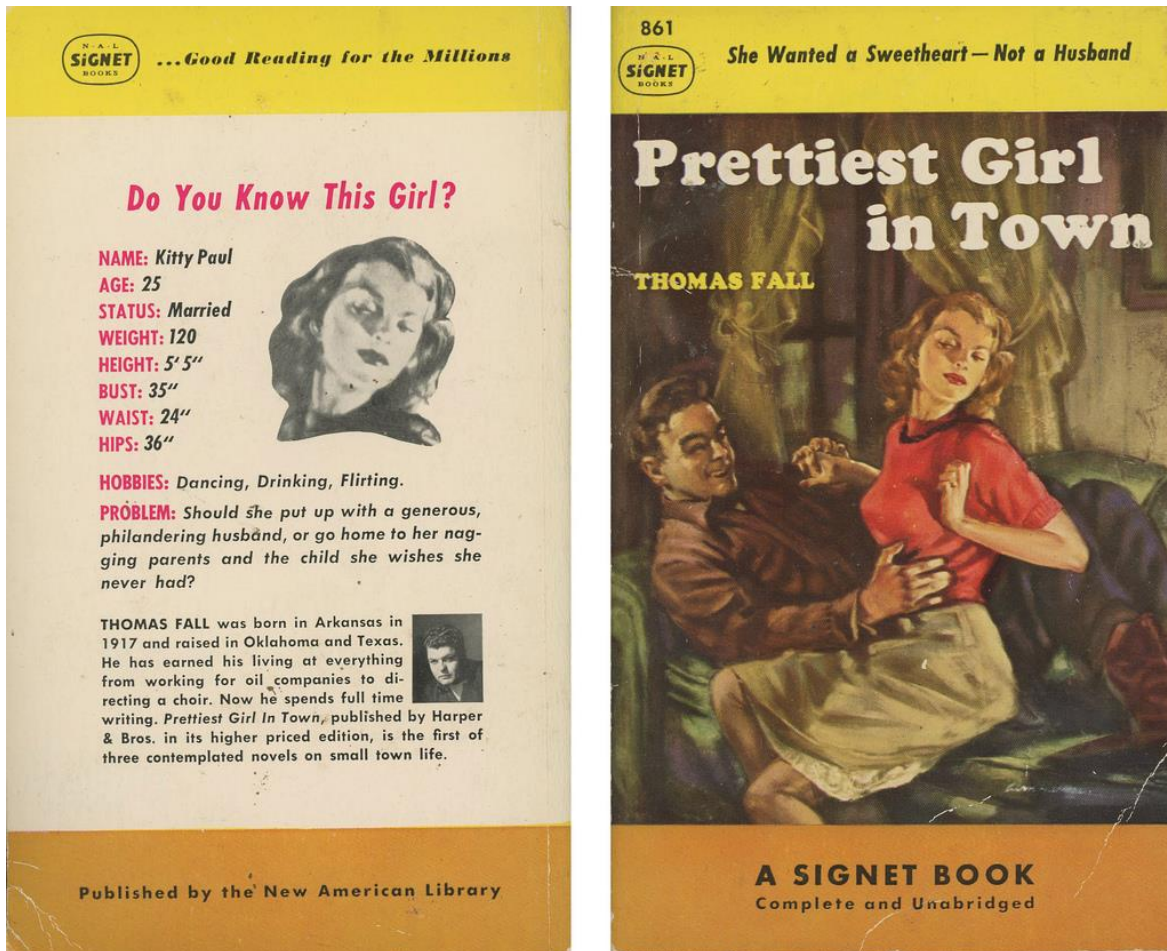


Figure 4. *Prettiest Girl in Town*.

The paperback novel *Prettiest Girl in Town* (1951), written by Thomas Fall, is illustrative of a number of tendencies of books falling on Detroit’s banned list (see figure 4). The book’s cover shows the protagonist, Kitty Paul—complete with tight red sweater and a lacy slip peeking out from beneath her skirt—rebuffing the advances of a man whose arms are around her, with the book’s tagline reading, “She Wanted a Sweetheart – Not a Husband.” The back cover is similarly titillating, giving the reader “vital” information as to Kitty’s figure (e.g. measurements of her bust, waist, and hips) and hobbies (dancing, drinking, and flirting).¹¹³ The book was

¹¹³ Thomas Fall, *Prettiest Girl in Town*, Signet Books (New York: New American Library, 1951).

published by New American Library, who would be indicted under the Interstate Commerce Act for publication of the book. New American Library was one of the largest publishers of paperback books during the era, with the company's democratizing motto, printed on the back cover of *Prettiest Girl in Town*, stating, "Good Reading for the Millions." Whether or not the reading was "good" may have been debatable, but with a price tag of just twenty five cents, even the most strident supporters of censorship would have granted that paperbacks did indeed have millions of eager customers.

"Who buys and reads this output of 'smut?'"¹¹⁴

Though it might be unclear what type of people actually made up the audience for paperback literature, the Censor Bureau had very clear conceptions of the would-be consumers of banned books, as well as the effect indecent literature could potentially have on them. As one 1952 article said of the Censor Bureau, "Authorities exercise constant vigil to keep pornographic pictures, magazines and books from the eager scrutiny of teen-agers and mentally-warped adults."¹¹⁵ The focus then was both on youth—and in particular on teenagers, fitting with the era's dominant fears of juvenile delinquency—as well as a certain class of adults who were seen as being, in some way, defective or immature.

Detroit's exclusive focus on paperbacks, with hardcover books only examined on complaint, speaks directly to the Censor Bureau's notions of who was reading this literature and the supposed mental faculties of these readers.¹¹⁶ As a 1955 *Newsweek* article explained:

A feature of the Case handicapping service is that it censors nothing but paperback books. The buyer of hardback, \$3.95 books is free to ruin his morals on his own time. Critics of the Detroit Line have called this rule undemocratic—the

¹¹⁴ Charles Manos, "5 More Face 'Smut' Charges," *Detroit Free Press*, February 16, 1953, 3.

¹¹⁵ Kenneth McCormick, "Here's How Detroit Is Winning the 'Dirty Book' War," *Detroit Free Press*, November 10, 1952, 19.

¹¹⁶ Sonderegger, "Censors Guard Young Morals in Detroit," 17.

rich can have books, the poor can't. In short, let 'em eat newspapers. But Inspector Case does not think of buyers of paperback books as "poor"; he thinks of them as "the adolescent, the weak, and susceptible." In other words, the whole concept of low-cost literature, of bringing reading to the masses, is unsound.¹¹⁷

Case's claim of being concerned not with the "poor" but rather the "weak and susceptible" is largely a distinction without difference in this context. In certain ways, Case anticipated a shift in understandings of the nature of "poor" consumers of porn. Walter Kendrick writes that by the time of the 1986 Meese Commissioner Report on pornography, "[T]he category of 'the poor' had definitively altered from those who lacked money to those who lacked enlightenment; the threat, however, was the same."¹¹⁸ For Case, even as the content of a book was obviously important, it was the condition of those who read the book that structured censorial practices. Thus, while enlightened individuals able to afford a hardcover copy of, say, J.D. Salinger's *Catcher in the Rye* were free to do so, the unenlightened, weak, and susceptible buyers of paperback books needed to be shielded from such indecent literature.

This notion that working class and poor readers in some sense lack "enlightenment" also contains implicit connotations as to the psychological state of these readers. Alex Canty, director of the Detroit Recorder's Court Psychiatric Clinic in 1953, made the case that the majority of readers of paperback "smut" were "young adults who have not matured." As he went on to say, "The regular reader of obscene literature is a person who receives some stimulation by it because he has not matured emotionally."¹¹⁹ This focus on, as a 1953 *Free Press* article on Detroit censorship put it, "adults who never grew up mentally," tapped into what Kendrick identifies as the modern conception of the consumer of pornography as a "mentally defective adult—probably

¹¹⁷ Lardner, "Let 'Em Eat Newspapers," 92.

¹¹⁸ Kendrick, *The Secret Museum*, 235.

¹¹⁹ Manos, "5 More Face 'Smut' Charges," 3.

male, probably also of lower-class origin—who wallowed in infantile idiocy and wished to make others do the same.”¹²⁰ For Case, pornographic material could have a dire impact on such hypothetical developmentally stunted adults. Speaking before Congress in 1952, Case famously stated, “There has never been a sex murder in the history of the Detroit Police Department in which obscene literature hasn’t played a part.”¹²¹ In the decades since, this statement has been repeated ad nauseam by anti-porn advocates who have used it as evidence of the perceived link between the criminality and the consumption of pornography.

Paradoxically, on multiple occasions Case explicitly denied that he cared what adults read. As he said in a rare interview, “We are not interested too greatly in the welfare of the adult. We feel an adult’s mental processes and ways of life are pretty well formed and we as police officers can’t do much about it.”¹²² Or, as one article said, “The police censor bureau hopes to keep pornographic material out of the hands of Detroit’s adolescents. They care little what the adult reads.”¹²³ Fears surrounding the corruption of youth particularly drove efforts to censor comic books, whose readers were always imagined as being children. This focus on youth stands in stark contrast to the views of one of Case’s forbearers, the previously discussed Royal A. Baker. As Baker said in 1933, “The responsibility is clearly upon parents to see that their children are not allowed to see pictures they consider unfit for them. We cannot tie the standards

¹²⁰ Kendrick, *The Secret Museum*, 208.

¹²¹ Strangely, the wording of this quote seemingly changes each time it is given, acting as something like a historical version of the children’s game of “telephone.” See Investigation of Literature Allegedly Containing Objectionable Material, 140; Charles Manos, “6 Firms Are Indicted in Drive on Smut,” *Detroit Free Press*, February 13, 1953, 3; Jack Harrison Pollack, “Newstand Filth: A National Disgrace!,” *Better Homes and Gardens*, September 1957, 10; “The Report of the Commission on Obscenity and Pornography” (Washington, D.C: United States Government Printing Office, September 1970), 563.

¹²² Sonderegger, “Censors Guard Young Morals in Detroit,” 17–18.

¹²³ Tyler, “City Takes Lead in Smut War,” 18.

of entertainment down to those of the child. The theater is for the intelligent adult.”¹²⁴ While Baker was certainly much laxer in his role as Detroit police censor and friendlier with the industry, the marked difference between Baker and Case’s perspectives is more than just a matter of two individuals taking very different approaches to their jobs. Rather, growing fears of juvenile delinquency during the postwar had shifted the terrain from which Baker and Case both operated.

Fears surrounding the perceived connection between juvenile delinquency and the consumption of indecent literature were made plainly evident in the story of one Robert Hearn. In March of 1952, the sixteen year old Hearn and three friends were arrested on murder charges over the slaying of a gas station attendant in the Detroit suburb of Pontiac. That Hearn should have committed such a crime despite his upbringing, having grown up in a white middle class family, led his parents, the community, and the press to all ponder where the boy had gone wrong, and who was to blame. Quickly, drug use emerged as the major perceived corrupting agent, with his father saying to the press, “If he did it, he must have been under the influence of dope.” News reports detailed how Hearn and his compatriots drank and smoked marijuana before engaging in, in the words of the *Free Press*, “an orgy of crime.”¹²⁵

Over time though, a different narrative began to emerge, one in which, in the words of Hearn’s mother, Mrs. Rose Hearn, “filthy magazines, comic books and horror movies” had warped the mind of Robert Hearn. Mrs. Hearn emerged as an unlikely spokesman in the war against indecent literature, giving a statement in the same 1952 congressional hearings on objectionable literature in which Case had testified. Her statement reads like many sympathetic

¹²⁴ “Detroit Censors Licked,” *Billboard*, July 22, 1933, 4.

¹²⁵ Frank Beckman, “Slaying Confession Numbs Boy’s Folks,” *Detroit Free Press*, March 25, 1952, 21.

stories of white teenagers of the era induced into a life of crime through an exposure to drugs. First, Mrs. Hearn established the good nature of her son, saying, “Robert had always been a sweet boy. He was affectionate and kind... Robert wouldn't hurt anyone or anything. He had cats and a dog, and loved them. He went out of his way to do things for people... Everyone liked him.” In time though Robert was corrupted, first by sexual and violent media, and later by drugs. As Mrs. Hearn said of the time leading up to her son's arrest, “He was acting like a big shot and used the words that they use in the gangster movies and comic books. He would shut himself in his room with comic books. He didn't want to be around anyone or to be bothered... We feel that reading the books started him off.” In the end, marijuana use and then crime followed, with Mrs. Hearn blaming the pushers of drugs and indecent media for her son's crimes, stating, “Youngsters all over the country are using dope. They get it from older men and they commit crimes. They are really the killers when the children are under the influence of liquor, dope, and those books. The children wouldn't get the ideas if the older men hadn't sold these things.”¹²⁶

Mrs. Hearn's statement speaks to the way in which youth were imagined as being as much victims of indecent literature as they were willing consumers. The agency of those deciding to purchase obscene literature was effectively stripped away in this formation, thereby reducing them to passive recipients of paperback pornography. Critically, this formulation drew on a similar one being developed during this same postwar moment regarding drug use. As Matthew Lassiter writes, “The ubiquitous discourse of ‘dope peddlers’ and ‘narcotics pushers’ animated the moral crusade for a supply-side war on drugs and transformed white teenage lawbreakers into the helpless victims of external villains who lured their prey into an urban

¹²⁶ Investigation of Literature Allegedly Containing Objectionable Material, 370–71.

dystopia of addiction, crime, and prostitution.”¹²⁷ Similarly then, in the minds of Case and the Censor Bureau, as well as those supporting their efforts, youth readers were not willing consumers of indecent literature so much as victims of it. This in turn justified something akin to a supply-side war on indecent literature, one aimed at those publishing and distributing such material rather than those consuming it. And, as the case of Robert Hearn seemingly demonstrated to supporters of this campaign, if the Censor Bureau failed to keep salacious reading material out of the hands of the impressionable, the results for society at large could be dire.

Conclusion: Burn the House to Roast the Pig

This emphasis on protecting youth actually formed the basis of the legal ordinance underpinning Detroit censorship. As section 343 of the Michigan Penal Code said, “Any person who shall import, print, publish, sell... any book, newspaper, writing... containing obscene, immoral, lewd or lascivious language, tending to incite minors to violent or depraved or immoral acts, manifestly tending to the corruption of the morals of youth... shall be guilty of a misdemeanor.”¹²⁸ The statute was over a century old in origin, and had last been amended in 1953, when the clause “tending to incite minors to violent or depraved or immoral acts” was added, a reflection of the era’s fears of juvenile delinquency. Though every state had its own laws against obscenity, Michigan’s ordinance was unique in that it effectively banned books which might have undue influence on children even if they remained acceptable for adult readers. Ultimately, it was this emphasis on youth that would prove the undoing of the Detroit’s Police Department’s License and Censor Bureau.

¹²⁷ Matthew D. Lassiter, “Pushers, Victims, and the Lost Innocence of White Suburbia California’s War on Narcotics during the 1950s,” *Journal of Urban History* 41, no. 5 (2015): 788.

¹²⁸ *Butler v. Michigan*, No. 352 U.S. 380 (United States Supreme Court February 25, 1957).

The first test case of Detroit’s censorship practices was mounted in June of 1954, when Alfred E. Butler, Detroit sales manager for Pocket Books, Inc., arranged to sell Case a paperback copy of John H. Griffin’s *The Devil Rides Outside*. The book was the debut novel for Griffin—who would later go on to fame with his memoir, *Black Like Me*—and had been banned by the city in paperback, though it remained available in hardcover. As was agreed earlier, Butler was arrested, setting up a challenge to Detroit censorship. As Case noted at the time, it marked the first censorship case in Detroit to reach the court system in ten years.¹²⁹

The case of *Butler v. Michigan* would eventually make it all the way up to the U.S. Supreme Court, who issued their ruling on February 25, 1957. In a unanimous decision, the court declared that Michigan’s obscenity statute, which undergirded Detroit censorship, was unconstitutional. Justice Felix Frankfurter wrote in his majority opinion, “The State insists that, by thus quarantining the general reading public against books not too rugged for grown men and women in order to shield juvenile innocence, it is exercising its power to promote the general welfare. Surely, this is to burn the house to roast the pig.” Justice Frankfurter would go on to say, “The incidence of this enactment is to reduce the adult population of Michigan to reading only what is fit for children.”¹³⁰ Justice Frankfurter here neatly mirrored the words of Royal A. Baker when Baker said, “We cannot tie the standards of entertainment down to those of the child.”¹³¹

Justice Frankfurter’s criticism of censorship efforts that restrained the reading choices of adults in the defense of children was not without precedents. Most notably, Judge Learned Hand, in the 1913 literary obscenity case of *United States v. Kennerley*, said in his opinion, “[I]t seems hardly likely that we are even to-day so lukewarm in our interest in letters or serious discussion

¹²⁹ “Publishers Test Ban on Books Here,” *Detroit News*, June 16, 1954, 1.

¹³⁰ *Butler v. Michigan*.

¹³¹ “Detroit Censors Licked,” 4.

as to be content to reduce our treatment of sex to the standard of a child's library in the supposed interest of a salacious few, or that shame will for long prevent us from adequate portrayal of some of the most serious and beautiful sides of human nature."¹³² The case of *Butler v. Michigan* was one of a series of Supreme Court rulings during this era that narrowed the scope of obscenity law, the most famous of them being *Roth v. United States* later in 1957. As discussed in chapter five, this shift eventually upended the traditional means of regulating pornography, leading to new legal approaches to the censorship of sex media.



Figure 5. *Detroit Free Press*, September 16, 1962, p. 3.

¹³² Quoted in Kendrick, *The Secret Museum*, 176.

Even earlier than the 1957 ruling, however, Detroit's police censorship activities had already begun to falter and scale back. In early 1955, Case was promoted to the position of senior inspector, replaced as head of the License and Censor Bureau by Melvin Bullach. A year later Case retired from the police force.¹³³ William White, professor of journalism at Wayne State and a vocal opponent of Detroit's censorship practices, spoke of this transition from Case to Bullach in a 1961 article published in *American Book Collector*. As he wrote, "Case's ability to handle such organizations as the National Office of Decent Literature, the Catholic organization which has great strength in such a city as Detroit, and his success with neurotics who see sex in everything this side of Little Miss Muffet, was painfully evident in comparison with Inspector Bullach."¹³⁴ Taken out of the hands of Case, the Censor Bureau soon began to falter, with some high profile controversies surrounding the banning of certain books hurting the bureau's credibility in the public eye and drawing the type of media attention Case had strived to avoid.

A final reason for the decline of Detroit's literary censorship was the contemporaneous decline of literary censorship across the country. In the face of moving image pornography, lewd literature looked relatively tame, and thus the printed word was increasingly treated as outside the scope of obscenity and not worthy of censorship. As Kendrick writes, this shift largely resulted from a changing view of the power of books:

The liberation of writing from the shackles of moral censorship has proceeded apace with loss of the belief, all-powerful in the nineteenth century, that writing wields immediate force upon its reader. That belief remains as strong as ever when it comes to pictures, still or moving; but the peril of print has nearly

¹³³ Ralph Nelson, "Case to Quit as Police Inspector," *Detroit Free Press*, February 21, 1956, 10.

¹³⁴ White, "Detroit Police Censorship," 24.

vanished, perhaps because the Western world no longer attributes to words the quasi-magical aura that once invested them.¹³⁵

Given this trend, it is unsurprising that even as literary censorship in Detroit ended in the late 1950s, the city's censorship of movies would continue into the late 1960s, albeit in limited form after the Supreme Court decision in *Joseph Burstyn, Inc. v. Wilson* (1952) granting First Amendment rights to cinema.

In truth, the fate of literary censorship in Detroit was sealed the moment that a publisher decided to challenge the Censorship Bureau in court. The bureau was reliant on the cooperation of other groups, and without that cooperation the censorship machine could not continue to function. Most visibly, this reliance on cooperation came in the form of publishers, distributors, and book dealers all working with the Censorship Bureau. Less obvious, though no less crucial, was the cooperation of the suburbs surrounding Detroit. Not only were these suburbs all too eager to rely on Detroit's list of banned books, but in turn the city relied upon the cooperation of its suburbs to stem the tide of pornography. Speaking before Congress, Inspector Case was asked what were the key problems the city had to overcome as part of its censorship efforts. As Case said, "One was the fact that we were operating solely within the city. It became apparent that a man at the city limits on one side of the street could not sell the material, and a man on the other side of the street, he could get away with it with no prosecution whatsoever."¹³⁶ In light of this, the city began to work closely with its suburbs to stamp out pornography in the region. Such cooperation between city and suburb was hardly notable at the time, and Case seemed to take it as a given that the city would have the complete support of its suburbs. During this postwar

¹³⁵ Kendrick, *The Secret Museum*, 178.

¹³⁶ Investigation of Literature Allegedly Containing Objectionable Material, 117.

moment then, when Detroit was at the forefront of literary censorship in the country, its suburbs were willing companions in the fight against pornography, two allies united against the same enemy. Over the decades to come, as pornography increasingly became associated with urban America and relations between Detroit and its suburbs soured, such cooperation would become a thing of the past.

CHAPTER TWO

This Advertising is Not Acceptable: Censoring Newspaper Movie Ads



Figure 6. *Detroit Free Press*, April 18, 1965.

During the early to mid-1910s, the movie and print industries developed a partnership that would prove mutually beneficial for decades to come. As Richard Abel writes, during this period “the emerging [film] industry slowly came to realize... that it had to develop efficient, effective means to shape and sustain a mass public through local and regional newspapers. At the same time, newspapers found that ‘movie madness’ could be exploited to generate advertising revenue and increase circulation.” Thus was born a “reciprocal and profitable alignment” that

would continue to sustain both the film industry and newspapers throughout much of the twentieth century.¹

By the close of the 1960s though, cracks in this relationship had begun to emerge. The decade saw American cinema reach new heights of violence and sexual explicitness, with racy advertisements to match these new, edgier pictures. Newspapers across the United States began to more closely examine the movie ads appearing in their pages, altering images and advertising copy to meet their own standards of decency. These cracks in the relationship between the film and print industries widened into chasms in the early 1970s, as Hollywood's increased explicitness, along with the growing popularity of adult cinema, combined to lead many papers to ban all ads for X-rated pictures entirely.

This chapter looks at this history through a focus on the censorship of movie ads in the *Detroit Free Press* and the *Detroit News*, beginning with a look at the censoring of movie advertisements during the 1960s in the pages of Detroit's two largest newspapers. I place this story within the broader context of changes in the film industry wrought by the end of the Production Code and its replacement by the ratings system, which led to increased explicit content in movies and an attendant rise in newspaper censorship of movie ads across the country. This led to mounting tension between the print and film industries, a tension that only grew in the late 1960s and early 1970s, when some papers took the step of banning all ads for X-rated movies. Given that the ratings system was built on the idea of informing the public as to the suitability of films for different audiences, the trend of newspapers banning ads for X-rated pictures threatened the very foundation of the ratings system. And, sitting at the center of this

¹ Richard Abel, *Menus for Movieland: Newspapers and the Emergence of American Film Culture, 1913-1916* (Oakland: University of California Press, 2015), 1–2.

issue was the *Detroit News*, which became easily the largest and most prominent paper in the country to ban ads for X-rated films in 1972. The decision left Hollywood enraged and most readers elated, and the resulting controversy put the *News* at the center of a pitched battle over the fate of the nascent ratings system. The latter half of this chapter then focuses on the reaction to the *News*' decision, looking in turn at the response of readers, the film industry, and lastly the print industry. I conclude by examining the aftermath of this battle, in particular how it impacted the film industry and the ratings system. I thereby further make the case, as I do throughout this dissertation, that Detroit has long played an outsized role in the history of anti-porn politics in the United States, with the *News*' actions an important yet unheralded milestone in 1970s anti-porn politics.

1960s Newspaper Censorship

The Motion Picture Association of America (MPAA) has, for nearly a century now, been tasked with acting as the self-regulatory arm of the American film industry. Much has been written about the Production Code, the document that controlled what could and could not be seen in Hollywood cinema for over three decades, as well as the Production Code Administration (PCA), which was charged with enforcing the Code.² Garnering far less scholarly attention though has been the work of the Advertising Code Administration (ACA), which worked hand in hand with the PCA under the MPAA umbrella. During the height of the classical Hollywood era, the ACA regulated the ad copy, publicity stills, and press books put out by Hollywood studios, creating and maintaining guidelines for acceptable advertising practices for the industry. Its

² For just some of the many examples of this type of work, see Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2007); Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film, 1928-1942*, Reprint (University of California Press, 1997); Gregory D. Black, *Hollywood Censored: Morality Codes, Catholics, and the Movies* (Cambridge: Cambridge University Press, 1996); Leonard J. Leff and Jerold L. Simmons, *The Dame in the Kimono: Hollywood, Censorship, and the Production Code* (Lexington: University Press of Kentucky, 2001).

“Advertising Code for Motion Pictures” was built around the notion that all movie advertising should “Conform to fact” and that “Good taste shall be the guiding rule of motion picture advertising.”³ Though there was the occasional flare-up of controversy surrounding a studio or producer pushing the boundaries of acceptable advertising practices, largely the ACA successfully did its job of keeping Hollywood advertising practices in line. Just as critically, the ACA helped curtail would-be local newspaper censorship of movie advertising through the industry’s preferred mode of self-regulation.

Still, during the postwar era there were those who were less than enamored with the advertising practices being used by the film industry. This was very much evident in a 1955 editorial published in the *Journal of Social Therapy* titled “Prurient Motion-Picture Advertising in Times of Increased Sex Crimes.” The editorial grimly noted a rising trend of lurid movie advertising, saying, “Readers of even the most respectable family newspapers must have noticed a steady recent increase in the insinuating pruriency of film publicity. In text and illustration, a considerable proportion of these ads have reached a point close to pornography.” The fear, as so often was the case among anti-porn advocates, was the effect such material would have on children, who might “by simply reading a newspaper... come under the sway of forces anything but edifying.”⁴ The editorial was introduced into evidence at the 1955 Congressional hearings on “Motion Pictures and Juvenile Delinquency,” where movie advertising practices were a major topic, with ACA head Gordon White called to testify.⁵

³ “An Advertising Code for Motion Pictures,” in *The 1963 Film Daily Yearbook for Motion Pictures* (New York: Film Daily, 1963), 746.

⁴ “Prurient Motion-Picture Advertising in Times of Increased Sex Crimes,” *Journal of Social Therapy* 1, no. 3 (April 1955): 146–47.

⁵ U.S. Congress, Senate, *Motion Pictures and Juvenile Delinquency: Interim Report of the Subcommittee to Investigate Juvenile Delinquency*, 84th Cong., 2nd sess., 1955, 19-28.

Fears surrounding the impact of indecent movie advertising would only grow in the 1960s, an era that saw a definite loosening of standards for what was permissible to be shown on movie theater screens. This freeing of movie content was the result of a decline of the Production Code, the rise of art house cinema, new legal protections for film, and a host of other societal factors, all of which combined to lead to more violent and sexually-explicit cinema. And, naturally, these edgier films sought to advertise in newspapers, which had long been the preferred advertising medium for movies. What resulted from this trend toward greater explicitness were the early stages of what would become a growing battle as newspapers grew increasingly reticent about the use of their pages to advertise salacious cinema.

In 1964 *Variety* reported that there was a high preponderance of cases of newspaper censorship of movie ads occurring in towns and smaller cities across the country. Ad men at these papers, or “Moral Arbiters of Stixville” in *Variety*-speak, acted as “a barrier to the sexy hot imported features and Hollywood underworld bare skin epics.” In effect, *Variety* noted, the person in charge of advertising for a newspaper could wield enormous power over local exhibitors.⁶ As historian Eric Schaefer writes though, “[S]uch cases were not limited to smaller cities and towns.”⁷ Indeed, in 1965 the *Wall Street Journal* noted the trend of “a growing number of papers scattered around the country which have been cracking down on what they regard as offensive movie advertising.”⁸ In June of that year, the *Journal of the Screen Producers Guild*, a monthly industry trade magazine, published a special issue focusing on “The current revolt of

⁶ Morry Roth, “Moral Arbiters of Stixville,” *Variety*, March 4, 1964, 1.

⁷ Eric Schaefer, “Pandering to the ‘Goon Trade’: Framing the Sexploitation Audience through Advertising,” in *Sleaze Artists: Cinema at the Margins of Taste, Style, and Politics*, ed. Jeffrey Sconce (Durham: Duke University Press Books, 2007), 36.

⁸ Stanley Penn, “More Newspapers Try to Curb Movie Ads They Call Offensive,” *Wall Street Journal*, February 10, 1965, 1.

newspapers all over the country against motion picture ad copy.”⁹ That same year saw a number of major city newspapers clamp down on indecent movie ads, including Hearst newspapers in San Francisco, the *Los Angeles Times*, and, as we shall see, Detroit’s two major newspapers.¹⁰

An important and illustrative example of newspaper censorship of the era occurred some 120 miles west of Detroit in the city of Battle Creek. There, in September of 1964, Floyd Bloss signed a five-year lease to take over the then-shuttered Eastown Theatre in the city’s downtown area. Bloss announced at that time that the theater would specialize in “adult” films, and on October 9 the new theater opened with a double bill of *Elmer Gantry* (1960) and *Irma La Douce* (1963) and an ad in the *Battle Creek Enquirer and News* specifying that only those above the age of eighteen would be permitted.¹¹ Less than two weeks after the Eastown’s opening, the paper had stopped running images of the films showing at the theater.¹² Soon after, ads for the theater no longer included the film titles, instead directing readers to call the theater for information on the “ONE ADULT HORROR FEATURE PLUS SECOND ADULT FEATURE.”¹³ Before long, the *Enquirer and News* announced that it would reject movie advertising copy not meeting “the standards of decency established for our family newspaper.” The Eastown was the only theater affected by the policy change, and soon after the announcement, Bloss filed a lawsuit against the

⁹ Lou Greenspan, “The Journal Looks at Movie Advertising Censorship,” *Journal of the Screen Producers Guild* 7, no. 2 (June 1965): 1.

¹⁰ Penn, “More Newspapers Try to Curb Movie Ads They Call Offensive,” 1; “Throws Rock at Sexpot Copy,” *Variety*, February 24, 1965, 5.

¹¹ “Old Eastown Theatre Gets New Lease on Life,” *Battle Creek Enquirer and News*, September 26, 1964, 11; Eastown Theatre, Advertisement, *Battle Creek Enquirer and News*, October 9, 1964, 10.

¹² Eastown Theatre, Advertisement, *Battle Creek Enquirer and News*, October 21, 1964, 6.

¹³ Eastown Theatre, Advertisement, *Battle Creek Enquirer and News*, October 29, 1964, 14.

paper asking for a temporary injunction requiring the paper to print the theater's advertising along with \$50,000 in damages.¹⁴

In June of 1965 the case appeared before the Calhoun County Circuit Court, where Bloss's attorneys attempted to argue that newspapers were a public interest with a duty to inform the public. Judge Creighton Coleman rejected this argument and dismissed the suit, saying that a newspaper is a private business, and thus, "Its publisher is under no legal obligation to sell advertising to all who apply for it."¹⁵ Bloss appealed the decision to the Michigan Court of Appeals and again lost in a unanimous ruling by the three judge panel, with their judgment again resting on this notion of newspapers as a private business.¹⁶ Demonstrating the persistence that characterized his approach to his many legal battles, Bloss appealed once more, and in April 1968 the Michigan Supreme Court ruled against him, saying, "The business of publishing a newspaper is a strictly private enterprise and the publisher thereof is under no obligation to sell advertising to all who would buy it."¹⁷ The legal precedent would be a crucial one in the years to come as other papers began to crack down on advertisements for adult movies.

Meanwhile, back in southeast Michigan, during the early to mid-1960s the *Detroit News* and *Detroit Free Press* both found themselves forced to grapple with how to deal with ads for films that were more sexual and violent than ever before. Coming under particular fire were overly sexual images in advertisements. The efforts of one theater to advertise *Phaedra* (1962) is illustrative in this regard. The ad for the Greek film was initially rejected by the *Detroit News* for being overly salacious, with the image in the ad copy featuring rather prominently the outline of

¹⁴ "Newspaper's Ad Rejection Brought \$50,000 Law Suit," *Battle Creek Enquirer and News*, April 30, 1965, 28.

¹⁵ "Theatre Loses Challenge of Ad Reject by Daily," *Variety*, June 23, 1965, 15.

¹⁶ "Newspaper's Right to Reject Ads Upheld in Ruling," *Chicago Tribune*, November 11, 1966, 6.

¹⁷ "Rules Paper Holds Right to Refuse Ad," *Chicago Tribune*, April 3, 1968, E7.

star Melina Mercouri's breasts. Ross Caccavale, head of the small chain of Studio arthouse theaters in the Detroit area, pushed back against the paper, saying at the time, "I felt the rejection was a capricious one. I think they didn't at first take the time to weigh the ad against (1) what is appearing elsewhere in the paper, (2) the film itself, and (3) the reputation of the Studio Theatre." In other words, Caccavale sought to make a distinction between the nudity of an art house film playing in an art house theater versus more indecent cinema appearing in less reputable venues. Ultimately, Caccavale and the paper were able to work out a compromise whereby a small portion of the ad was left out.¹⁸

At other times, it was specific words that drew the ire of both major Detroit newspapers. In 1963, the Adams Theatre ran into trouble when it tried to advertise *The Seducers* (1962) in the *Free Press* and was told that the title of the film was unacceptable. Problems with advertising copy was one thing; as Eric Schaefer writes, "Dual versions of ads and posters, 'hot' ads for the more permissive markets and 'cold' ads for the conservative ones, had been around from the earliest days of exploitation."¹⁹ A refusal to print the title of the film, however, was another matter entirely. Operators of the Adams Theatre objected that their distribution contract did not allow them to change the film's title, but their protests were for naught; in the end, the paper's theater directory left out the film's title, instead telling the reader to call for information on the film (see figure 7).²⁰ A similar tactic was used two years later when the title of *Sin on the Beach* ran afoul of the *News*, with the word "sin" lopped off by the paper and readers told to call the Fox Theater for the full title of the film (see figure 8).²¹ Whether this had a negative impact on

¹⁸ "'Arbitrary Censorship' by Detroit Papers Confuses City's Exhibitors," *Boxoffice*, December 17, 1962, ME-5.

¹⁹ Schaefer, "Pandering to the 'Goon Trade,'" 26.

²⁰ "'Seducers' Ad Is Banned Because of Title Word," *Boxoffice*, May 20, 1963, ME-34.

²¹ "No Place for Sex or Sin in Detroit Film Ads," *Boxoffice*, February 1, 1965, SE-5.

ticket sales is questionable in this case, with Walter Brown, owner of the Fox Theater, saying that the restriction “well may have drawn people to the movie.”²²

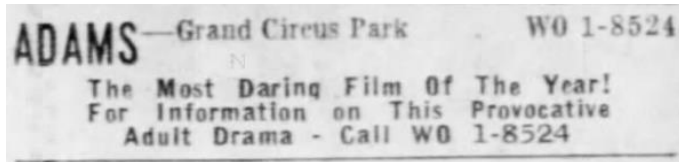


Figure 7. *Detroit Free Press*, May 3, 1963, p. D-13.

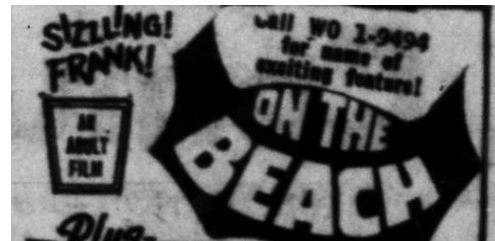


Figure 8. *Detroit News*, January 17, 1965 p. 6-G.

As these battles over ad copy were going on in the early 1960s, exhibitors in Detroit frequently grumbled about what they saw as the “arbitrary censorship” of the papers. One theater owner lamented that “the unfortunate thing is that the papers do not seem to be consistent in refusing or accepting.” Thus, one paper might reject an ad while the other accepted it, or a paper might accept an ad one day, then reject it the next.²³ The *Detroit News* had long required that movie ads meet the standards of the MPAA, with its guide to acceptable advertising saying, “Advertisements of motion pictures must conform to the Advertising Code For Motion Pictures adopted by the Board of Directors of the Motion Picture Association of America, Inc.”²⁴ Still, the *News* often went beyond just enforcing the MPAA’s Advertising Code, furthering the confusion in this area. In response to these issues, both papers began to more clearly lay out advertising guidelines in the mid-1960s.

In March of 1965 the *Detroit News* announced a “more stringent screening of amusement page advertising to eliminate material which the paper considers in poor taste and a violation of

²² Penn, “More Newspapers Try to Curb Movie Ads They Call Offensive,” 1.

²³ “‘Arbitrary Censorship’ by Detroit Papers Confuses City’s Exhibitors,” ME-5.

²⁴ *Advertising Acceptability Standards* (Detroit News, 1961), 6.

normal standards of decency.”²⁵ What this meant in practice was laid out by *News* advertising director Laurence T. Herman, who described the paper’s ad policy in a talk before the Allied States Association of Motion Picture Exhibitors, with the talk later adapted into articles for *Editor & Publisher*, a periodical covering the newspaper industry, and the *Journal of the Screen Producers Guild*. Herman explained how the scrutiny of advertisements worked, stating that questionable ads were submitted to a review board within the paper, which would then judge the acceptability of the proposed advertisement. The two overarching standards the paper followed when judging advertising were: “(1) Screen advertising must be presented in good taste, and (2) displayed in a way acceptable to a family group even when read aloud and in view of the entire family.”²⁶ Expanding on what this meant in practical terms, Herman listed some of the “troublesome” words and phrases for the paper:

Sex, lust, intimate, bare skin, sensuality, rape, nudist camp, between the sheets, revealing curves, sex rituals, sex pot, nudies, scintillating, bust, uncut, zips off dress, unfastens, unstraps, prostitute, seduce, lesbian, homosexuality, immorality, perversion, naked vision, nudarama, skin-a-scope and flesh-a-scope.²⁷

Depending on the context, some of these words could be acceptable—“sex” often made it into ads if not used in an overly titillating manner—while other terms were, for all intents and purposes, banned outright. As Herman explained, “Any word per se is not a bad word. It is how words are clustered together.”²⁸ Critics were quick to point out though that many of these words appeared in other parts of the paper without incident.

²⁵ “News Reaffirms Stand on Good Taste in Ads,” *Detroit News*, March 22, 1965, 7–B.

²⁶ “Only Two Rules on Ads by News in Detroit,” *Boxoffice*, May 11, 1964, ME-1.

²⁷ Laurence T. Herman, “Censoring Newspaper Ads,” *Journal of the Screen Producers Guild* 7, no. 2 (June 1965): 7–8.

²⁸ “‘Film Ads Dirtier,’ Newspaper Rein Necessary, Says Printers’ Ink,” *Boxoffice*, February 8, 1965, 10.

In 1965, the *Free Press* also clarified its policy and clamped down on objectionable ads. This action was taken after a reader, Mrs. John V. McCarthy, sent a letter to City Councilman James Brickley, stating that the movie ads in the *Free Press* “are the nearest thing to pornography that I have ever seen. They are certainly an inducement to every warped mind and a source of temptation to our young people, not to mention border-line deviates.” The specter of homosexuality loomed large in the imaginary here, as indicated by the word “deviates,” as did the related fear that indecent advertising would induce youth to commit sex crimes. City Councilman Brickley forwarded the letter to the *Free Press*, which in turn printed McCarthy’s original letter and their response, in which they promised, “The condition of recent movies has been a real shocker, not only the art they used in the advertising but the titles themselves. We have instituted a regular screening process and have cleaned up a good deal of it, but we are still not satisfied.”²⁹

Nine days after the *Free Press* printed McCarthy’s letter and its response, the editorial page featured six letters to the editor on the subject. Of the six letters, five were in favor of the *Free Press* tightening their policy on movie ads. The lone dissenting opinion, from Thomas V. Broadbent, did not bother trying to defend the ads themselves, granting that “of course they are” offensive. As he explained though, “Advertising is news. It informs a free citizenry of available commodities and each citizen then chooses what he will buy.” In particular, when it came to the ads in question, “If accuracy of representation is a merit of advertising, what is a better notice of a tasteless product than a tasteless ad?” For Broadbent then, the tasteless ads for tasteless movies could warn readers away, a worthy goal in his view. Notably absent was any sort of defense for

²⁹ “Woman’s Protest Cleans Up Smutty Ads,” *Detroit Free Press*, February 14, 1965, 2–C.

the ads or movies themselves; instead he granted the point that they were objectionable in nature.³⁰

In fact, it was a rather regular occurrence for the *Free Press* to receive letters to the editor condemning movie ads in the paper. As far back as March 1959 the paper received a complaint over an ad for *Night of the Quarter Moon* (1959), which featured a woman in a state of semi-undress with an unhooked bra and exposed back (see figure 9).³¹ A March 1964 letter written by Mrs. G. Tavormina condemned the paper for publishing an advertisement for *Shock Treatment* (1964), which depicted lead actor Stuart Whitman preparing to use hedge shears on an unsuspecting woman's head (see figure 10). In her letter, Tavormina stated, "This type of tasteless, abhorrent advertisement contributes greatly to the juvenile delinquency which is so prevalent in our Detroit area schools."³² Tavormina was far from alone in tying indecent movie ads to sex crimes and juvenile delinquency. As one 1962 letter to the editor asked, "Do you not really feel these very [movie] ads have contributed to delinquency and sexual assault"?³³

³⁰ Thomas V. Broadbent, "Drive Against Smutty Ads Draws Support, Criticism," letter to the editor, *Detroit Free Press*, February 23, 1965, 8.

³¹ Mrs. B. Chenevert, "Objects to Ad," letter to the editor, *Detroit Free Press*, March 18, 1959, 8.

³² Mrs. G. Tavormina, "Shocking Movie Ad Encourages Violence," letter to the editor, *Detroit Free Press*, March 28, 1964, 4.

³³ M.C., "Mr. Jones Lit a Candle in Blasting Our Morals," letter to the editor, *Detroit Free Press*, May 16, 1962, 6.



Figure 9. *Detroit Free Press*, March 5, 1959, p. 27.



Figure 10. *Detroit Free Press*, March 18, 1964, p. 4-B.

The frequency and intensity of letters to the editor decrying movie advertisements would only increase during the latter half of the 1960s. Both major Detroit newspapers took further steps to respond to the growing explicitness of movie advertisements, which were themselves a reflection of the growing explicitness of American cinema. And so, while *The Weird World of LSD* (1967) could be listed in the theater directory in the *Free Press*, display advertisements for the film were forbidden for its use of the word “LSD.”³⁴ The same fate befell *A Taste of Blood* (1967) in the *Free Press* for its use of “blood.”³⁵ Meanwhile, in 1966 the *News* clamped down on the use of the word “sexual” in advertising copy.³⁶

³⁴ “Detroit Newspaper Refuses Ad With LSD Mentioned,” *Boxoffice*, August 14, 1967, ME-1.

³⁵ “Detroit Paper Bans Word ‘Blood’ in Theatre Ads,” *Boxoffice*, October 2, 1967, ME-1.

³⁶ “Detroit News Forbids Use of Word in Ads,” *Boxoffice*, April 25, 1966, ME-1.

Still, movies continued to grow more violent and sexually-explicit as the 1960s progressed, with their advertisements matching this trend. In 1969, the *Free Press* took major action when it announced that no “smut” advertising would be accepted in the paper. The new policy, entitled “This Advertising Is Not Acceptable,” singled out fifteen adult theaters in the city as being houses whose ads would no longer be accepted by the paper. As *Free Press* advertising director Elving Anderson explained, the paper’s “very name suggests to the discerning that it remain free to accept or reject advertising and to run its affairs pursuant to a policy selected by it.” With the new policy in place, it was clear that the *Free Press* would be stepping up its focus on the curtailment of indecent movie ads in its pages.³⁷

The Ratings System and X-Rated Ads

During the late 1960s, the Production Code met its inglorious end, a victim of a changing, more permissive society and audience demands for realistic films featuring more explicit content. The Code had been fashioned on the idea that all movies featuring a Code seal would be suitable for all audiences. As the 1960s progressed though, and as adult-oriented features grew in popularity, the Code’s one-size-fits-all strategy seemed increasingly outmoded. In its place, the MPAA unveiled a movie ratings system which would rate the acceptability of films for audiences of different ages. The ratings system was founded on the notion that cinema audiences were segmented, and not all films were appropriate for all audiences. The ratings then were designed to give audiences, and in particular parents, information as to the suitability of films for various ages. As Richard S. Randall writes:

Informing the public, particularly parents, of the relative suitability of a film for children and youth is perhaps the key element in the entire rating system. This advisory function is especially important not only because of the pious claims the

³⁷ “Newspaper Ban on ‘Smut Ads’ Names Theatres,” *Independent Film Journal*, September 16, 1969, 8; “Ad Policy May Threaten Detroit Film Exhibitors,” *Boxoffice*, September 29, 1969, ME-2.

industry makes and has always made that parents bear the chief responsibility for the moviegoing habits of children and adolescents, but also because the noncoercive character of advisory ratings has a special problem-solving appeal in a political culture that holds censorship in considerable suspicion.³⁸

Thus the MPAA created four ratings categories, G for general audiences, M for mature, R requiring those under seventeen be accompanied by an adult, and the dreaded X rating, prohibiting entirely those under seventeen. In the decades to come, there would be changes to the ratings system—the M rating became GP and then PG, X was replaced by NC-17, and a new PG-13 category was created—but the central idea of the ratings system, the informing of the public as to the suitability of films for different audiences, continues to this day.

The X rating was reserved for the most controversial of releases, with MPAA head Jack Valenti early on expressing his hope that the X category would become a “leper colony.”³⁹ Crucially though, whereas every other rating category had been copyrighted by the MPAA, the X rating was left out in the open. The rationale behind this was that, while a film seeking a G, M, or R rating had to submit to a review by the MPAA ratings board, X was always an available option for producers to self-apply to their pictures. This led to a confusion over the meaning of the X rating, as very different types of pictures fell under the category. On the one hand were edgy prestige pictures released by Hollywood studios, perhaps most notably the Oscar-winning *Midnight Cowboy* (1969) and Bernardo Bertolucci’s *Last Tango in Paris* (1972). On the other hand were exploitation and pornographic features that either were consigned to the X rating by the MPAA or just as often chose the rating willingly, reveling in the what Justin Wyatt has called

³⁸ Richard S. Randall, “Classification and Self-Regulation in the American Film Industry,” *Technical Report of the President's Commission on Obscenity and Pornography*, vol. V (Washington, DC: U.S. Government Printing Office, 1971), 259.

³⁹ John Finlayson, “Hard Look at Movie Ratings,” *Detroit News*, March 16, 1969, 5–E.

“the stigma of X.”⁴⁰ As a result, Hollywood producers soon began to avoid the X rating as much as possible, and vehemently protest when their films were given an X. This was done both out of fear of their films being associated with “lower” forms of cinema as well as the economic consequences of the X classification, meaning generally fewer ticket sales due to the age restrictions. Frank Perry, director of *Last Summer* (1969), which only narrowly escaped an X rating, said in 1969, “There should be a difference between a ‘schlock X’ handed out to films for the porny-house trade and an ‘artistic X’ for films which are trying to say something.”⁴¹ He would be far from the last person to make the point.

During this period, some newspapers began to rebel against the trend to more explicit cinema, as was the case with the *Free Press* in its 1969 move against adult movie theaters. Whereas the *Free Press* targeted specific theaters though, other papers began to target the ratings system itself by banning ads for X-rated films. Estimates varied, but by 1970 approximately 28 newspapers across the country were refusing all ads for X-rated films. Still, most of these papers were small in size, and no major newspaper had yet followed the nascent trend.⁴² Anti-porn groups of the era often organized campaigns to urge newspapers to ban all ads for X-rated films. In early 1972, Charles H. Keating, head of the group Citizens for Decent Literature and perhaps the era’s most prominent anti-porn advocate, celebrated the nascent trend of newspapers refusing ads for X-rated movies, saying that newspapers printing salacious movie ads were “[p]imps for

⁴⁰ Justin Wyatt, “The Stigma of X: Adult Cinema and the Institution of the MPAA Ratings System,” in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 238–63.

⁴¹ Jim Harwood, “Perry: X Fails to Sift Schlock Sex From Serious Study; Antique Studio System Dead, Craft Costs Intact,” *Variety*, November 5, 1969, 22.

⁴² “27 Newspapers Ban ‘X’ Ads,” *Independent Film Journal*, December 23, 1969, 3; “‘Protecting Public’ Vs. ‘Censorship,’” *Variety*, February 25, 1970, 7; “28 Newspapers Refuse All X Ads: Radio, TV Station Policies Differ,” *National Decency Reporter* VII, no. 9–10 (October 1970): 15.

the whorehouses that many theaters have become under the rating system devised by Jack Valenti.” Keating then, like many anti-porn activists and groups, saw the ratings system as an enabler of rather than a deterrent to pornography. The newsletter for Citizens for Decent Literature in turn called on readers to write their local newspapers and demand they stop publishing ads for X-rated pictures.⁴³ A year later, when the same newsletter gave its readers a list of “Immediate Action Steps” to take in their hometowns against pornography, the very first step recommended was to call on one’s local newspaper to ban or restrict the advertising of X and R-rated movies.⁴⁴

Such bans on ads for X-rated pictures in newspapers struck at the heart of the ratings system. As Richard S. Randall wrote of the important role played by newspapers in support of the ratings system during this era:

Though informing [the public as to the suitability of films] may take place through various channels— box office and lobby signs, the marquee, reviews, and the screen itself in the form of trailers— its main vehicle is the advertisement of local exhibitions. Such advertising employs various media—newspapers, radio, television, billboards, and so on—but only one, newspapers, is used near-universally by the industry. As a result, more American moviegoers learn what is playing at their local theaters and consequently what the ratings are for the films through daily newspapers than any other medium of communication.⁴⁵

Given this, unsurprisingly the MPAA grew concerned as the movement of newspapers banning X-rated ads took hold. In 1970, MPAA head Jack Valenti commented on the trend, saying, “None of us in the film industry seeks to attack the motive of a newspaper whose desire is to drive out the tawdry, the cheap, and the trashy. We share a distaste for this kind of film.”

⁴³ “Newspapers Refuse Movie Ads,” *National Decency Reporter* IX, no. 1–2 (February 1972): 7.

⁴⁴ “Fighting Pornography in Your Home Town: Immediate Action Steps,” *National Decency Reporter* X, no. 7–8 (August 1973): 4.

⁴⁵ Randall, “Classification and Self-Regulation in the American Film Industry,” 259-260.

However, as he went on to say, “The rating program cannot continue to work if newspapers use it as a device to deprive parents of valuable information.”⁴⁶ Once again, the notion of two types of X rated films was put forward here, with Valenti all too eager to throw under the bus pornographic cinema as a means of distinguishing it from the type of films being produced by MPAA members.

In Detroit, pressure mounted on both major papers to ban X-rated ads, or at a minimum clean up the advertisements run in their movie pages. The *Free Press* prohibition on ads from specific theaters proved short-lived, however, as with seemingly no announcement of a policy change, ads for the singled out theaters began regularly appearing in the paper a year later. The number of letters to the *Free Press* from readers complaining about indecent movie advertisements multiplied during this period, eventually leading film critic Susan Stark to publish an article in late 1971 on the topic titled “Those X-Rated Movie Ads: Porno Peddlers and the Press.” As she said, calls and letters complaining about the paper’s movie ads “come to various desks at the *Free Press* with the regularity of the rising sun.” In the article, Stark explained how a two man team would review all movie ads for the paper, with an estimated fifteen percent of all the paper’s potential movie ad revenue lost due to rejected ads. Stark’s article acknowledged the growing tide of individuals requesting the *Free Press* clean up its movie ads while promising no real change in the paper’s policy.⁴⁷

⁴⁶ Karen Hasman, “Sex Films Price of Democracy,” *Detroit Free Press*, December 21, 1970, 8–D.

⁴⁷ Susan Stark, “Those X-Rated Movie Ads: Porno Peddlers and the Press,” *Detroit Free Press*, October 10, 1971, 7–B, 9–B.

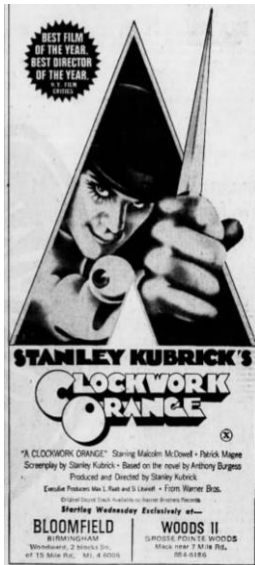


Figure 11. *Detroit Free Press*, February 7, 1972, p. 5-D.

Who Should Okay the Movies You Want to See?

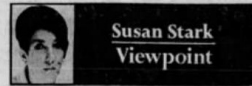
The present flurry of activity among members of the Grosse Pointe Motion Picture and Television Council, which so far amounts to little more than a threat-filled phone campaign, jeopardizes one of my favorite principles.

The principle in question—freedom of choice—may be one of your favorites, too. I hope so.

In any case, the newscast on Monday night's Channel 7 news that first alerted me to the situation featured a spokesperson for the Grosse Pointe Motion Picture and Television Council stating her organization's case against "A Clockwork Orange." The new Stanley Kubrick film is now playing at the Woods II Theater 566 feet into Grosse Pointe Woods and at the Bloomfield Theater in downtown Birmingham.

The woman alluded to as how she and her sisters in the council consider "A Clockwork Orange" to be a dangerous movie for children and adults alike. The danger, according to her, is in the film's depiction of violence. It's not that the film will inspire innocent and or men a t a l l y balanced people to run out and commit violent acts, she said. The real danger, she said, is that people on the brink of violently antisocial behavior will be pushed over the edge by the film.

A pretty serious conclusion, one that experts will stand shy of but never mind: This is still a free country, and everyone



Susan Stark
Viewpoint

"Clockwork Orange" or no, 'the facts of the matter are: You can go to any movie you want to—with or without your children...'

Finally, I do know from the account of another local exhibitor whose chain has nothing to do with "A Clockwork Orange," that about four years ago, the Grosse Pointe Motion Picture and Television Council (GPMPPTC) managed to run "The Fox," a film based on D. H. Lawrence's classic short story, right out of town. (Then, in that case, being the Empire Theater which, though located just outside Grosse Pointe, still serves many in that community.)

ALTHOUGH I await further evidence of what the council has in mind for "A Clockwork Orange" with fear and dread, it is not my primary purpose here to impugn their motives, or conversely, to defend the film. I grant to those self-ap-

ing, the identity of the authority, or the source of power of those who prevent parents from accompanying their children to any movie house on U.S. soil to see any movie deemed relevant by the parents for the child.

"Can you try to imagine my frustration and advise me as to what you would do in my position? My son wants to see 'Midnight Cowboy.' I want my son to see 'Midnight Cowboy.' I'd also like for him to see the enormous vacuity of 'I Am Curious (Yellow).'"

"If I force my way into these movies, what do you think will happen? Would you be on my side? Would anybody? What does the law say? Please Miss Stark, help me!"

THE GENTLEMAN got a personal answer in October of 1969. His letter and a summary of my answer to it are printed here for the benefit of

WHAT I DO propose is to give the other side a chance to be heard, since the GPMPPTC got the chance to make its position known on Monday night's Channel 7 newscast.

Part of a letter I received in December of 1969, when the now R-rated "Midnight Cowboy" was carrying an X-rating, follows:

"Tell me, Susan Stark, why can't you become indignant about this business of me, a parent, being constrained by a censored organization that

those who, in the face of X-ratings from the MPAA and more X-ratings from groups like the Grosse Pointe Motion Picture and Television Council, are beginning to share the freedom of choice in some way

will support your being denied entry. The MPAA rating system is a voluntary system, not the law. You can go to the movie of your choice, that is, unless some well-meaning fellow citizens haven't already managed to run it out of town.

The facts of the matter are these: You can go to the theater of your choice, playing the movie of your choice, with or without your children. The exhibitor who requested the story of "The Fox" at the Empire Theater absolutely assures me that there is no law—federal, state, or local—that

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WOODS II

DETROIT-FREE PRESS Friday, Feb. 18, 1972 7-B



Figure 12. *Detroit Free Press*, February 18, 1972, p. 7-B.

Into this debate came *A Clockwork Orange* (1971). Stanley Kubrick's acclaimed film opened in the Detroit area in February of 1972, and immediately elicited controversy. In neighboring Grosse Pointe, protests against the film made headlines both locally and in national film industry trade periodicals.⁴⁸ Religious groups in the city struggled with how to respond to the film, even as critics acclaimed the picture.⁴⁹ The aforementioned Susan Stark lavished praise on the film, calling it "required viewing for all who have reached the age of reason." In this regard, she criticized the MPAA for, in its "sublime arrogance," giving the film an X rating, and encouraged parents of teenagers to "do the *Midnight Cowboy* number once again" by getting their children in to see a prestigious X-rated film.⁵⁰ Nine days later, Stark published another

⁴⁸ Roger A. Waha, "Film 'Ticks' Off Residents," *Grosse Pointe News*, January 17, 1972, 1-2; James Harper, "GP Group Seeks Ban on X-Rated Movies," *Detroit Free Press*, February 18, 1972, 3; "Detroit Suburbs Oppose 'Clockwork,'" *Variety*, February 23, 1972, 18.

⁴⁹ Nancy Manser, "Ultra-Violent Film Raises Questions for Faithful and Clergy," *Detroit News*, February 12, 1972, 7.

⁵⁰ Susan Stark, "'Clockwork Orange' a Troubling Vision," *Detroit Free Press*, February 9, 1972, 2-B.

article on the film, titled “Who Should Okay the Movies You Want to See?,” this time dealing with the Grosse Pointe protests against the picture, criticizing them for attempting to prohibit “freedom of choice” for would-be moviegoers.⁵¹ The irony, though, was that running next to Stark’s article was an ad for *A Clockwork Orange* that had been censored. Whereas when the film was first advertised in the *Free Press* it ran uncensored, in the weeks that followed a knife in the picture had been removed from ads (see figures 11 and 12).⁵² The same was the case with the *Detroit News*, which also had seen fit to remove the knife in its ads for the film.⁵³ Still, such a move would be short-lived for the *News*. Within a matter of weeks, the paper would refuse all ads for the film.

“News to Refuse Ads, Publicity on X Films”

On March 19, 1972, the *Detroit News* released a front page, bombshell editorial in which it announced a change in the paper’s policy regarding movie ads. As the piece began, “The *Detroit News* announces today that, effective next Sunday, it no longer will publish display advertising – or give editorial publicity to – X-rated motion pictures and those other unrated pictures which, in our judgment, are of a pornographic nature.” Whereas throughout the 1960s the paper had focused on advertising copy, with this new policy the paper targeted the films and theaters showing adult movies, regardless of the content of the ad. Crucially too, the new policy not only banned ads, but also reviews or promotional material on X-rated films.⁵⁴

The editorial attempted to preempt criticism of the new policy. As it read, “Some will fault us as ‘not with it,’ as defenders of a defunct moral code. Our answer is that, in our view, a

⁵¹ Susan Stark, “Who Should Okay the Movies You Want to See?,” *Detroit Free Press*, February 18, 1972, 7–B.

⁵² *A Clockwork Orange*, Advertisement, *Detroit Free Press*, February 7, 1972, 6-D; *A Clockwork Orange*, Advertisement, *Detroit Free Press*, February 25, 1972, 6-C.

⁵³ *A Clockwork Orange*, Advertisement, *Detroit News*, February 20, 1972, 3-H.

⁵⁴ “News to Refuse Ads, Publicity on X Films,” *Detroit News*, March 19, 1972, 1.

sick motion picture industry is using pornography and an appeal to prurience to bolster theater attendance; quite simply, we do not want to assist them in the process.” Such language revealed an important point about the new policy, which was that the *News* was not just interested in cleaning up its movie page, but also sought to avoid lending aid to pornography. In other words, it was not just a matter of keeping the newspaper family-friendly; the paper sought to influence the types of films being shown in the Detroit area.⁵⁵

The editorial also attempted to anticipate critiques from the other side of the issue, meaning from those taking the view that the new policy did not go far enough. As the piece said in response to this, “We agree that some R and other movies also are offensive but, for the time being, we plan to concentrate our restriction on those films which the industry itself classifies as unsuitable for nonadult viewers.” In distancing itself from imagined readers seeking a ban on both R and X-rated movies, the paper could paint itself as moderate by comparison. Still, the paper nevertheless kept the door open for a future, even more restrictive change in policy.⁵⁶

To understand why the *News* took this step, it is important to consider the paper’s politics and orientation within the Detroit metropolitan area. The *News* had for decades been the more conservative of the two major Detroit newspapers, having never once endorsed a Democrat for president during the twentieth century. During the late 1960s and early 1970s, the paper’s extensive coverage of crime in Detroit had earned it plaudits from many conservatives, alongside cries of racism from leaders in the black community in the city.⁵⁷ William W. Lutz, in his 1973

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ William W. Lutz, *The News of Detroit: How a Newspaper and a City Grew Together* (Boston: Little, Brown and Company, 1973), 146–48.

book on the history of the *Detroit News*, wrote of the context from which the paper's focus on the issue of crime emerged:

Underpinning the *News*' concern about collapsing law and order was a general belief in a decline in morals that was evident since the end of World War II. The breakdown in obedience to flag and country appeared but symbolic of other disintegrations – a youthful disrespect for formal religion, a growing disenchantment with everything old, a disdain by militants and activists of the establishment. The country was unprepared to thwart the resultant violence and disrespect of law and order. Worse, the moral collapse arrived at a time when liberal intellectuals, many on college campuses, had paved the way for the arriving generations by seriously challenging the old order in its entirety.⁵⁸

The *News*' revised movie advertising policy can therefore be seen as an extension of its conservative politics and its concerns surrounding a supposed weakening of the moral fiber of the country. Indeed, in his book on the *News*, Lutz made this very point, saying of the editorial that announced the ban on ads for X-rated movies that “the paper's philosophy concerning declining morals was never more bluntly stated.”⁵⁹

Connected to this was that the *Detroit News* was, at this time, increasingly focusing on attracting suburban readers as part its efforts to increase circulation. This was due in large part to the demographic trends in the region, the suburbanization that was pulling many of the paper's readers to the suburbs, a process only accelerated by the civil unrest of 1967. Also connected to this was the rise of smaller suburban-based newspapers that were increasingly competing with the *News* for readers, with five suburban dailies and ten weekly papers operating in the Detroit area by the early 1970s. Walker Roberts, in his 1972 master's thesis on the *Detroit News*, described how this threat shaped policies enacted by the *News* during this era, writing, “There

⁵⁸ Ibid., 153–54.

⁵⁹ Ibid., 154.

was little question that *News* management was becoming concerned that the big paper would become locked into its market by suburban papers--in a manner similar to that which suburban newspapers have encircled the large Chicago metropolitan newspapers.”⁶⁰

As indicated by this quote, the challenges posed by demographic trends and competition from suburban newspapers were hardly unique to the *News*. In 1973, the *New York Times* ran a story on the larger trend of big city newspapers across the country focusing more of their attention on trying to reach suburban dwellers. As the piece begins, “The rush to the suburbs—a movement that has swept middle-class families, corporate headquarters and burgeoning factories out of the central cities—has now caught some big-city newspapers in its momentum. Anxious to retain circulation among relatively affluent readers, a number of city newspapers are making dramatic increases in suburban news coverage.” This trend was driven by a view expressed by Marshall Field, publisher of the *Chicago News* and *Sun Times*, who was quoted in the piece as saying, “If we appeal purely to the poor blacks, they’ll buy the papers, but they can’t buy our advertisers’ products.” While one might argue with this viewpoint, its axiomatic status is indicated by the number of major city newspapers cited in the *Times* article as increasingly shifting their focus to the suburbs. Among those was the *Detroit News*; in comparison, the *New York Times* noted, the “*Detroit Free Press* still considers itself a city paper.”⁶¹

The *News*’ shift toward a focus on the suburbs during this era was evident in a number of ways, including in its decision to move its production facilities from downtown Detroit to the suburbs through the construction of a new \$40 million plant in the suburb of Sterling Heights.

⁶⁰ Walker Roberts, “An Organizational and Economic Case Study of the Detroit News” (Michigan State University, 1972), 115. For more on suburban newspapers in metropolitan Detroit, see James H. Buckley, *Bringing Home the News: A Case Study of the Community Press* (Livonia, MI: Suburban Communications Corporation, 1991).

⁶¹ David K. Shipler, “Big-City Newspapers Stepping Up Their Coverage of News in Suburbs,” *New York Times*, April 23, 1973, 36.

The *News* had for decades been in need of new and updated printing facilities, with its main plant having been built in downtown Detroit in 1917. In the late 1950s, the *News* considered construction of a second plant downtown, even acquiring land, but after purchasing the competing *Detroit Times* in 1960 the plans were shelved. During the 1960s, new plans were developed to build a modern production facility across the street from the current one downtown, and land for that project was even purchased.⁶² In its 1969 annual report, the Central Business District Association touted the *News*' plans as one component of the urban renewal program that it hoped would save the downtown district.⁶³ However, as Walker Roberts explains, "After the land was acquired, it became apparent that the potential circulation growth was on the perimeter of the city and that the suburban dailies, all afternoon papers, were the competitors for this circulation."⁶⁴ Given this, in December of 1969 plans were announced to construct a new printing facility in Sterling Heights rather downtown, allowing for faster distribution of the paper throughout the suburbs, particularly so given that the plant was located along convenient railway lines.⁶⁵

Just a few weeks later, in early 1970, the paper changed the title of its Sunday edition to the *Sunday News*, stripping the "Detroit" from its heading. Explaining the move, the paper noted that it had upwards of 100,000 subscribers outside the metropolitan area, saying, "The new nameplate thus reflects the broader interests and locale of the state's largest group of Sunday newspaper readers."⁶⁶ The decision drew the ire of Detroit City Councilman Mel Ravitz, who

⁶² Roberts, "An Organizational and Economic Case Study of the Detroit News," 221.

⁶³ "1969 CBDA Downtown Detroit Development-Progress Report," 1969, 6, Jerome P. Cavanagh Collection, Box 493, Folder 1, Walter P. Reuther Library, Wayne State University.

⁶⁴ Roberts, "An Organizational and Economic Case Study of the Detroit News," 221–22.

⁶⁵ "News to Build Satellite Plant," *Detroit News*, December 24, 1969, 3.

⁶⁶ "News Drops 'Detroit,'" *Detroit Free Press*, January 4, 1970, 3.

said of the move, “I would have hoped they would continue to call themselves ‘*The Detroit News*’ rather than disassociate themselves from the city symbolically as they plan to do physically.”⁶⁷

In 1971, the paper beefed up its news coverage of the suburbs by introducing a special metro news section for four designated geographic zones: Metro North for Oakland County, Metro East for Macomb County, Metro West for Wayne County outside Detroit, and finally Metro Detroit. These metro sections were designed to compete with suburban dailies, with Walker Roberts writing, “The *News* saw itself as ahead of all competing papers--the most relevant competition being the suburban dailies--in national and state news, but the need for local news was not being met, indeed could not be met. The four part-run zones could fill this gap and change the image of the *News*, which was becoming strongly identified with the inner city.” As part of these efforts to not be overly “identified with the inner city,” and to meet the ambitions of the new metro section, the paper also greatly boosted the number of reporters covering Detroit’s suburbs.⁶⁸

Between all these developments, the *News* made clear that its focus in the early 1970s was on shifting the paper from being primarily geared to city dwellers to instead trying to appeal more to suburban readers. In his history of the paper, William Lutz described this shift thusly:

The newspaper that once measured the worth of its stories by the yardstick, ‘How close is it to Woodward Avenue?’ today has editorial offices throughout the city’s sprawling metropolitan area. These offices provide the news and feature stories that fill sections of the paper zoned with articles of interest close to each reader’s home. Woodward has become Maple Lane, Elm, Pine or Bonnie Brae Drive, miles from Detroit’s main thoroughfare.⁶⁹

⁶⁷ “Ravitz Hits the News for Name Shift,” *Detroit Free Press*, January 6, 1970, sec. D, 5.

⁶⁸ Roberts, “An Organizational and Economic Case Study of the Detroit News,” 104, 118–19.

⁶⁹ Lutz, *The News of Detroit*, 197.

This change was a profound one for the *News*, signaling a shift in how the *News* saw itself and how it sought to position itself for an uncertain future. Beyond these changes in news coverage and production facilities geared toward suburban readership, the *News* also changed its advertising practices during this era, something noted by the *Fifth Estate*, an underground paper in Detroit, which wrote in 1972, “All *Detroit News* billboards on each of Detroit’s freeways are a mile or two south of the city limits and each sign faces the suburbs.”⁷⁰

Put together then, we can see the *News*’ ban on X-rated ads as being a part of the paper’s strategic shift toward appealing to suburban readers, as well as one component in the paper’s broader stance against what it saw as the decline of morality in society. Indeed, the *Fifth Estate* would explicitly link the *News*’ new ad policy with its attempts to appeal to suburban readers, saying, “The *News* banned ads for X-rated movies, in our view, solely to capitalize on the sentiments of middle-class prudery that exist. They took their position... to cash in on suburban horror at the spread of pornography.”⁷¹ Implicit here was the association of the city with pornography, with the suburbs seemingly free from adult entertainment. While elsewhere in this dissertation I explore how the perception of Detroit’s suburbs as porn-free often did not match reality, this disconnect did little to diminish this conception of suburbia, as evidenced by the *News*’ stance. Likewise, in trying to appeal to suburban readers through their ban on X-rated ads, the paper was implicitly constructing suburban dwellers as sharing in the paper’s anti-porn sentiments. This assumption would soon be put to the test as readers responded in droves to the paper’s new ad policy.

⁷⁰ “Dee-Troit Seen,” *Fifth Estate*, March 25, 1972, 4.

⁷¹ Jerry Flint, letter to the editor, *Fifth Estate*, November 4, 1972, 21.

Readers Respond

Reaction from readers was swift and, for the most part, rapturous. A week after the announcement, the “letters to the editor” section of the paper devoted its space entirely to mail from readers regarding the X-rated ad ban. In the months ahead, the paper would receive thousands of letters from readers, with the vast majority (at least according to the *News*) in favor of the ad policy change. The letters to the editor page tended to reflect this support, with the preponderance of letters published thanking the paper for the decision, and letters of dissent a small minority.

Readers tended to draw upon certain discursive strategies in their letters. Unsurprisingly, one of these was the invocation of the idealized and imperiled child figure, put in danger by indecent movie advertisements. As Mr. and Mrs. E. E. Meier said, “As parents of three growing sons we appreciate your new policy.” Similarly, Flora Castleman wrote, “It’s about time such a stand was taken. I have four children who read *The News* each night. At times I used to remove your movie page before giving them the paper.” Such rhetoric reflected a fear that going to indecent movies might not even be necessary to corrupt youth, just seeing the advertisements for them might be enough on its own.⁷²

Many celebrated the *News*’ policy shift as putting morals above money. As Mrs. Frank Sladen wrote, “Hurrah for *The News*, a newspaper not afraid to speak up for and act for decency and morality at the expense of losing money.”⁷³ James Soltesz similarly celebrated the paper for

⁷² Mr. & Mrs. E. E. Meier, “Debate Rages Over News Movie Ad Code,” letter to the editor, *Detroit News*, April 1, 1972, 4; Flora Castleman, “Debate Rages Over News Movie Ad Code,” letter to the editor, *Detroit News*, April 1, 1972, 4.

⁷³ Mrs. Frank Sladen, “Readers Laud Ban on X-Rated Movie Ads,” letter to the editor, *Detroit News*, March 26, 1972, 3-E.

being “willing to forego financial gain to try to stop the decline in morality.”⁷⁴ Still, others suspected a net gain in revenue for the paper, as was the case with Jean Timmington, who wrote, “I even think you may sell more papers because of your leadership in this.”⁷⁵ Whether the paper gained or lost money in the end is unclear, though the number of ads bought by theaters in Detroit did undoubtedly decrease with the new policy. As *Boxoffice* reported a month after the *News*’ announcement, “In display movie advertising, the *News* had dropped to approximately two pages, while the *Free Press* was up to three and one-half. In the movie directory space, the *Free Press* carried eight columns, while the *News* was down to six.”⁷⁶ Whether this drop in advertising made much of a difference to the *News*’ bottom line, however, is questionable.

Perhaps the most striking trend in letters to the *News* was the way in which readers tended to view the new ad policy as being one victory in a broader war against pornography. Said Dennis Wright, “Hurrah for you! I was glad to read... that somebody has begun a fight against porno flicks.” Likewise, Glenn E. Mapes III wrote, “It’s about time someone took the first step in trying to close up the X-film houses. They are nothing but places for sex perversion and sadistic minds.”⁷⁷ Language emphasizing that the *News*’ decision was a first step pervaded these letters, with three separate letters saying, “You have taken a firm and significant step”; “Thank god somebody finally has taken one step in the right direction!”; Your new policy is the

⁷⁴ James Soltész, “Majority Approves Film Advertising Code,” letter to the editor, *Detroit News*, March 26, 1972, 3-E.

⁷⁵ Jean Timmington, “Debate Rages Over News Movie Ad Code,” letter to the editor, *Detroit News*, April 1, 1972, 4.

⁷⁶ H. F. Reves, “Ban on X-Film Ads by Detroit News Triggers Rapid-Fire Developments,” *Boxoffice*, April 24, 1972, ME-2.

⁷⁷ Dennis Wright, “Majority Approves Film Advertising Code,” letter to the editor, *Detroit News*, March 26, 1972, 3-E; Glenn E. Mapes III, “Majority Approves Film Advertising Code,” letter to the editor, *Detroit News*, March 26, 1972, 3-E.

biggest step in the right direction against pornography.”⁷⁸ Such letters indicated that the *News*’ ad policy change was seen as being about more than just narrowly cleaning up the ads in the paper itself; rather, the *News* was viewed as something of a leader in the broader war against smut in society.



Figure 13. *Detroit News*, March 24, 1972, p. 8-C.

Unsurprisingly, the *News* was lauded for its decision by anti-porn groups both nationally and locally. On the former front, Morality in Media, one of the country’s most prominent anti-porn organizations, gave the *News* an award for its “courageous” stand against ads for X-rated

⁷⁸ Mrs. Emily Feiten, “More Readers Back News’ Movie Code,” letter to the editor, *Detroit News*, April 15, 1972, 4; Mr. & Mrs. DiGerolamo, “More Readers Back News’ Movie Code,” letter to the editor, *Detroit News*, April 15, 1972, 4; Mrs. L. Henry, “More Readers Back News’ Movie Code,” letter to the editor, *Detroit News*, April 15, 1972, 4.

movies.⁷⁹ The newsletter published by Citizens for Decency Through Law also lauded the *News*' decision, and highlighted its importance to the broader anti-porn movement in saying, "The single most significant indication that a reaction to pornography has set in is the growing list of major newspapers that refuse to accept advertising for 'X'-rated and unrated films."⁸⁰ Locally, the newly formed Detroit-based group Citizens against Pornography and Smut gave the *News* its first Business Ethics Award.⁸¹ The *News* also received awards for its ad policy from the local chapter of Catholic Daughters of America as well as the Grosse Pointe Motion Picture and Television Council.⁸²

Connected to situating the paper's stand within the context of a broader war on pornography was the way in which readers hoped that the *News*' decision would spur other newspapers to action. Said Lee A. Kenag, "It wouldn't surprise me to see other leading papers and journals taking this unprecedented step. Perhaps this is what they've been waiting for—to see one source of news step out of the cesspool and take a stand on principle."⁸³ This view was echoed a number of times, such as by Evelyn Merenda, who wrote, "I hope all newspapers follow your example," or by Dennis Wright, who said in his letter, "I hope the step you took will trigger a chain reaction among other papers."⁸⁴ As we shall see, these readers would see their wishes fulfilled as other papers followed the *News*' lead in banning ads for X-rated movies.

⁷⁹ Douglas Glazier, "Morality in Media Honors News for X-Rated Ad Policy," *Detroit News*, October 27, 1972, 3.

⁸⁰ "'X' Rated Ads Out," *National Decency Reporter* IX, no. 5–6 (June 1972): 2.

⁸¹ "New Problems Arise Over Decision of Detroit Paper to Bar X Ads," *Boxoffice*, June 26, 1972.

⁸² "Catholic Daughters," *Variety*, July 19, 1972, 19; "Compel Recalcitrant Judge to Return Confiscated Reels," *Independent Film Journal*, June 8, 1972, 5.

⁸³ Lee A. Kenag, "Majority Approves Film Advertising Code," letter to the editor, *Detroit News*, March 26, 1972, 3-E.

⁸⁴ Evelyn Merenda, "Angry Readers Take Issue with Valenti," letter to the editor, *Detroit News*, April 23, 1972, 3-E; Wright, "Majority Approves Film Advertising Code," 3-E.

Those rare letters that criticized the *News*' policy often drew on the notion that the paper was suppressing the freedom of readers to decide for themselves what they did and did not want to see at the movies. As Eugene Brown wrote, "Who in hell do you think you are, censoring what I read? Reinststate freedom of the press for me or I shall cancel my subscription!" Many accused the *News* of hypocrisy in its stance, such as Bill Thompson of Riverview, who wrote, "If the government had told you that you couldn't advertise X-rated films you would have screamed bloody murder!"⁸⁵ Still, indicating the degree to which these voices of dissent were a minority, a little over a week after that letter, another Bill Thompson of Riverview wrote in to declare: "The Bill Thompson who wrote that letter must also live in Riverview but the Bill Thompson who is submitting this letter is the community school director for Riverview and definitely does not share his views."⁸⁶ The second Bill Thompson's letter points to the marginalization of those criticizing the *News*, such that an individual felt obliged to clear his good name after it had become unduly associated with the alleged defenders of pornography.

Those who did willingly stand up to criticize the *News* often made the argument that not all X-rated movies fell under the heading of pornography. Dale Sandahl expressed this view in writing, "I would like to give you two good reasons why your decision to no longer publish display advertising or give publicity to X-rated films is so terribly wrong and unrealistic—A *Clockwork Orange* and *Midnight Cowboy*."⁸⁷ Those two films were similarly invoked by James McFarland, who wrote, "You are in violation of the First Amendment by not allowing certain

⁸⁵ Eugene Brown, "Readers Laud Ban on X-Rated Movie Ads," letter to the editor, *Detroit News*, March 26, 1972, 3-E; Bill Thompson, "Readers Laud Ban on X-Rated Movie Ads," letter to the editor, *Detroit News*, March 26, 1972, 3-E.

⁸⁶ Bill Thompson, "School Official Backs X-Film Ban," letter to the editor, *Detroit News*, April 3, 1972, 6-B.

⁸⁷ Dale Sandahl, "Majority Approves Film Advertising Code," letter to the editor, *Detroit News*, March 26, 1972, 3-E.

vendors to advertise their products. Also you are displaying Victorian ethics. Apparently you don't recognize the social value of *Midnight Cowboy* or *A Clockwork Orange*.”⁸⁸ These two films in particular were often highlighted by critics of censorship who saw in them readily-made examples of artistic-minded (rather than pornographic) X-rated features. Such an argument drew on an idea developed over the course of the twentieth century, which is that art and pornography are diametrically opposed. As Walter Kendrick writes, “After 1966, ‘pornography’ and ‘art’ no longer overlapped... This was the only question a century of argument [over pornography] had managed to dispose of, yet its effects were decisive.”⁸⁹ In deploying this rhetorical strategy then, critics of the *News* made the case that the problem with the new ad policy was that it would, in the interest of justly banning ads for pure pornography, incidentally affect the artistic films also falling under the X-rated category. Still, seemingly no one was willing to stand up and be counted as being in defense of pornography itself.

A week after the announcement of the *News*' revised ad policy, the paper estimated it had received a total of 1,415 letters and telephone calls, with all but 26 of them supporting the paper's actions.⁹⁰ Six months later, the paper estimated that the total number of letters received equaled 2,469, with just 58 in opposition.⁹¹ This imbalance was reflected in the letters printed by the paper. I was able to find a total of 117 letters that were printed in the paper dealing with the ban on X-rated movies, with just 12 of those in opposition (a figure that includes three letters, discussed below, that came from members of the film industry). Many in the movie industry suspected that the *News* was exaggerating the disparity in responses, with local industry figure

⁸⁸ James McFarland, “Debate Rages over News Movie Ad Code,” letter to the editor, *Detroit News*, April 1, 1972, 4.

⁸⁹ Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley, Calif: University of California Press, 1997), 227.

⁹⁰ “1,839 Laud News on Movie Ad Ban,” *Detroit News*, March 26, 1972, 3–E.

⁹¹ Ken Barnard, “More Praise than Protest for News' Film Policy,” *Detroit News*, September 26, 1972, 1.

Milton London accusing the *News* of “misleading its readers into thinking that there was unanimous acceptance of their policy.”⁹² Still, though it is impossible to know for certain, it is entirely conceivable that the *News* in fact accurately portrayed the response from readers as being overwhelmingly positive. After all, as Walter Kendrick writes of fights over pornography, “[T]hose who feel that no harm is being done are unlikely to form pressure groups in order to advance that view. Contentment and indifference are silent, while fear and outrage bellow; and in the pornography debate, hysteria on the part of a few has traditionally been given free rein by the obliviousness of the many.”⁹³ With this in mind, it would be unsurprising if those readers responding to the *News*’ editorial were in fact almost uniformly in favor of the new ad policy, with those who opposed the policy less likely to write a letter expressing their discontent. Regardless, given the positive reaction of readers, it would be left to the film industry, both locally and nationally, to fight back against the *News*.

The Industry Responds

In the days following the *Detroit News*’ editorial unveiling its movie advertising policy change, local film industry veterans plotted how best to respond. As it happened, the *News*’ announcement came the same week that the Michigan chapter of the National Association of Theatre Owners (NATO) had its annual convention. The main topic of conversation at the convention was the *News*’ ad ban, even as the newspaper itself was there to cover the meeting. Said Michigan NATO President Milton London, “Since *The News* did not have the courtesy to consult with us before they put the policy in effect, we have no intention of telegraphing our punches by telling you what action we are taking.” Still, even as industry figures refused to

⁹² “News Ad Ban Hit,” *Fifth Estate*, October 7, 1972, 1.

⁹³ Kendrick, *The Secret Museum*, 226.

divulge their official response, the rhetoric that industry figures used in quotes to the press made clear their main points of contention with the *News*.⁹⁴

Both London and local theater owners expressed their particular consternation at the *News* editorial's labeling of the movie business as a "sick industry." Those in the industry instead stressed that they were only meeting public demand for more sexually explicit and violent pictures. As exhibitor Martin Shafer said of this issue, "The biggest thing I felt when I read the editorial was that we really only show what the public wants: Murder, rape and mayhem, just like the newspapers. We are doing the same thing – selling sex, violence and crime." He went on to specifically distance exhibitors from adult fare, saying, "We don't approve of X-rated films either but that's what the public wants." Such sentiments were seconded by a local exhibitor anonymously quoted by the *News*, who said, "We have the same opinion they have about 'peep' shows and stag films. We don't like them."⁹⁵ Once again then, critics of the *News*' stance refused to defend the pornographic material that was the main target of the paper's new ad policy.

This line of reasoning was at the heart of film exhibitor Sam Chernoff's protests against the *News*' revised ad policy. Chernoff owned the Follies and Hi-Land theaters in the Detroit area, along with another eight theaters spread between Oklahoma, Texas, and Illinois. Chernoff specialized in the exhibition of sexploitation cinema, and had even helped found and been elected the first president of the Adult Film Association of America (AFAA).⁹⁶ In response to the *News*, Chernoff wrote a lengthy letter to the paper vociferously criticizing the new ad policy. His

⁹⁴ John Finlayson, "Movie Exhibitors Vow Action Against *The News*' Ad Policy," *Detroit News*, March 23, 1972, 20.

⁹⁵ *Ibid.*, 3.

⁹⁶ "Chernoff Adds 2 Cinemas," *Variety*, August 25, 1971, 20; "Adult Film Group Meets in Houston," *Independent Film Journal*, January 7, 1970, 15.

letter drew on his experience in the field of adult film exhibition and his interests as an exhibitor in Detroit. As he wrote:

As an owner of two adult theaters in Detroit, I find no fault with a paper trying to protect its readers from an overdose of unrated pornographic films or with the letter from your advertising director saying you no longer wish to assist in the appeal of prurience or in the publicizing of hard-core pornography.

The point of my protest is that you people made a statement that you cannot possibly back up. With the exception of a small group of store front 16-mm. theaters that possibly show films without story lines or short subjects depicting acts of sexuality that may go beyond the limits of candor, none of the standard 35-mm. adult theaters in Detroit ever show pornography or hard-core films.⁹⁷

Chernoff strives here to create a clear distinction between respectable or quality adult film—meaning narrative feature-length 35 mm films shown in reputable adult theaters—versus disreputable pornography—which in his view is hard-core short films lacking a story and screened at storefront theaters.

Crucially, Chernoff here was drawing on broader notions of what denotes quality and respectability not just in the world of adult cinema, but in mainstream cinema as well. Indeed, many of the items that Chernoff associates with quality here can be dated to the early twentieth century, and specifically the American film industry's efforts to gain greater respectability in the eyes of the public. During the nickelodeon era of cinema, lasting from roughly 1905 through 1908, film exploded in popularity and began to come into its own as a form of mass entertainment. Nickelodeon theaters, often just cheap storefronts quickly converted from retail use to capitalize on the popularity of movies, sprang up all over the country in massive numbers. Movies tended to be short in length, with multireel films still a rarity. Related to this, as Tom Gunning has influentially argued, most films of this early era emphasized spectacle over

⁹⁷ Sam Chernoff, "Theater Owner Protests Ban on X-Films," letter to the editor, *Detroit News*, April 15, 1972, 4.

narrative, acting as a “cinema of attractions.”⁹⁸ Still, even as cinema grew enormously in popularity during this era, the medium remained a low form of entertainment, lacking the respectability of legitimate theater or high class vaudeville, and with a largely working class audience. Thus, during the transitional era of cinema, lasting from roughly 1908 to 1917, the industry made decided moves to attract middle class audiences and gain greater respectability. One way they did this was to build more opulent movie theaters, ones far removed from the dingy storefronts of the nickelodeon era. Just as critically, the industry began to embrace narrative cinema more fully. As Gunning writes, “The desire for middle-class respectability, which arose soon after the first crest of the nickelodeon explosion, ultimately provoked the narrative discourse of film.”⁹⁹ Producers thus shifted towards making movies driven by narrative, with visual attractions integrated into the story. The transitional era also saw a shift towards feature-length films rather than shorts, which was also thought to give cinema a degree of respectability, and helped support the move toward narrative film. In this way, Chernoff was drawing on links between quality and narrative and longer running times that far preceded the era in which he was writing.

These associations between narrative and respectability had also long contributed to the marginalized status of pornography and its not-so-distant cousin, exploitation cinema. As Eric Schaefer argues, one of the hallmarks of exploitation cinema has long been its emphasis on spectacle and attractions over narrative, which in turn contributed to the low status of

⁹⁸ Tom Gunning, “The Cinema of Attraction: Early Film, Its Spectator and the Avant-Garde,” *Wide Angle* 8, no. 3–4 (1986): 63–70.

⁹⁹ Tom Gunning, *D.W. Griffith and the Origins of American Narrative Film: The Early Years at Biograph* (Chicago: University of Illinois Press, 1993), 89.

exploitation pictures.¹⁰⁰ Stag movies, meaning short pornographic films, were the ultimate embodiment of adult cinema's emphasis on spectacle over narrative, and as a result had long been perhaps the most stigmatized and marginalized form of cinema. By contrast, at the time Chernoff was writing, the adult film industry was seeking greater respectability specifically through the use of narrative and longer running times. This was the outset of the so-called "Golden Age of Porn," when the industry achieved unprecedented levels of success by shifting its focus to hard-core narrative feature films. As Peter Lehman writes of this era, "The porn industry, like the early film industry.... desired a respectability that features with characters might help confer upon the films."¹⁰¹ That Chernoff should draw on this notion then is no surprise, coming as it did in the midst of a major shift in the industry as adult film producers actively sought the respectability that story and longer run times could provide.¹⁰²

Finally, Chernoff's distinction between respectable theaters showing 35 mm adult films and disreputable theaters screening 16 mm pornographic films also drew on notions of quality central to the adult film industry at the time. The late 1960s had seen 16 mm film become an increasingly prominent format for adult film production, particularly in the wake of the success of "eager beaver" pornographic short films. This led to 16 mm shifting from being nearly-

¹⁰⁰ Eric Schaefer, *Bold! Daring! Shocking! True: A History of Exploitation Films, 1919-1959* (Duke University Press Books, 1999), 76–80.

¹⁰¹ Peter Lehman, "Revelations About Pornography," in *Pornography: Film and Culture*, ed. Peter Lehman (New Brunswick, N.J.: Rutgers University Press, 2006), 92.

¹⁰² In certain ways, this era's emphasis on narrative feature-length adult films is something of an aberration in the broader history of adult cinema, as Eric Schaefer has argued: "What has become increasingly evident is that the feature-length hard-core narrative constituted merely an entr'acte between reels of essentially plotless underground stag movies in the years 1908 to 1967 and the similarly plotless ruttings of porn in the video age." Still, as Peter Alilunas has shown, the use of narrative would continue to drive the adult film industry's efforts to achieve respectability during the video era. See Eric Schaefer, "Gauging a Revolution: 16 Mm Film and the Rise of the Pornographic Feature," in *Porn Studies*, ed. Linda Williams (Durham: Duke University Press, 2004), 371; Peter Alilunas, *Smutty Little Movies: The Creation and Regulation of Adult Video* (Oakland: University of California Press, 2016), 100–105.

exclusively exhibited in homes and other private spaces to being shown in movie theaters. This presented its own set of problems, as explained by Eric Schaefer: “[T]he limited brightness of standard 16 mm projection made 16 mm hardly ideal for hardtops, and even less so for drive-ins. This necessitated the creation of new, smaller venues.” Schaefer goes on to note the similarity of these adult mini theaters to nickelodeon era exhibition, saying, “Much like the turn-of-the-century nickelodeons, these theaters were, literally, storefronts.”¹⁰³ Therefore, similarly to their nickelodeon counterparts, such mini adult theaters were considered to be less than respectable venues, a notion Chernoff drew on in creating a distinction with his own theaters.

Still, in time, the distinction between the 35 mm and 16 mm adult film markets would begin to blur. Sixteen millimeter films began to grow longer, culminating in 16 mm simulation features which, in Schaefer’s words, “combined the increased genital explicitness of the beaver with the narrative conventions of the established sexploitation movie.”¹⁰⁴ Meanwhile, 35 mm adult filmmaking would shift toward greater explicitness, culminating in hard-core features like *Deep Throat* (1972) and *The Devil in Miss Jones* (1973). In fact, Chernoff’s own story would illustrate many of these trends. By the end of the summer of 1972, Chernoff’s Hi-Land Theater was advertising in the *Free Press* that it was playing a “new 16 mm Frisco special.”¹⁰⁵ In his letter to the *News*, Chernoff had specified that his main purpose in writing was to demand “for your paper to make a public apology to us for stating that we sell hard-core entertainment in our

¹⁰³ Schaefer, “Gauging a Revolution: 16 Mm Film and the Rise of the Pornographic Feature,” 377.

¹⁰⁴ *Ibid.*, 381.

¹⁰⁵ “Movie Guide,” *Detroit Free Press*, August 17, 1972, D-12-13.

theaters.”¹⁰⁶ A little over a year later, the Hi-Land had moved into the exhibition of hard-core feature films.¹⁰⁷

Meanwhile, other local industry figures found separate reasons to fault the *News*, reasons having little to do with Chernoff’s rhetoric. Theater owner Ross Caccavale was among the most vocal in his opposition to the *News*’ policy change. Caccavale, who had previously fought decisions by the *News* and *Free Press* to censor ad copy, said at the NATO convention that he was “mystified” by the actions of the *News*, citing *A Clockwork Orange* as an example of an outstanding X-rated film that would be harmed by the new ad policy.¹⁰⁸ He then sent a letter to the *News*, which the paper printed in full, which outlined a variety of complaints against the paper’s new ad policy. Chief among these critiques of the *News*’ editorial—which Caccavale called “a contemptible piece of cheap journalism”—was the exhibitor’s argument that the paper was undermining the MPAA’s ratings system. As Caccavale wrote, “In one day you managed to subvert a classification system which for the past three years has been working to protect the rights of a substantial number of people (many of them *News* readers) who do not want to see or hear certain things in movie theaters.” Caccavale’s argument was that given that the idea behind the ratings system was to inform the public about films, in depriving readers of that information, the *News* challenged the very purpose of the ratings system.¹⁰⁹

So great was the challenge to the ratings system posed by the *News*’ decision that MPAA president Jack Valenti descended on Detroit to meet with the *News* just weeks after the paper

¹⁰⁶ Chernoff, letter to the editor.

¹⁰⁷ “Movie Guide,” *Detroit Free Press*, June 10, 1973, 11–B.

¹⁰⁸ Finlayson, “Movie Exhibitors Vow Action Against *The News*’ Ad Policy,” 3.

¹⁰⁹ Ross Caccavale, “Theater Official Urges Boycott of *News*,” letter to the editor, *Detroit News*, March 26, 1972, 3-E.

announced its new movie ad policy. Valenti met with Peter B. Clark, president and publisher of the *News*, and Edwin K. Wheeler, executive vice-president of the Evening News Association, in an attempt to get the paper to reverse its policy change. While other newspapers had previously taken the same step as the *News*, they had all been small in size, and so up until this point the situation had been, in the words of Valenti, “a livable irritant.” No paper anywhere near the *News*’ size or importance had banned X-rated ads, and Valenti’s presence in Detroit spoke to the enormity of the situation for the MPAA. After his meeting with the *News*’ publishers, Valenti spoke at a press conference, at which time he learned from the press that the *Cleveland Plain Dealer*, Ohio’s largest newspaper, had just announced that they would follow the *News*’ lead in banning all ads for X-rated films. The *News*, covering the press conference, described Valenti as “visibly shaken” when he heard the report, and he lamented to the press, “The *News* may start an avalanche going.” Reflecting the gravity of what was happening, Valenti said during his trip to Detroit that the *News*’ X-rated ad ban was a possible “collapsing blow to the tenuously held (movie) rating program.”¹¹⁰

For Valenti, the issue came down to two main principles. The first was the way that the *News* failed to distinguish between different kinds of X-rated films. As Valenti told the press, “The X rating does not connote pornography or anything of the sort. X means a film which the Rating Board has judged as an adult film and which in the opinion of the Rating Board some parents may find unsuitable for viewing by children.” Getting down to specifics, Valenti singled out *A Clockwork Orange* for praise, calling it a “serious, well intentioned work by men of great professionalism and renown,” going on to say that the *News* “by its edict flings this film into the

¹¹⁰ Ken Barnard, “X-Film Ad Ban Worries Valenti,” *Detroit News*, April 5, 1972, 3.

same category with the rawest cheapest pornographic film.”¹¹¹ Valenti notably steered clear of calling for the paper to run ads for any and all films, instead reserving his defense for those films most easily defended as artistic. As *Variety* wrote of the situation, “Valenti stressed the differences between quality X films like *A Clockwork Orange* and ‘shabby films’ presumably unrated by the MPAA. There are those, of course, who believe that ad space should not be denied for any film, and that a paper has only the right to disapprove ad copy. The MPAA people would seem to be hoping for a compromise.” Once again then, industry figures used the specter of pornography to try to distinguish itself as being respectable, if perhaps only by comparison.¹¹²

The other major criticism of the *News* that Valenti stressed was what he called “the principle of the people’s right to know.” He elaborated on this in his statement to the press, saying, “If the adult citizens of Detroit are wise enough to choose their mayor, their congressmen, their President, surely adults can make their own choices about films they want or don’t want to see, or want or don’t want their children to see.”¹¹³ Similarly, Warner Bros. executive Ted Ashley said that “regrettably the *Detroit News*’ policy denies adults, not merely children, the right to know information about an X-film... [W]hen a society of adults is denied full information about a film, it is denied the right to choose. With no reviews, publicity or ads, how could the adult citizens of Detroit have a basis to choose?”¹¹⁴ This notion of the public having a right to know about movies was central to the goals and purpose of the ratings system itself. Ultimately though, this line of reasoning fell on deaf ears, and even after meeting with Valenti the editors of the *News* refused to relent on their decision.

¹¹¹ “Trade Hits Newspaper Ban On X-Rated Films,” *Independent Film Journal*, April 13, 1972, 3.

¹¹² “Ask Detroit News Re-Consider Policy On Meritorious X’s,” *Variety*, April 12, 1972, 4.

¹¹³ Barnard, “X-Film Ad Ban Worries Valenti,” 3.

¹¹⁴ “Trade Hits Newspaper Ban On X-Rated Films,” 3.

Meanwhile, *A Clockwork Orange* director Stanley Kubrick took somewhat of a different tact in his criticisms of the *Detroit News*. Kubrick's letter to the *News* was printed on April 9, and in it the acclaimed filmmaker focused on the free speech implications to the *News*' ad policy. In certain ways, this meant an overlap with the arguments put forward by Valenti, with Kubrick drawing centrally on the argument that the public had the right to know about movies, and that the rating system served this purpose. As he said, "A film is made to be seen by the public. In order for this to be done, the public must be made aware of its existence... For all practical purposes, a film is banned when the public is prevented from knowing of its existence or whereabouts." This (somewhat hyperbolic) conflation of the banning of advertisements for a film with the banning of the film itself drove Kubrick's attack on the *News*. The fact that this censorship was happening in newspapers, which were so crucial to setting First Amendment standards in the U.S., particularly irked Kubrick, who wrote of the *News*' actions, "For any newspaper to deliberately attempt to suppress another equally important communications medium seems especially ugly and shortsighted... It is certainly an act inimical to the principles of freedom without which the newspaper itself could not exist."¹¹⁵

Kubrick also spoke directly to issues surrounding the MPAA and the X rating in writing, "It is important to understand that the 'X' rating is designated by the MPAA and does not stigmatize or condemn a film, but merely places it in the adult film category, allowing no one under 17 (18 in some states) to view it." Rather than condemning pornography and trying to separate it from the purposes of the ratings system, Kubrick sought to defend the purpose of the X rating as informing citizens as to the content of the film. As an example of the negative effects

¹¹⁵ Stanley Kubrick, "Kubrick: News a Hitler on Public Morals," letter to the editor, *Detroit News*, April 9, 1972, 3-E.

the *News*' position would have, Kubrick offered up his own film, *A Clockwork Orange*, noting that despite its critical praise and many awards, it would be banned from the advertising and editorial pages of the *News*.¹¹⁶

Still, even as he defended the ratings system and the film industry, Kubrick's focus was on the way that the *News* was acting on "anti-democratic principles" by curtailing free speech as part of its ad policy. Calling the *News*' ad policy an "irrational diktat," Kubrick employed a tactic oft-used by critics of media censorship in the U.S. in drawing a comparison to fascist censorship of art, in this case quoting Adolph Hitler speaking on a 1937 art exhibition of "approved" and "degenerate" art, saying that what the *News* was doing was "in essence, the same." Building on this theme, Kubrick would go on to say, "To start to ban films – or books, or plays, or any medium of free expression – on the grounds of offensiveness is to take the first step on a course that history shows has ended in a suppression of many other liberties."¹¹⁷

Not surprisingly, the *News* was none too happy with this comparison. Kubrick's letter to the *News* was accompanied on the same page by an editorial responding to the director and Valenti's criticisms of the paper. The editorial dismissed out of hand Kubrick's allusion to censorship in Nazi Germany, except to allow that "Hitler would be pleased with screen glorification of violence and human indignity," an unverifiable claim if ever there was one. Addressing Valenti's criticisms, the editorial said, "Valenti fears that our policy against aiding the promotion of sex and violence pouring from the studios will upset the whole movie rating system. In our opinion the MPAA code is weak and unsatisfactory; if it topples we cannot accept the blame." This rather bold line spoke to the major stakes at play, with very real fears that the

¹¹⁶ Ibid.

¹¹⁷ Ibid.

rating system as a whole might imminently come crumbling down as a result of the *News*' actions.¹¹⁸

The editorial also addressed accusations as to the intentions driving the paper's new ad policy. The *News* grouped its decision with the similar one made by the *Cleveland Plain Dealer*, saying, "Our common cause is not to force our conception of morality on our readers or the movie business. It is meant to jog the conscience of an industry whose past achievements are badly tarnished." The *News* thereby made clear that this was about more than simply cleaning up the ads in the paper itself; rather, there was a hope that this would influence the movie industry as a whole. In this way, the ad policy change can be understood as representing an effort by the *News* to combat pornography and salacious cinema, not just within the pages of the paper, but within society more broadly.¹¹⁹

Meanwhile, as this back-and-forth between Valenti, Kubrick, and the *News* was going on, local industry figures plotted their response. Caccavale very publicly proposed a strong answer by exhibitors in Detroit, saying in his letter to the *News*, "Your arrogance deserves nothing less in return from members of the National Association of Theatre Owners of Michigan than a complete withdrawal of NATO support of *The News* movie pages. This is what I am urging in copies of this letter which are being mailed to Milton London, president, and to other key NATO members."¹²⁰ This aggressive strategy was not adopted by NATO, unsurprisingly so given that many of its members showed family-friendly fare and thus were unaffected by the *News*' change in ad policy. Likewise, at the NATO meeting in the days following the *News*' announcement, it was reported that "legal action was considered but not advised." Such a reticence to seek

¹¹⁸ "A Jog to Conscience," *Detroit News*, April 9, 1972, 3-E.

¹¹⁹ *Ibid.*

¹²⁰ Caccavale, letter to the editor.

recourse in the legal arena was unsurprising given the legal precedent set in the Bloss case, which meant there was little hope that a legal challenge would be successful.¹²¹

Instead, NATO mounted a public relations campaign against the *News* across a variety of different media formats. These efforts were led by Milton London, head of NATO of Michigan, who had also been present at the meeting between Valenti and *News* officials.¹²² London went on a public offensive against the *News*, appearing on the “Town Meeting” program on Channel 7 WXYZ-TV to debate Martin S. Hayden, vice president and editor of the *News*.¹²³ He also spoke before the Greater Detroit Motion Picture Council where he similarly excoriated the *News* for its ad policy.¹²⁴

Among the numerous critiques London leveled at the paper, an oft-repeated one was the notion that the *News* had long-failed to properly publicize family friendly cinema. In so doing, London argued, the *News* had led to the rise of adult movie theaters, with exhibitors forced to shift to pornography after their family friendly fare had failed to draw audiences. Appearing on television, he furnished a list of recent Disney movies that he claimed the *News* had not reviewed. His argument was that the *News* had contributed to the decision of many theater owners to shift from family fare to adult movies by not properly covering G-rated pictures in the paper. *News* film critic Ken Barnard subsequently lambasted London for this position in an April 23, 1972 article, which began with Barnard saying of London, “The man scowling at the TV camera lens sounded almost as angry as he was inaccurate.” The piece continued in tone from

¹²¹ Finlayson, “Movie Exhibitors Vow Action Against The News’ Ad Policy,” 3.

¹²² “Ask Detroit News Re-Consider Policy On Meritorious X’s,” 4.

¹²³ “Ad Ban Policy Defended in Detroit Sunday News,” *Boxoffice*, May 15, 1972, ME-8.

¹²⁴ H. F. Reves, “Milt London Defends Film Industry Against Attacks of Detroit News,” *Boxoffice*, May 22, 1972, ME-2.

there, castigating London and his position while pointing toward the paper's reviews of Disney films that London had failed to mention.¹²⁵

London also went after the paper for the way its new policy undermined the ratings system. As he complained, “[The] *Detroit News* is trying to equate the rating system with pornography.” Of course, anti-porn activists had, almost since the inception of the rating system, attempted to link it with pornography, and in this sense the *News* was more follower than leader. Still, this view had never had anywhere near as forceful or mainstream an advocate as the *News*. As Valenti and others had made clear, the *News*' policy was a real and direct threat to the rating system as a whole, an argument London pointedly made in saying, “If the *News* is successful, then there will be no rating system.”¹²⁶

As head of NATO in Michigan, London also led a drive in the fall of 1972 in which brochures criticizing the *News*' ad policy were handed out at local movie theaters. This was evidently part of an effort to galvanize those people who were against what the *News* was doing in the abstract, but had not felt sufficiently moved by the matter to make their voices heard. The pamphlets given out by NATO, titled “If you read the *Detroit News*.... You don't Know!,” featured quotations from a variety of newspapers and organizations criticizing the *News*, including quotes from the *New York Times*, the American Civil Liberties Union, and *Christian Advocate*.¹²⁷ The brochure came with an attached stamped postcard, addressed to NATO, where individuals could sign their name either for or against a statement directed at the *News* reading: “I believe you are practicing censorship and are denying the public's right to know and to

¹²⁵ Ken Barnard, “Let's Keep the Record Straight!,” *Detroit News*, April 23, 1972, G-1.

¹²⁶ Reves, “Milt London Defends Film Industry Against Attacks of Detroit News,” ME-2.

¹²⁷ “Survey Discloses 86.5% Protest Detroit News Policy on X Films,” *Boxoffice*, October 2, 1972, 3.

choose. Please change your policy to inform, not censor.”¹²⁸ Postcards sent to NATO were then turned over to J.K. Lasser & Co., an accounting firm, which tabulated the responses, before subsequently being forwarded to the *News*, every Michigan state senator and representative, and every newspaper, radio, and TV news editor in Michigan. By September 25, London reported that some 1,910 postcards had been received, with 86.5 percent of them protesting the *News*’ policy. As London said of the efforts:

We have no expectation that the *Detroit News* will change its policies or even will admit the true public response to those policies. However, by distributing the pamphlets to the public, by having a U.S. Post Office record of the response, by having the response examined and certified [by] public accountants and by making the facts known to newspapers and broadcasting stations throughout the state, we have been successful in presenting the facts to the public and to legislators and in arousing them to protest censorship and misinformation.¹²⁹

The *News*, meanwhile hit back at NATO. Near the beginning of NATO’s campaign against the paper, *Detroit News* film critic Ken Barnard wrote an article titled “Filmgoer Revolt,” in which he claimed that NATO’s efforts had already backfired. Calling it “Operation Boomerang,” Barnard claimed that the *News* had received numerous letters since the NATO campaign had begun, most of them thanking the paper for its stand and urging that its advertising policy be kept in place. In light of this, Barnard rhetorically asked, “Can anyone doubt that theater owners have lost touch with an important segment of their audiences?”¹³⁰ London hit back at the *News*, accusing the paper of waging a “frantic effort to sabotage” the NATO campaign.¹³¹ Unsurprisingly, once the drive had ended and NATO sent the *News* the postcards it

¹²⁸ Barnard, “More Praise than Protest for News’ Film Policy,” 1.

¹²⁹ “Survey Discloses 86.5% Protest Detroit News Policy on X Films,” 3.

¹³⁰ Ken Barnard, “Filmgoer Revolt: The Great X-Rated Movie Promo That Backfired on Theater Owners,” *Detroit News*, August 27, 1972, 1G, 4G.

¹³¹ “Obscenity Before High Court; WSJ: Good Word for Porno,” *Independent Film Journal*, October 16, 1972, 17.

had received, the paper remained unmoved, and on September 26 the paper's front page featured an article on the NATO campaign titled "More Praise Than Protest for *News*' Film Policy."¹³²

The Print Industry Responds

This NATO campaign was, in part, made necessary by the great silence of the *Detroit Free Press* when it came to its rival's new advertising policy. As Milton London said, "The *Free Press* made a management decision not to print one word on the issue. So our brochure allowed some people to see the other side for the first time."¹³³ London was technically incorrect in saying that the *Free Press* did not print one word on the topic. In fact, a month after the *News* announced its policy change, *Free Press* columnist Bob Talbert devoted all of twenty-six words to the subject. In a piece listing a series of issues and causes that Talbert had, in his words, "had it with," the columnist included among these "newspapers that self-righteously refuse to advertise X-rated films, but continue to editorially support a President who continues the most obscene war in American history."¹³⁴ Without mentioning the *News*, Talbert criticized the paper for its new ad policy and its continued support of President Nixon (the *News* would be one of the last major papers to withdraw its support for Nixon). It would be another six months before the *Free Press* would feature a second mention of the *News*' X-rated ad ban, on October 28 giving a small notice that the *News* was being honored by an anti-porn group for its ad policy.¹³⁵

The conspicuous silence of the *Free Press* was all the more glaring given that the paper had previously devoted numerous column inches to discussing issues surrounding the censorship of movie ads in the paper. Just weeks before the *News* announced it was banning X-rated ads, on

¹³² Barnard, "More Praise than Protest for *News*' Film Policy," 1.

¹³³ "News Ad Ban Hit," 1.

¹³⁴ Bob Talbert, "The 'I've-Had-Its' Keep Rolling In To the Point Where (You Guessed It)," *Detroit Free Press*, April 11, 1972, 11.

¹³⁵ "Anti-Smut Group Honors the *News*," *Detroit Free Press*, October 28, 1972, 2.

February 27, film critic Susan Stark defended the paper's refusal to censor its ads, saying, "Neither the *Free Press* reviewing or advertising staff is in the business of censorship, although members of both departments make a constant effort to maintain standards consonant with what they believe to be good judgment."¹³⁶ Meanwhile, when NATO had its annual meeting just days after the *News*' announcement, the *Free Press* was nowhere to be seen, though a year later, once the controversy surrounding the *News*' policy had blown over, the paper saw fit to cover the NATO convention.¹³⁷

This silence was evidently the result of the *Free Press* being put in something of a bind after the *News*' announcement. As Caccavale said, "The problem is that the *Free Press* also has been uptight about some kinds of ad copy. Editorially, they may not like the *News*' policy; but commercially, they feel the same kinds of pressures."¹³⁸ In other words, the *Free Press* had similarly been feeling the growing pressure from readers to take greater action against X-rated ads, but evidently it disagreed with the X-rated ban based on an opposition to censorship. However, the *Free Press* did not want to further inflame readers who would have liked to have seen the paper follow the *News*' lead, and so avoided coming out explicitly against the *News*' actions. Therefore, the paper seemingly made the editorial decision to avoid discussing the issue almost entirely, knowing that any column inches devoted to the topic would only spur further calls for the *Free Press* to exert stricter control over movie ads in its pages, or even lead some readers to turn to the *News* as their newspaper of choice.

¹³⁶ Susan Stark, "A Critical Look at Our Mail--The Good, the Bad, and the Ugly," *Detroit Free Press*, February 27, 1972, 7-B.

¹³⁷ Chuck Thurston, "State Theater Owners' Confab Draws 1,000," *Detroit Free Press*, April 11, 1973, 8-D.

¹³⁸ "News Ad Ban Hit," 15.

The *Free Press*' silence was indicative of the ambivalent response of liberalism to the rise of pornography during this era. In his book *Perversion for Profit*, Whitney Strub examines what he calls the "fundamental intellectual incoherence of the liberal position" on pornography, wherein liberals voiced opposition to censorship in the abstract, while still carving out an exception to this opposition for obscenity, which liberals refused to defend.¹³⁹ That the *Free Press* should go silent when it came to the *News*' position on movie advertising is only fitting then as yet another example of liberal acquiescence in the face of conservative attacks on pornography.

If the liberal *Free Press* went silent, the leftist paper the *Fifth Estate* was more willing to speak up on the *News* ban, though the ambivalences and contradictions that marked liberal responses to pornography were no less evident. The underground newspaper had been founded in 1965, billing itself as "the voice of the liberal element in Detroit," though its politics were more in keeping with radical leftist ideals than more mainstream liberal ones. Given its politics, it is unsurprising that the *Fifth Estate* had often criticized the *News* for the paper's conservative politics and perceived biases against people of color, women, and the political left.¹⁴⁰ After the *News* announced its ban on ads for X-rated movies, the *Fifth Estate* took it to task by painting the *News*' actions as in keeping with its general politics. As the *Fifth Estate* contended, "The current advertising ban does not represent the first time that the *Detroit News* has engaged in selective suppression of information or distorted reporting of news." The *Fifth Estate* went on to detail in its story on the X-rated ad ban how women's groups and the African American community in Detroit had long leveled complaints at the *News* for what it perceived as biased coverage. The

¹³⁹ Strub, *Perversion for Profit*, 1.

¹⁴⁰ For example, see "Detroit News Oinks Again," *Fifth Estate*, May 28, 1970, 4; "News Makes a 'Mistake,'" *Fifth Estate*, January 21, 1971, 2.

alternative paper also noted that the *News* had supported the Nixon administration's suppression of the Pentagon Papers. "Thus," the *Fifth Estate* said, "the *News*' arbitrary refusal to print ads for X-rated films is hardly out of character."¹⁴¹

Still, the alternative paper was operating in dicey territory in criticizing the *News* for banning ads for X-rated movies given that the *Fifth Estate* had only recently taken a somewhat similar action over its classified ads section. In July 1970, the paper published an article in which it lamented that its classified section was being used "in ways we never intended, nor agree with—namely, as a pimp." The problem came from classified ads in the paper seeking "another person as if they were an object merely to be used for one purpose and then discarded."¹⁴² After soliciting reader feedback, the paper announced two weeks later that it would henceforth "refuse to print all ads we deem offensive. This means we will edit out terms such as 'chicks,' 'stud,' 'attractive only,' 'well-hung,' 'snobish,' 'beautiful,' 'buxom,' etc., which are degrading and dehumanizing concepts which serve to exclude numbers of people and make others into objects." The intent of the new policy, said the paper, was to "discourage the reproduction of the inadequate social relationships present in our existing society by encouraging warm, sensitive communication between people on all possible levels, including the sexual one."¹⁴³

This policy was the result of a growing feminist consciousness at the paper. In its early years, few women worked at the paper, and those that did tended to be involved in the less glamorous day-to-day work of running a paper rather than in writing or editorial work. As *Fifth Estate* writer Dave Riddle later said, "Until 1970 most meetings were basically dialogues between the men." Around that time, the paper began espousing more feminist positions in print,

¹⁴¹ "News Ad Ban Hit," 15.

¹⁴² "Hey! Read This First," *Fifth Estate*, July 9, 1970, 23.

¹⁴³ "New Classified Policy," *Fifth Estate*, August 6, 1970, 23.

due in no small part to the addition of female writers to the staff.¹⁴⁴ In this context, the change in classified ads policy can be seen as one part of the paper's shift toward a more feminist perspective, in this case by refusing classified ads featuring language objectifying women or men. When the paper ran its special "Women's Issue" on March 8, 1971, it left out classified ads entirely as, in the paper's words, "the sisters that put it together chose not to include a section of ads they felt insulted women."¹⁴⁵

In keeping with the feminist rhetoric that drove its classified ad policy, the *Fifth Estate* had a history of going after newspapers printing pornographic ads. In February 1971, the paper wrote, "Still in deep financial trouble, *The Metro*, a weekly college-oriented tabloid, has taken to running sexist ads for local porn movies. If the paper expects support from the community it is being penny-wise and pound-foolish by attempting to solve its problems at the expense of half its readership."¹⁴⁶ This again reflected the paper's justification for favoring the censorship of ads for pornography as rooted in a feminist rhetoric decrying the objectification of women.

Still, this favoring of the suppression of ads for pornography on feminist grounds made an odd fit with the paper's criticism of the *News*' ban on ads for X-rated movies, a point made by many readers in letters to the paper. Said Tom Bleakley, "People (including newspapers) who live in glass houses shouldn't throw rocks," while Jerry Flint wrote, "What's the difference between 'selective suppression of information' at the *News* and refusing to exploit women at the *Fifth Estate*." The *Fifth Estate* responded by noting that it was a "frankly and openly partisan newspaper, while the *News* claims to be 'objective.'" They further criticized the *News* ad ban for

¹⁴⁴ Bob Hippler, "Fast Times in the Motor City -- The First Ten Years of the Fifth Estate: 1965-1975," in *Voices from the Underground: -- Volume 1 Insider Histories of the Vietnam Era Underground Press*, ed. Ken Wachsberger, vol. 1 (Tempe: Mica's Press, 1993), 21.

¹⁴⁵ Danial R. Swathe, letter to the editor, *Fifth Estate*, April 29, 1971, 19.

¹⁴⁶ "Deec-Troit Seen," *Fifth Estate*, February 18, 1971, 4.

the way it effected not just pornography, but all X-rated films, including *A Clockwork Orange*. Lastly, and most significantly, the paper noted the differing motives behind their advertising policy versus the *News*’, with the latter motivated by an attempt to appeal to “middle-class prudery” and “to cash in on suburban horror at the spread of pornography,” while the *Fifth Estate* took their position “to fight the exploitation of women.”¹⁴⁷

While a feminist position fueled the *Fifth Estate*’s stance on pornography, it is nevertheless important to note that neither mainstream nor radical feminism had in any way reached a consensus on pornography at this time. Though there was certainly a strong current of anti-porn sentiment within the feminist movement, for the most part, as Whitney Strub writes, pornography “remained peripheral to feminist analyses of oppression in the late 1960s and early 1970s.” Instead, Strub explains, “Improving porn rather than banishing it emerged as a frequent feminist goal in the years before 1976.” If there was a point of consensus in the feminist movement though, one shared by leftist radicals, it was a general wariness of censorship and state suppression.¹⁴⁸

Fitting within this line of thinking was a letter printed in the *Fifth Estate* responding to the *News*’ ad policy, with one Maureen Spooner writing, “I happen to be a woman who likes, moderately, skin flicks. Sometimes when a good one is in town, we go to see it... Women who don’t like sex, or women who don’t like sex with men, or women who don’t like to see sex have every right to stay away, speak out, and persuade. They do not have the right to censor or restrict or legislate.”¹⁴⁹ This was in keeping with the general uneasiness surrounding censorship within the feminist movement. Spooner’s connecting of the debate over censorship and pornography to

¹⁴⁷ Tom Bleakley, letter to the editor, *Fifth Estate*, November 4, 1972, 21; Flint, letter to the editor.

¹⁴⁸ Strub, *Perversion for Profit*, 219, 222.

¹⁴⁹ Ms. Maureen Spooner, letter to the editor, *Fifth Estate*, November 4, 1972, 21.

a division between women who like sex versus those who do not also can be read as something of a precursor to the pro-sex feminist movement that would begin later in the 1970s, which sought to defend pornography as potentially liberatory for women, even as it criticized sexist representations in porn.

In the midst of this debate over the *Fifth Estate*'s response to the *News*' ad policy, the underground paper printed display ads for the pornographic *Oui Magazine* and the film *Deep Throat* (1972). Once again, the contradictions of the paper's policy was made evident, a point made by one reader, who wrote, "*Deep Throat* and *Oui Magazine* are media products which perpetuate the fucked up sexual relationships of this society at least as much as some dude who wants uninvolved meetings with 36-24-36. How can you adopt a policy on display ads which so thoroughly contradicts your policy on personal ads?"¹⁵⁰ In response, the paper ran an editorial on its ad policy, apologizing for some of the ads for pornography it had run previously, while promising to be more diligent in checking ad copy in the future. Still, reflecting the ambivalence of the paper to the issues at hand, the editorial stated, "A problem of continual concern at the *Fifth Estate* is where to draw the line on exploitative advertising – because we believe that all advertising for Capitalistic ventures is exploitative."¹⁵¹ While the *Fifth Estate* decried all advertising as exploitative then—singling out as particularly exploitative advertising for pornography—it nevertheless criticized another paper for suppressing ads for pornography while simultaneously censoring ads itself. Such contradictions reflect the struggle of liberals and the left in the United States to respond to the growth of pornography in the 1970s, where a distaste for censorship was put at odds with a belief that pornography reified sexist gender norms.

¹⁵⁰ Ripple, letter to the editor, *Fifth Estate*, December 16, 1972, 17.

¹⁵¹ "Our Ad Policy," *Fifth Estate*, December 16, 1972, 17.

Meanwhile, as the *Free Press* went silent and the *Fifth Estate* struggled with its response, newspapers across the country were debating the *News*' movie ad policy. This debate was caught up in a broader discussion surrounding the role of newspapers in American society and the degree to which they were a public utility that should not discriminate in running advertisements. Much of this debate was centered on the *New York Times*, which in May 1972 printed an advertisement that advocated for the impeachment of President Nixon, drawing tremendous criticism as a result.¹⁵² The *News*, in turn, published an editorial entitled "Freedom for a 'Traitorous' Ad," in which it criticized the message of the ad itself while defending the decision of the *Times* to run it. Critics of the *News*' ban on ads for X-rated movies seized on this, with the *Independent Film Journal* writing, "How can the *Detroit News* reconcile its endorsement of acceptance of advertising material which it regards as serving the best interests of the enemy (emphasizing its interest in preserving freedom of expression) and yet place a ban on advertising for X-rated motion pictures (overlooking its abdication of the right of freedom of expression)?"¹⁵³

The print industry trade journal *Editor & Publisher* similarly tied the *News*' ban on X-rated pictures to broader debates surrounding print advertising at the time. In an editorial on the topic, Robert U. Brown responded to Valenti's claim that newspapers banning X-rated ads were "barring advertising of films which have a legal right to be shown." Said Brown in reply, "[A]s for barring ads for some product that has a legal right to be sold, this did not deter Congress from banning cigarette[te] advertising on television. Nor have the personal judgments, morals,

¹⁵² "Impeach Nixon Ad Draws Fire," *Advertising Age*, July 3, 1972, 1, 43.

¹⁵³ "Black or White?," *Independent Film Journal*, June 22, 1972, 2.

scruples—call it what you will—of publishers ever been questioned in those instances where advertising for liquor and patent medicines have been banned.”¹⁵⁴ From the perspective of *Editor & Publisher* then, the issue was less about the rating system than it was newspapers’ right to discriminate when it came to the advertising appearing in their own pages. In this view, curtailment of advertising for cigarettes was made comparable to the banning of ads for X-rated movies, each a necessary action to curb the selling of products seemingly equally harmful to the public. The editorial announcing the *News*’ ad policy change was reprinted as an advertisement twice in the pages of *Editor & Publisher*, and in May the journal gave the *News* five awards for, among other things, “tradepaper advertising,” “public relations,” and “community service and outreach.”¹⁵⁵

The debate over the *News*’ actions also played out quite visibly in the letters that streamed in to newspapers across North America calling on them to follow the *News*’ lead in banning X-rated ads. Papers printing these letters ranged in size from the *Manhattan Mercury* and *Cedar Rapids Gazette* all the way up to the *New York Times* and *Toronto Star*. The preponderance of such letters speaks to the way in which the *News*’ policy change sparked a national conversation. If the *News* was not the first newspaper to ban X-rated ads, it was easily the largest, and its stand brought major attention to the issue and encouraged many readers across the country to demand their papers adopt the same policy.¹⁵⁶

¹⁵⁴ Robert U. Brown, “Shop Talk at Thirty: X-Rated Pictures,” *Editor & Publisher*, May 6, 1972, 48.

¹⁵⁵ “National Press ‘Crusade’ Urged by Detroit News,” *Boxoffice*, June 19, 1972.

¹⁵⁶ Dr. A. Dale Allen Jr., “Concerns are Morality Trend,” letter to the editor, *Manhattan Mercury*, March 22, 1972, 5; Joseph E. Grady, “Movie Ads,” letter to the editor, *Cedar Rapids Gazette*, March 23, 1972, 6; Mrs. S. Ellis, “News Media Must Set a Good Example,” letter to the editor, *Toronto Star*, March 27, 1972, 7; George B. Robinton, “No Ads for ‘X’ Movies?,” letter to the editor, *New York Times*, June 4, 1972, D5.

Editorial boards at a number of papers saw fit to comment on the *News*' actions. On April 23, 1972, the *New York Times* reprinted the *News*' original editorial announcement alongside Kubrick's letter to the paper.¹⁵⁷ Four days later, the *Times* commented directly on the issue in an editorial titled "Abuse of Film Ratings." Calling the action taken by newspapers banning ads for X-rated movies an "ominous form of censorship," the *Times* defended the ratings system as serving a purpose in informing the public about films. As did so many of those critical of the *News*' actions, the paper singled out *Midnight Cowboy* and *A Clockwork Orange* as examples of "legitimate motion picture art" falling under the category of X-rated.¹⁵⁸ This editorial was in keeping with the *Times*' liberal leanings and their stance toward movie ads more generally. On April 26, 1972, *Variety* ran an article noting that "film showmen" saw the *Times* as "liberal" in its stance on movie advertisements, at least in comparison to other papers.¹⁵⁹

The *Des Moines Register*, meanwhile, published a lengthy editorial in which it explained its refusal to ban ads for X-rated movies. Running opposite a letter from a reader calling on the paper to drop ads for R- and X-rated films, the editorial rejected the notion that newspapers should take on the role of determining what falls under the category of obscenity. As the editorial stated, "If newspapers attempt to close theaters by declining advertising, they are assuming the function of the legislatures and courts in determining what is obscene and deciding what the public may see. We doubt it is in the public interest for newspapers to assume that role." For those opposed to the *News*' action, the *Des Moines Register*'s editorial would be a much-cited boon to their position.¹⁶⁰

¹⁵⁷ "A Newspaper Says No to 'Orange,'" *New York Times*, April 23, 1972, 11, 25.

¹⁵⁸ "Abuse of Film Ratings," *New York Times*, April 27, 1972, 42.

¹⁵⁹ "Film Showmen See N.Y. Times 'Liberal' Compared to Others," *Variety*, April 26, 1972, 20.

¹⁶⁰ "Advertising X-Rated Movies," *Des Moines Register*, March 22, 1972, 6.

The hope expressed by many *News* readers that other papers would follow suit, which doubled as the great fear of the film industry, was born out in the months and years to come. As mentioned before, in the weeks following the *News*' announcement, the *Cleveland Plain Dealer* adopted a similar policy of banning X-rated movie ads. In April, Indiana's *Fort Wayne News-Sentinel* and *Fort Wayne Journal Gazette*, New Jersey's *Olean Times Herald*, and New York's *Citizen-Advertiser* all took the step of restricting ads for X-rated films.¹⁶¹ By the end of the year, Portland's *Oregonian* and *Oregon Journal* as well as the three *Call-Chronicle* newspapers serving Allentown, Pennsylvania, had also joined the trend.¹⁶² Before the *News* announced its ad policy change in 1972, just 2.5-3% of daily newspapers in the U.S. had banned ads for X-rated pictures.¹⁶³ A 1976 survey of 110 papers across the country found that roughly 11% banned all ads for X-rated films, while another 18% had some form of restrictions on such ads.¹⁶⁴ Those numbers would only increase a year later after the *Hartford Courant*, the *New York Times*, and the *Los Angeles Times* all announced that they would be severely restricting the size and content of ads for X-rated and adult films.¹⁶⁵ In time, many more papers would follow suit.

Conclusion

This history of newspaper bans on X-rated ads had a profound impact on the film industry. Eric Schaefer wrote of its effect on the sexploitation and adult film market, saying, "Although other factors were among the determinants in the decline of sexploitation and the

¹⁶¹ "2 Ind. Papers Ban X-Movie Ads," *Detroit News*, April 25, 1972, 2; "New York Dailies Drop X-Rated Film Ads," *Editor & Publisher*, April 29, 1972, 52.

¹⁶² "Obscenity Before High Court; WSJ: Good Word for Porno," 17; "Allentown, Pa., In Ban on X Copy, Also Limits R's," *Variety*, November 29, 1972, 7.

¹⁶³ Barnard, "X-Film Ad Ban Worries Valenti," 3.

¹⁶⁴ Addison Verrill, "Media Still, If Less, Fearful Of Porno Ads," *Variety*, February 11, 1976, 26.

¹⁶⁵ "X-Films, Massage Parlors Hit by Courant Ad Edict," *Boxoffice*, October 10, 1977, NE-4; Anna Quindlen, "The Times Will Curb Ads for Pornographic Films," *New York Times*, June 21, 1977, 46; Otis Chandler, "Times Rejects Porno Film Ads," *Los Angeles Times*, August 23, 1977, G1.

theatrical exhibition of adult films (among them the disappearance of the drive-ins and the rise of video), newspaper bans on adult film advertising in key markets served to substantially disable the economic viability of the form.”¹⁶⁶ Meanwhile, Jon Lewis said of its impact on Hollywood, “The advertising ban all but killed the serious, adults-only picture.”¹⁶⁷

The X rating would continue to be a problematic one for the MPAA. Stephen Farber, in his 1972 book on the early years of the ratings system, said of the status of the X rating then, “The X has always been somewhat undesirable from a commercial viewpoint since it bars a large segment of the potential audience for a film. Now, with theaters refusing X films, newspapers refusing to advertise them, and the public reading X as a synonym for smut—a misreading never vigorously challenged by the MPAA—the obstacles to commercial success are even greater.”¹⁶⁸ The MPAA was actively encouraging Hollywood to avoid the X rating, in part by broadening the R rating to encompass more would-be X-rated films.¹⁶⁹ In light of all this, Hollywood, with rare exceptions, increasingly steered clear of the X rating category in its movie output as the 1970s progressed. Still, the major studios wanted to see the X category retained given that, as Farber writes, “they want their films distinguished from cheap, independently-made ‘skin flicks.’”¹⁷⁰

All these issues with the X rating would continue during the 1980s, ultimately leading to the category being abandoned in 1990, replaced by the NC-17 rating. It was hoped that the new rating would shed the stigma associated with the X rating, allowing for a flourishing of adult-oriented films rated NC-17. Critically too, unlike with the X rating, the MPAA copyrighted the

¹⁶⁶ Schaefer, “Pandering to the ‘Goon Trade,’” 42.

¹⁶⁷ Jon Lewis, *Hollywood v. Hard Core: How the Struggle Over Censorship Created the Modern Film Industry* (New York: NYU Press, 2000), 168.

¹⁶⁸ Stephen Farber, *The Movie Rating Game* (Washington, D.C: Public Affairs Press, 1972), 50.

¹⁶⁹ *Ibid.*, 39, 51.

¹⁷⁰ *Ibid.*, 54.

NC-17 rating, meaning it would not be applied to pornographic films. As Valenti said at the time, “We are going back to the original intent of the rating system. We have an adults-only category and anybody who wants to go see [an NC-17-rated] film can go see it, period. It takes us back to the days, hopefully, of *Midnight Cowboy*, *Last Tango in Paris* and *A Clockwork Orange*.”¹⁷¹

In reality, there would turn out to be little difference between the X and NC-17 ratings. The new rating category failed to shed the stigma of its forbearer, and has only been used sparingly since its inception in 1990, and even then usually for particularly salacious foreign art-house films rather than mainstream Hollywood pictures. Director Philip Kaufman, whose film *Henry & June* (1990) helped spur the creation of the NC-17 rating, later summed up what subsequently transpired in saying, “Everyone backed away from the issue and allowed NC-17 to become the new X.”¹⁷² Not long after the new rating was announced, the *Birmingham News* announced that it would not accept ads for films bearing the new rating, saying, “We feel like the NC-17 is not that far removed from X, based on what we’re familiar with.”¹⁷³ Numerous newspapers and media outlets would similarly ban ads for NC-17 films in the years to come, helping doom the NC-17 rating to suffer the same fate that had faced its X predecessor.

Meanwhile, back in Detroit, the *News* would continue its movie advertising policy, despite its many detractors. This did not stop critics from continuing to delight in pointing out the contradictions in the paper’s advertising policy. In February of 1973, industry trade journal *Boxoffice* took notice when a handful of ads for X-rated films made it into the *News*, with the

¹⁷¹ David J. Fox, “X Film Rating Dropped and Replaced by NC-17,” *Los Angeles Times*, September 27, 1990, 1.

¹⁷² Christopher Stern, “Cheers, Jeers on Ratings Code Birthday,” *Variety*, November 2, 1998, 7.

¹⁷³ “Ads for NC-17 Movie Turned Down,” *Washington Post*, October 11, 1990, C11.

journal speculating that the *News* was “attempting to reverse” its ban on ads for X-rated pictures.¹⁷⁴ A few weeks later, *Boxoffice* issued a clarification after a *News* staffer phoned them to explain that an X-rated film appearing at a “regular legitimate” theater might be allowed on occasion by the paper, but not an X-rated film appearing at an adult theater.¹⁷⁵ Likewise, the *Fifth Estate* gleefully took notice of an ad for the magazine *Penthouse* that appeared in the *News* on October 22, 1972, asking, “Wonder if any of the bigwigs at the *News* can tell us the difference between sexy movie ads and sexy magazine ads....”¹⁷⁶



Figure 14. *Detroit Free Press*, November 1, 1973, p. 14.

Throughout the 1970s the *Free Press* continued to quietly exert control over the content of movie advertisements in its pages. In late 1973, the paper changed the title of the ad for the film *The Sexualist* to read “*The S-xualist*” (see figure 14).¹⁷⁷ Still, the paper did nothing to draw attention to their censorship of movie ads, and would continue to remain largely silent on the

¹⁷⁴ “Detroit,” *Boxoffice*, February 26, 1973, ME-2.

¹⁷⁵ “Detroit,” *Boxoffice*, March 19, 1973, ME-2.

¹⁷⁶ “Detroit Seen,” *Fifth Estate*, November 4, 1972, 4.

¹⁷⁷ “Detroit,” *Boxoffice*, November 19, 1973, ME-2.

issue throughout the 1970s. This despite the fact that the paper's readers were seemingly less hesitant to bring up the topic. After the paper had almost entirely ignored the topic in 1972, starting a year later and continuing throughout the decade letters to the editor complaining about movie ads in the paper would occasionally get printed. In March of 1973, Dorothy Wroten complained about the movie ads in the *Free Press*, which in her words "flaunted their forbidden fruits and entrance into a psychedelic world of sex and sadism... I appeal to you to use your better judgment to discriminate and deny space to this destructive trash."¹⁷⁸ The paper printed at least two other letters complaining about movie ads that year, while in 1974 one S. Harwood lamented in a letter to the paper, "It is a sad state of affairs when parents have to hide the morning paper from their children because of the obscene and pornographic advertising on your movie page."¹⁷⁹ More letters on the topic would be printed by the paper throughout the decade, as in 1976 when one reader wrote, "Perhaps you should consider following the lead of some other large-town newspapers such as the *Minneapolis Tribune*, which several years ago eliminated all pictures and most descriptions from X-rated ads."¹⁸⁰ Oddly absent from this and similar letters printed in the *Free Press* was any mention of the *News*' policy of banning ads for X-rated movies.

Finally, as mentioned above, local anti-porn groups in Detroit celebrated the *News*' actions. And, just as significantly, those working to regulate the adult entertainment in the city lauded the *News*' advertising policy. None other than Mayor Roman Gribbs wrote in to the *News* following its announcement, saying in his letter, "My commendation to *The Detroit News* for its refusal to publicize any of the X-rated movies and other motion pictures of questionable

¹⁷⁸ Dorothy Wroten, "Destructive Trash," letter to the editor, *Detroit Free Press*, March 4, 1973, 6.

¹⁷⁹ S. Harwood, "Drop 'X' Movie Ads," letter to the editor, *Detroit Free Press*, January 7, 1974, 6.

¹⁸⁰ Don Needham, "Sounding Off on Smut," letter to the editor, *Detroit Free Press*, June 17, 1976, 10.

substance.” Gibbs quickly pivoted from here to his own efforts to combat pornography, saying, “As you know, through the vehicle of the Mayor’s Task Force on Licensing Procedure, I am earnestly and vigorously seeking to stem the tide of printed and visual smut.”¹⁸¹ In the chapters ahead, I look squarely at these efforts by the mayor to combat pornography in the city.

¹⁸¹ Roman S. Gibbs, “Gibbs Supports News’ Film Ban,” letter to the editor, *Detroit News*, April 2, 1972, 3-E.

CHAPTER THREE

Topless Detroit: Regulating Industry and Exotic Dance

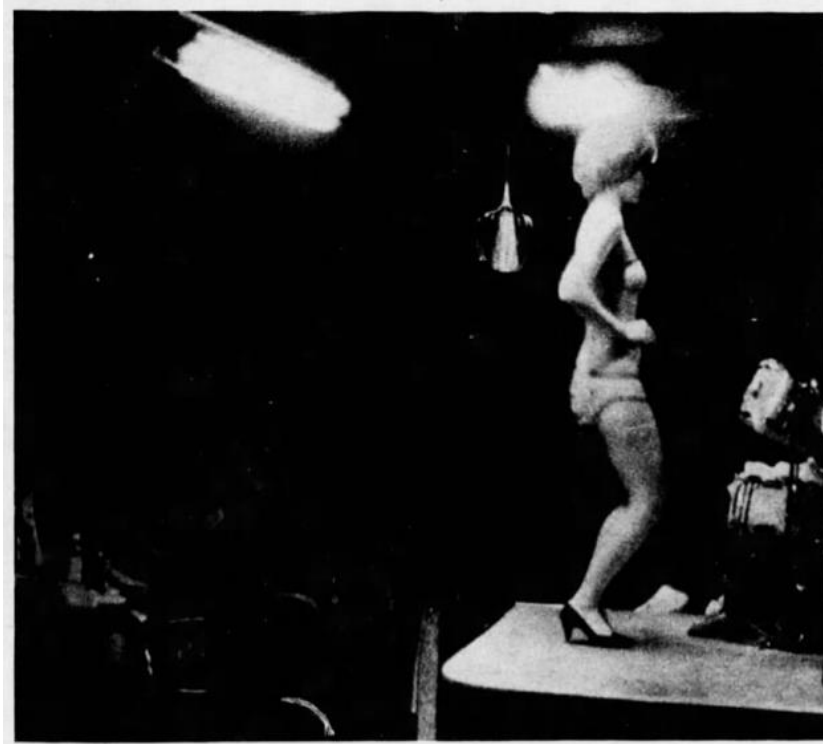


Figure 15. *Detroit Free Press Magazine*, August 24, 1969, p. 27.

As discussed elsewhere in this dissertation, one of the key lines of argument used by anti-porn advocates during the early 1970s was the notion that adult businesses are toxic to the overall business environment of a neighborhood. Thus, the notion went, “legitimate” non-sexual businesses would flee from areas rife with adult businesses, thereby hurting the local economy. Adult business owners, by contrast, tried to argue that they, too, were contributing to the local economy with their business. This argument largely fell on deaf ears though, particularly so given that the contribution of adult movie theaters or bookstores to the local economy was never

seen as powerful enough to justify their supposed negative secondary effects. Perhaps the one exception to this was in the world of topless entertainment, an industry that had a clear and major economic presence in Detroit, which advocates for the industry successfully highlighted in their fight against anti-porn forces.

This chapter explores the history of exotic dance in Detroit, focusing in particular on fights over the rise of topless dancing in the early 1970s. Anti-porn advocates fought against the spread of topless entertainment across the judicial and legislative arenas before something of a stalemate was eventually reached. This tentative peace was the result of a confluence of factors, not least of which was the successful effort by topless bar owners to reframe debates over exotic dancing in the city as one of economics rather than morals. Even as anti-porn activists had so successfully mined economic arguments in their fight against other forms of adult entertainment in Detroit, topless bar owners managed to appropriate this language for their own use by tying the fate of Detroit's shaky economy to that of topless bars. Bar owners emphasized the gross revenue of the topless entertainment industry in Detroit, the tax revenue collected in turn by the city and state, and lastly the sheer number of workers reliant on the industry. In emphasizing these economic figures (which were often inflated for the sake of argument), topless bar owners managed to largely succeed in their efforts to fight back against efforts to shutter the industry. If anti-porn activists never fully accepted topless bars as part of the landscape of Detroit, they did nevertheless eventually come to see it as a less pressing matter than other forms of adult entertainment.

Though it was rarely ever made explicit, debates over the fate of topless dance in Detroit largely revolved around the regulation of female bodies. Male lust over the female form was treated as natural and self-evident by anti-porn advocates, whereas female incitement of male

lust was dangerous and in need of regulation. In its efforts to stamp out topless dancing, city officials spoke of morals and the need to guard against prostitution, but gave little more than lip service to the plight of dancers themselves. Dancers were viewed as victims in need of protection by the state, yet ironically the illicit nature of the industry, a byproduct of the work of anti-porn forces, had created real problems for dancers, with working conditions and employment practices that were often less than ideal. City officials had little interest in helping alleviate these issues though, preferring to focus their attention on outlawing topless dance entirely. In looking at these labor issues, alongside the rhetoric used by the industry, this chapter examines those debates over the economics of adult entertainment that so often couched fights over the fate of pornography in Detroit.

Go-Go and Pasties

The end of the 1950s saw something of an uptick in the preponderance and prominence of exotic dancing in Detroit. The opening of a 1959 *Free Press* article not only managed to summarize this newfound visibility for exotic dancing but also remarkably enough predicted the very dissertation you are reading right now. As the article begins:

Bright lights and show girls have come back to Detroit.

The reasons could make a social study in dusty textbook language – but what they spell out is Girls! Girls! Girls!

History may link the new girlie era with “the fluctuating economy of an industrial city,” or work out ponderous theories on “urban depletion in face of suburban expansion.”

But meantime – tonight – Detroiters and conventioners will sit happily beating out the rhythm of bumps and grinds in any of the 24 night spots that now feature Girls! Girls! Girls!¹

¹ Ralph Nelson, “It’s Girlie Era, But Police Watch for Error,” *Detroit Free Press*, June 8, 1959, 1.

The article's linking of "the new girlie era" with suburbanization and urban decay illustrates the way in which the history of commercial sex and adult entertainment has long been understood as intertwined with urban history. The article expanded on this point later on, stating, "Many of the bar owners now employing strippers dislike the whole project. But since the population swing to the suburbs, their business has been dying, especially in the loop area. They are using the girls to bring in enough business just to survive."² Exotic dancing acted as a means of survival then for bar owners who were increasingly seeing their customers move out to the suburbs.

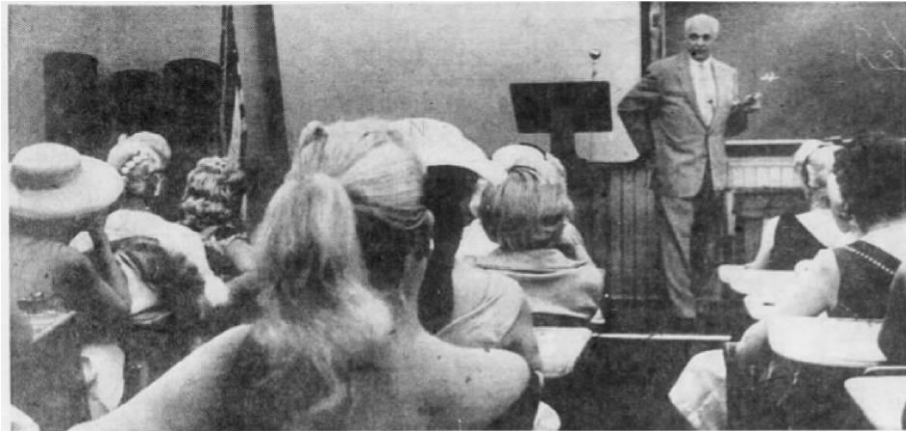
The article also connected the availability of adult entertainment to major downtown redevelopment projects of the era. The Cobo Center, which in 1959 was under construction and just a year away from opening, loomed as a potential source of urban renewal for the city. But, as the article stated, "Veteran policemen and entertainment world figures point out that no conventions will be coming into Detroit to use the 53 million-dollar convention building if Detroit takes in its sidewalks after dark." The linking of the convention trade with the lure of adult entertainment would define the discourse surrounding exotic dancing in the city for decades to come. As the article stated, "Inspector Melville Bullach, of the Censor Bureau, admitted that one of the reasons for downtown gaiety is the 70,000 conventioners visiting from now through September." In other words, conventions and exotic dancing sustained one another, neither able to flourish in Detroit without the other.³

The article also placed the rise of exotic dancing within the context of a broader perceived loosening of morals in the Motor City: "But this mushrooming use of 'Exotic Dancers' is new in staid old Detroit. An indication that the big city may be coming out of its 18-year-old

² Nelson, 1, 10.

³ Nelson, 1.

period of Victorian purity.” As discussed in chapter one, two years earlier the ruling in *Butler v. Michigan* had put a dent in Detroit literary censorship, and in the years to come movie censorship would fall as well. Within this context of curbs on media censorship, the Censor Bureau, in the words of the *Free Press*, “relaxed a couple of Detroit’s frigid entertainment rules” when it came to exotic dancing.⁴



Figures 16 and 17. *Detroit Free Press*, July 10, 1959, p. 44.

Still, though the Censor Bureau may have relaxed the rules of exotic dancing to a degree, they continued to maintain very real control over such entertainment. In July of 1959, Bullach

⁴ Nelson, 1, 10.

and the Censor Bureau led a seminar for exotic dancers in the city, giving instructions as to what was and was not permissible (see figures 16 and 17). Some of these restrictions included: “Bumps and grinds must be limited to two in succession,” “no snuggling up to microphones, curtains, or pieces of furniture,” and “Flat-footed bumping and grinding is out.” Bullach reserved particular consternation for elements that might encourage prostitution, “advising the group that he would not tolerate table-hopping and drink-hustling by strippers. They can sit with friends between acts—if they put on clothes.” The feared slippage between exotic dance and prostitution drove the regulatory mechanisms used by the Censor Bureau, in this case by keeping dancers away from customers between their performances.⁵

Still, this tumult over exotic dancing in 1959 would quickly die down, and there would be little in the way of controversy regarding the topic over the course of the next decade. In the intervening years, there were major developments in the arena of exotic dance at the national level. In 1964, Carol Doda famously inaugurated topless dancing in San Francisco, setting off a trend that would quickly spread to cities throughout the country.⁶ Meanwhile, go-go dancing grew enormously in popularity during the mid-1960s. In its most “clean” usage, go-go was simply a form of rhythm dancing; in practice, go-go was inextricably tied with adult entertainment and exotic dance. As the *Free Press* put it in 1966, “Much has been written about go-go and the phenomenon has been called a curiosity, a fad, decadent, one more piece of evidence to prove that the younger generation is going to hell and dragging the older one with it... But most have not said, squarely, what any studious observer of go-go must conclude: That

⁵ Louis Cook, “This Is the Limit, Police Censor Tells City Strippers,” *Detroit Free Press*, July 10, 1959, 4.

⁶ See Josh Sides, *Erotic City: Sexual Revolutions and the Making of Modern San Francisco* (Oxford; New York: Oxford University Press, 2009), 45–48.

go-go has a lot to do with sex.”⁷ Critically too, whereas a clear dividing line between performer and audience had most often been upheld in burlesque houses featuring striptease, go-go most often occurred at bars, where the division between dancer and customer was often blurry or even practically nonexistent.

Even as topless spread throughout the country, in Detroit “semi-topless” was the law of the land in the late 1960s. This meant that dancers had to wear pasties covering their nipples, while the police also barred any “movement of the body which is designed to arouse the prurient interests of the customers.” How exactly one might define which dances fell under this category was left hazy, and such regulations pointed to the way in which exotic dancing, perhaps even more so than other forms of adult entertainment, always had its legal status dependent on the whims of police officers and judges. One constant among industry opponents, however, was the fear that dancers would sell their bodies more directly to customers via prostitution, leading the city to put in place regulations regarding what dancers could wear when conversing with patrons between their sets. Meanwhile, bartenders and waitresses had more stringent restrictions on what they could wear, with a “non-sheer blouse” a requirement, meaning no topless or semi-topless.⁸

This all changed in 1969, when Tyra Lea LaRue inaugurated the topless era in Detroit by removing her pasties during her performance at the Sip ‘N Chat Bar on the city’s west side. LaRue went topless with the consent of bar owner Theodore Manolakas, who called the police in advance of the performance, the two hoping to challenge the topless ban in Detroit. As Manolakas explained, “This is a test case. She has a right to dance topless under the First

⁷ Kurt Luedtke, “Glimpsing Two Girls a Go-Go: A Search for the Reasons Why,” *Detroit Free Press Magazine*, January 9, 1966, 17–18.

⁸ Mark Beltaire, “Dreams Cashed In,” *Detroit Free Press*, October 10, 1967, 12–D.

Amendment of the Constitution, which guarantees freedom of speech.”⁹ This emphasis on topless dancing as a form of protected speech characterized the early stages of the legal battle. The defense argued that “the person in the bare flesh is not obscene,” and the case largely rested on whether LaRue’s dancing violated the “contemporary community standards” clause of the U.S. Supreme Court’s obscenity test, as laid down in the 1957 *Roth v. United States* decision.¹⁰

A jury ruled in favor of the city in September, 1969, with jury foreman Francis Semelsberger saying afterward, “We figured it was time somebody stood up to be counted on just how far is far enough... We figured, ‘we will take a stand on morals if no one else will.’” Such language spoke to an implied “silent majority” of citizens fed up with this new sexually permissive moral landscape. Still, the reality was that even this ruling did little to stop the spread of topless in Detroit, with the attorney for the city in this case saying that he thought there would be no more topless arrests “since Detroit police have more essential places to put their efforts.” This largely reflected the low priority the police, as well as elected officials, tended to place on regulating exotic dancing, at least at this point in time. Ultimately, a court decision is rendered largely meaningless if the police choose not to enforce it, which is what initially occurred following the LaRue ruling.¹¹

“The Strip”

LaRue and Manolakas would appeal the decision, though it would take two years for the case to be heard. In the meantime, topless flourished in the Detroit metropolitan area. While topless bars could be found across the region, a number of them congregated along a stretch of Michigan Avenue moving out from Detroit, through Dearborn, and into Inkster, with the area

⁹ John Gill, “Fine Shakes Up Topless Dancer,” *Detroit News*, July 24, 1969, 4-B.

¹⁰ John Oppedahl, “Bared Bosom Goes on Trial,” *Detroit Free Press*, September 17, 1969, 3.

¹¹ Beverly Eckman, “The Moral Issue in 2-Inch Pasties,” *Detroit News*, September 18, 1969, 17.

coming to be known informally as “the strip.” Dearborn was perhaps the main hub of topless bars in the region, with the spread of topless dancing there quickly altering popular conceptions of Dearborn. As the *Free Press* wrote in 1969 of this strip of topless establishments, “Until recently nothing much more than a main street shopping area for Dearbornites, the place has suddenly sprouted glitter and turned the reclusive, historic town into nothing less than a frantic nightly frolic of imported bare thighs, big name acts and wide-open double-clutching sounds.” The same article speculated as to why Dearborn had seen this flourishing of topless bars, saying, “Orville Hubbard’s town grabbed it because if there ever was a city waiting for something to come along and give it an identity, it’s Dearborn.”¹² Some might object to this characterization of Dearborn as lacking an identity by noting that the city was in fact world-renowned for being a bastion of white racism, with this history stretching from the racism and anti-Semitism of Henry Ford to beloved mayor Orville Hubbard, who led the fight against integration during the postwar era.¹³ On this front at least, the rise of topless entertainment in the city did not change much, with the *Free Press* reporting, “In Orville Hubbard’s town, as the bar owners will tell you, Negro entertainment is not encouraged.”¹⁴ If exotic dance in Dearborn challenged the conception of suburbs as sexless and sedate, no challenges to the racial order in Dearborn would be forthcoming from topless bars.

The irony that a suburb rather than the city would be at the center of adult entertainment was not lost on commentators, with one *Free Press* article stating, “The real action is now where only months or so ago, no wise man would have expected it to go—the safe and sensible

¹² Robert Kraus, “Way Out on Michigan Avenue; Join Us Where the Gawkers Go,” *Detroit Free Press Magazine*, August 24, 1969, 22–23.

¹³ See David M. P. Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago: University of Chicago Press, 2010), 284–327.

¹⁴ Kraus, “Way Out on Michigan Avenue; Join Us Where the Gawkers Go,” 29.

suburbs.” In truth, the view of suburbs as being safe, sensible, and sexless was largely a fiction. Adult entertainment had long been a mainstay in the suburbs of Detroit, at times, as with the case of topless dancing in Dearborn, surpassing the relatively staid city in their adult offerings. As the same article said of this contrast between city and suburb, Dearborn’s topless bars “mak[e] up a sort of Las Vegas side street and escape hatch for fun-hungry migrants from Detroit’s nightlife ghost town.”¹⁵ As discussed below, when Detroit later cracked down on topless bars, Dearborn was there to happily accept their customers. Contrary to popular imagination then, while the major city of Detroit was known for its dreary sexless nightlife, the suburb of Dearborn promised unfettered sexual entertainment.

“The Great Coverup”

The case against Tyra Lea LaRue and Theodore Manolakas wound its way through the courts, eventually appearing before Wayne County Circuit Court Judge Joseph G. Rashid. In any number of ways, Rashid was exactly the wrong person for LaRue and Manolakas’ chances. As one lawyer put it at the time, “If there was going to be a judge against sin, it would be Joe Rashid.”¹⁶ For one, Rashid was a prominent member of the Catholic community in Detroit, having formerly been president of the Detroit Council of Catholic Laymen, on the board of directors of the Detroit Guild of Catholic Lawyers, and a member of the executive board of the National Council of Catholic Men, to say nothing of being a regular at St. Alphonsus Church in Dearborn.¹⁷

¹⁵ Kraus, 23.

¹⁶ Edward Shanahan, “‘No Prude,’ Rashid Declares,” *Detroit Free Press*, June 5, 1971, 3.

¹⁷ Hiley H. Ward, “Clergy, Girls, Debate Topless Dancing,” *Detroit Free Press*, February 12, 1972, 5–B; Shanahan, “‘No Prude,’ Rashid Declares,” 3; “Magazine Plea Denied By Judge,” *Detroit Free Press*, January 9, 1964, 10–B.

More centrally, Rashid was no stranger to the fight against pornography. Early in his career as a lawyer Rashid had, in the words of the *Detroit News*, “specialized in the prosecution of such [obscenity] cases.”¹⁸ In the mid-1950s, as Wayne County Assistant Prosecutor, he was involved in the inner workings of the Detroit Police Department’s Censor Bureau.¹⁹ In 1962, after becoming a judge, Rashid publicly warned parents of the dangers of obscene literature, calling on the “intelligent public” to lobby merchants to keep such reading material off store shelves. He also issued a grave warning as to the potential consequences of failing to act against pornography, couching his statement in terms that made clear the way in which his religion was inextricably linked with his anti-porn views. As he said, “Unless this is done we can look for a gradual weakening of the moral fibers of the community so that such things as the sanctity of marriage is destroyed and the fathers and mothers of the next generation throw basic morality and the Ten Commandments out the window.”²⁰

Rashid’s anti-porn views were widely known, to the extent that, in late 1963, when a case involving allegedly obscene literature was set to come up before him, the attorney for defendant William Doerfler filed a motion to disqualify Rashid from hearing the case based on the judge’s previous anti-porn statements as well as his prominent membership in a number of Catholic groups that were allied with the National Organization for Decent Literature.²¹ Rashid denied the claim that he could not be impartial in the case, saying, “I have absolutely no prejudice or bias as related to the subject matter. While I have spoken on the subject, I have at no time publicly said

¹⁸ Robert D. Kirk, “Curb Obscene Literature, Rashid Warns Parents,” *Detroit News*, April 1, 1962, 2–B.

¹⁹ Evelyn S. Stewart, “Police Censorship of Books Is Under Fire,” *Detroit Free Press*, October 25, 1956, 22.

²⁰ Joseph A. Rashid, “A Community Problem: Effects,” *Citizen-Inquirer*, March 26, 1962, 1, 3; Kirk, “Curb Obscene Literature, Rashid Warns Parents,” 2–B.

²¹ Motion to Disqualify Judge and Affidavit in Support Thereof, *Samuel H. Olsen v William Doerfler and Royal News Company*, Circuit Court for the County of Wayne, no. 12328, December 31, 1963, found in Ernest Goodman papers, Box 65, Folder 1, Walter P. Reuther Library, Wayne State University.

that any given publication does not comply with Michigan statutes.”²² Rashid therefore dismissed the lawyer’s motion, a decision that was upheld on appeal. Rashid subsequently ruled against Doerfler in the case.²³

In light of all this, it comes as no surprise that Judge Rashid ruled against LaRue and Manolakas. What was unexpected, however, was the breadth of his ruling, how Rashid convicted not only the defendants on trial, but also seemingly all topless dancing, and indeed all adult entertainment. He went beyond just ruling that topless was indecent by also decrying pasties and other forms of near-topless as not meeting “the test of decency.” As he said, “[T]he female mammary gland should be covered by the generally accepted standard of modesty.”²⁴ Exactly what were these standards he left unsaid, but before the week was out, the police, backed by city lawyers, had decided that Rashid’s ruling entitled them to end topless dancing in Detroit. Lieutenant Joseph Areeda of the police obscenity unit declared that all dancers must “henceforth wear a brasserie of some sort.”²⁵

Following the June 1971 ruling, Rashid became something of a minor celebrity in Detroit, and he boasted that “he had received fan mail which stacked three inches high.”²⁶ Local newspaper profiles of Rashid allowed the judge to respond to his critics and flesh out the rationale behind his stance against exposed flesh. Repeating the proclamation made countless

²² Robert D. Kirk, “Rashid Won’t Step Down in Smut Case,” *Detroit News*, January 9, 1964, 10–B.

²³ “Magazine Plea Denied By Judge,” 10–B; Order Denying Motion to Disqualify Judge Rashid, *Samuel H. Olsen v William Doerfler and Royal News Company*, Circuit Court for the County of Wayne, no. 12328, March 17, 1964, found in Ernest Goodman papers, Box 65, Folder 1, Walter P. Reuther Library, Wayne State University; Opinion of the Court, *Samuel H. Olsen v William Doerfler and Royal News Company*, Circuit Court for the County of Wayne, no. 12328, December 1, 1964, found in Ernest Goodman papers, Box 65, Folder 1, Walter P. Reuther Library, Wayne State University.

²⁴ Jim Neubacher, “Go-Go Gal Put Under Wraps,” *Detroit Free Press*, June 3, 1971, 3.

²⁵ Susan Holmes, “Cover Up, Police Tell Go-Go Gals,” *Detroit Free Press*, June 8, 1971, 2.

²⁶ Judy Diebolt, “Bar Owners Lose Round in Topless Fight,” *Detroit Free Press*, June 15, 1971, 3.

times by the censorial-minded, Rashid declared, “I don’t consider myself a moralist. I don’t look upon myself as a prude or a puritan.” Rather, his ruling was, in his mind, a response to the “so-called new morality which dictates that all social restraints on sexual freedom must go.” Though acknowledging that his ruling would have its detractors, he nevertheless stated his belief that his views were shared by most people, though in his view “the voices they raise in objection aren’t being heard.”²⁷

This invocation of a supposed silent majority of citizens opposed to pornography was a recurring rhetorical strategy used by anti-porn advocates during this period. The era’s most influential anti-porn group, Citizens for Decent Literature, repeatedly drew on this notion. As one article in their newsletter said, “How loudly does the ‘silent majority’ have to shout before ‘somebody’ listens? Far from remaining silent on the vital subject of smut control, the people *are* speaking out—and demanding action.”²⁸ In deploying this rhetorical strategy, anti-porn advocates appropriated a discursive formation that was newly ascendant in white racial politics of the era. Notions of a silent majority opposed to the supposed overreach of the Civil Rights movement had fueled grassroots conservative politics and helped elect Richard Nixon to the presidency.²⁹ The deployment of this rhetoric by anti-porn advocates not only speaks to the overlap between groups involved in anti-porn politics and white racial politics of the era, but also to the way that the discourse of race came to infuse other arenas of American politics. Moreover, in invoking the idea of a silent majority opposed to pornography, activists could inflate notions of a consensus among right-minded citizens as to the need to censor pornographic material.

²⁷ Shanahan, “‘No Prude,’ Rashid Declares,” 3, 14.

²⁸ “Majority Shouts - Who’s Listening?,” *National Decency Reporter* VII, no. 3–4 (April 1970): 12.

²⁹ See Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton: Princeton University Press, 2007).

Thus, Rashid could portray himself as merely being a lone voice empowered to speak for this silent moral majority.

In reality, the reverse was probably true. Just a few days after his ruling, a *Detroit Free Press* poll of its readers found 68.3 percent opposed to Rashid's ruling, with just 31.7 percent in support.³⁰ Though the poll may be unscientific (and one imagines that a similar poll by the more conservative-leaning *Detroit News* would have given different results), it does nevertheless speak to the fact that Judge Rashid and his supporters in many ways bore more resemblance to a very vocal minority than they did a silent majority. The real silent majority were the citizens who either supported adult entertainment, or more likely did not care much one way or the other but were opposed to censorship. This speaks to a repeated trend in fights over pornography, one I have already discussed in this dissertation. As Walter Kendrick writes, "[T]hose who feel that no harm is being done are unlikely to form pressure groups in order to advance that view. Contentment and indifference are silent, while fear and outrage bellow; and in the pornography debate, hysteria on the part of a few has traditionally been given free rein by the obliviousness of the many."³¹ With liberals ambivalent about being too vocal in their defense of pornography, the stage was set for those like Rashid to dominate the conversation by invoking the idea that he was simply speaking for the majority of people who agreed with his views. This in turn allowed him to present himself as courageously giving voice to most of the city's citizens, lending an added authority to his views.

Meanwhile, across Detroit the debate raged over Rashid's ruling. One of the more interesting lines of argument against topless was something of a nascent feminist rhetoric. Dr.

³⁰ "Sound Off," *Detroit Free Press*, June 10, 1971, 1.

³¹ Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley: University of California Press, 1987), 226.

Robert L. Kincheloe, executive director of the Metropolitan Detroit Council of Churches, said along these lines, “I personally am opposed to women being treated strictly as sex objects, things.” As he went on to explain, “I am not opposed to nudity or sex. But I am opposed to women being treated as less than complete people.”³² Of course, Kincheloe and those sharing similar views almost always ignored the notion that women might find such work desirable.

Violet Kratsas also drew on a proto-feminist rhetoric when she broke with her topless bar owner husband in expressing her opposing view on the ruling, saying, “It’s the greatest thing that could happen as far as I’m concerned as a woman. I think it will help business because now men can bring their wives.”³³ The notion of women going to see exotic dancing was treated as a mark of legitimacy on both sides of the debate. For Kratsas, the rolling back of topless would make these bars an acceptable place for female customers. Likewise, Ron Clark, owner of the topless bar Gold Diggers, boasted, “I get couples in here. They wouldn’t come if there was anything raw or dirty or sickening about topless.”³⁴ The shared view then was that female customers would in some way legitimize topless establishments, proving them to be decent and respectable establishments. This mirrored a trend in the world of adult cinema, wherein the late 1960s and early 1970s had seen producers and distributors actively court the “coveted couple or date market,” which it was thought would lend respectability to adult film.³⁵ Of course, such perspectives failed to account for the multiplicity of reasons—beyond merely accompanying

³² “Church Leaders Differ on Banning Topless Dancers,” *Detroit News*, June 9, 1971.

³³ James Graham, “Go-Go Trips on Topless Ban,” *Detroit News*, June 9, 1971, 1.

³⁴ George Cantor, “Dancers Cover Up And Lunch Is a Bore,” *Detroit Free Press*, June 10, 1971, 4.

³⁵ Eric Schaefer, “Pandering to the ‘Goon Trade’: Framing the Sexploitation Audience through Advertising,” in *Sleaze Artists: Cinema at the Margins of Taste, Style, and Politics*, ed. Jeffrey Sconce (Durham: Duke University Press, 2007), 35.

their husbands—as to why women might decide to attend a topless bar, to say nothing of the potential pleasures they may have gotten from the experience.

Just as critically, such views neglected those most directly affected by Rashid’s ruling: the dancers themselves. Employed at the roughly sixty topless bars in Detroit were hundreds of dancers who, according to Mike Sherwin, an agent for exotic dancers in the city, faced nearly 50 percent salary cuts as a result of the decision. In the wake of the topless ban, dancers who normally made \$5 or \$6 an hour were set to see their wages cut to as little as \$3 an hour. As Sherwin said, “Several of the girls are leaving town. They’re in the business for the money, and there’s not as much money in dancing covered.”³⁶ This was a rather typical result of efforts to curb adult entertainment, with calls to protect female sex workers from their alleged exploitation as sexual objects leading to worse pay and working conditions for these same workers. As Gayle Rubin writes, “While anti-porn activists often claim to want to protect women in (and from) the sex industry, much of their analysis is based on condescension and contempt toward sex workers.”³⁷

³⁶ Graham, “Go-Go Trips on Topless Ban,” 17.

³⁷ Gayle S. Rubin, *Deviations: A Gayle Rubin Reader* (Durham: Duke University Press, 2011), 268.



Figure 18. *Detroit Free Press*, June 10, 1971, p. 3.

The drop in pay for dancers following the topless ban was the inevitable byproduct of a steep drop in patronage at topless bars in Detroit. One *Detroit News* reporter described how Rashid's decision had "brought a wake-like silence to many of Detroit's 59 go-go bars," with (likely exaggerated) estimates of the decline in business ranging from 45 percent all the way up to 75 or 80 percent.³⁸ Stories abounded of bar owners forced to lay off cooks, dancers, and door bouncers, and many bar owners pondered switching to live music or other formats to survive. As Johnny Nicholas, owner of the Blue Note Lounge, said, "Every place in the country has got it

³⁸ Graham, "Go-Go Trips on Topless Ban," 1; Judy Diebolt, "Topless Dancers' Reprieve Extended," *Detroit Free Press*, July 7, 1971, 14.

(topless) and they're just setting the city back. They talk about helping Detroit, but this is making it a dead town."³⁹

While Detroit was becoming a "dead town" in the face of enforced bra-wearing for exotic dancers, bars in neighboring Dearborn were flourishing. There Rashid's ruling went unenforced, and so "customers almost to the man had fled across the border to the more liberated climate of Dearborn." Reports of packed bars with lines out the door only further demonstrated the oddity of this neighboring suburb becoming a hub of adult entertainment, while the city remained (literally and figuratively) buttoned up. Commenting on the trend, Detroit bar owner John Kratsas said, "If Dearborn wasn't right across the street, maybe it wouldn't be so bad. But they charge the same for a drink there."⁴⁰

Fears abounded too that barring topless would hurt Detroit's chances of attracting major conventions to the city. *Free Press* columnist Bob Talbert reported that the national press surrounding Rashid's decision along with two other newsworthy court rulings from around the same time "may have already cost Detroit a major, multi-million convention which would perk up the city's economy in 1974."⁴¹ Once again then, the exotic dance industry was seen as a key attraction for the convention trade.

Topless Strikes Back

In light of all this, bar owners began to organize and fight back. Some thirty-two bar owners chipped in \$100 each to hire attorney Casey Ambrose, who sought to coordinate the attack on the topless ban. A series of stays of execution by the courts saw the topless ban

³⁹ Graham, "Go-Go Trips on Topless Ban," 17.

⁴⁰ Cantor, "Dancers Cover Up And Lunch Is a Bore," 3-4.

⁴¹ Bob Talbert, "Strange Judicial Rulings Give Our Town a Bad Image in Nation," *Detroit Free Press*, June 15, 1971, 11.

enforcement start and stop on multiple occasions in the weeks following Rashid's June 1971 ruling. Later that year the case came up before the Michigan Court of Appeals, which enjoined against enforcement of the topless ban until a hearing could be scheduled on the broader constitutionality of Detroit's indecent exposure ordinance.⁴²

As this went on, bar owners and their attorneys developed their rhetorical strategies in defense of topless entertainment for use in both the court of law and the court of public opinion. Sometimes this meant emphasizing topless as a form of protected speech. Connected to this was the argument, long used by defenders of adult entertainment, that there is a blurry line between obscenity and art, with one attorney for the bar owners stating, "The next time the African Ballet comes to Detroit I can see no reason why these women won't be arrested. They dance bare-breasted without even pasties."⁴³ Likewise, one article posed the question, "Is topless dancing on bar stages different than the nude dancing with exotic props allowed in a Detroit burlesque house?"⁴⁴ Though the line between topless dancing at a bar versus in an African ballet or burlesque house may have been blurry, the real distinction perhaps was best summed up by burlesque producer Mike Todd, who once stated, "At \$4.40 a ticket, it's art; for a buck, it's striptease."⁴⁵ For this reason, the rhetorical defense of the topless industry based on arguments about the blurry line between different forms of topless or exotic dancing often exposed a crucial aspect of nearly all censorship efforts, which is that they are almost never just about the narrowly

⁴² "Go-Go Bars Plan Court Fight for Topless Girls," *Detroit Free Press*, June 13, 1971, 9-B; Howard Kohn, "Court Lifts the Topless Go-Go Ban," *Detroit Free Press*, June 12, 1971, 1, 4; Michael Brogan, "Go-Go Girls Put Back Into Bras," *Detroit News*, June 15, 1971, 2-B; "Go-Go Sentences Delayed," *Detroit Free Press*, June 23, 1971, 1-B; Judy Diebolt, "Topless Ban Lifted During Appeal," *Detroit Free Press*, June 26, 1971, 3, 12; Diebolt, "Topless Dancers' Reprieve Extended," 14.

⁴³ Diebolt, "Topless Ban Lifted During Appeal," 3, 12.

⁴⁴ Ward, "Clergy, Girls, Debate Topless Dancing," 5-B.

⁴⁵ John Weisman, "A Star Stripper Relives the Golden Days of Burlesk," *Detroit Free Press*, January 25, 1973, 14-B.

defined object being censored. In other words, it was the cheap price and the venue of a bar that made the dancing indecent, not just the dance itself.

Even as bar owners argued that there was little to distinguish dancing at their establishments from more artistic and culturally-accepted forms of dance, they also sought to distance themselves from a lower (in every sense of the word) form of dance: bottomless. Said one bar owner, “What they should be doing is fighting against bottomless, keeping that out of Detroit. I’d spend the last penny I’ve got to keep bottomless dancing out.”⁴⁶ At this point bottomless was more theory than practice in the region, and there is little evidence to suggest that bar owners had allowed for that line to be crossed. Still, the rhetorical strategy of distinguishing topless as respectable in contrast to the indecency of bottomless went hand in hand with efforts to tie it to higher, more culturally-accepted art forms.

Another rhetorical device used by topless bar owners was to emphasize the economic effects of the topless ban. This went beyond just stories regarding the economic woes of bar owners seeing their revenues drop precipitously. Rather, bar owners in their public comments stressed the loss of jobs and reduced pay for employees, with one bar owner warning that in the wake of Rashid’s ruling, “Lots of girls will be going on welfare.”⁴⁷ Beyond the effect on workers, bar owners also emphasized the size and economic importance of the topless dancing industry in Detroit, with the *Free Press* noting, “[S]ome observers call [topless] the biggest entertainment business in Detroit.”⁴⁸ Meanwhile, a bartender at the Town Talk bar stated, “I think the city is nuts, killing a million dollar a year industry and handing it over to Dearborn and

⁴⁶ Cantor, “Dancers Cover Up And Lunch Is a Bore,” 4.

⁴⁷ Cantor, 4.

⁴⁸ Ward, “Clergy, Girls, Debate Topless Dancing,” 5–B.

any other city that wants it.”⁴⁹ In the years to come, supporters of topless would increasingly deploy this line of argument even as the claimed size of the industry would grow exponentially.

The argument that was most persuasively deployed by the industry in legal proceedings centered in particular on Detroit’s indecent exposure ordinance. The ordinance in question, passed in 1954, read: “No person shall make any indecent exposure of his or her person in the streets, lanes, alleys, markets, or public places of the city.”⁵⁰ Attorneys for topless bar owners in Detroit argued that the law had never been intended to apply to bars. Said lawyer Ivan Barris, “We feel the legislative intent of this ordinance is aimed not at so-called topless go-go dancing, but rather is aimed at sexual deviates who might expose themselves in public places.”⁵¹ Barris’s argument was something of the reverse of the one linking topless bars to African ballet and burlesque. Whereas the latter tried to tie topless dancing to more refined forms of exotic dance, the former sought to distance topless from the imagined specter of the pervert terrorizing public places through his indecent behavior. Whether it was distinguishing topless from perverts and deviates or bottomless dancing and prostitution, the presentation of adult entertainment’s respectability in comparison to other forms of bodily exposure was a recurring rhetorical strategy used by defenders of topless.

In the end, the Michigan Court of Appeals bought this line of reasoning, saying in its July 1972 ruling against the city, “A cabaret does not fit into the class of specific examples under the ordinance and, accordingly, we conclude that the Sip ‘N Chat bar where Mrs. LaRue performed is not a publi[c] place within the meaning of the ordinance.” The notion of topless bars as “private” places, or at least not “public” in the sense defined by the indecent exposure ordinance,

⁴⁹ Cantor, “Dancers Cover Up And Lunch Is a Bore,” 3.

⁵⁰ Beverly Eckman, “Jury Courted by Topless Act,” *Detroit News*, September 17, 1969, 6–C.

⁵¹ Michael Brogan, “Suit Fights Topless Ban,” *Detroit News*, June 21, 1971, 11.

meant that they were exempt from prosecution under that particular law. Topless had won the day. Predictably, the victory would prove short-lived.⁵²

Of Fingerprints, Bottomless, and Exotic Dance

As discussed in detail in chapter five, over the course of 1972 the Detroit City Council focused its attention on the problem of smut in the city. This meant the drafting of legislation designed to attack the spread of adult businesses, namely adult movie theaters and bookstores alongside nude modeling studios and massage parlors. By contrast, topless bars were a relatively backburner issue. Whereas thousands of letters streamed into the offices of city officials regarding adult movie theaters and bookstores, anti-porn activists were comparatively muted when it came to topless bars. No councilmen, even the most anti-porn-leaning among them, made topless dancing a major issue in 1972, nor did Mayor Roman Gribbs, who that year had made enacting new and effective anti-porn legislation a top priority of his administration.

Which is not to say that city officials did not take action against topless bars. In the fall of 1972, the mayor's office unveiled a slate of new anti-porn ordinances, which were soon after passed by the City Council and signed into law. This included new legislation requiring 51 percent of nearby residents to give their approval to any new adult business. Newspaper coverage highlighted the effect this would have on adult bookstores and movie theaters, which had been the primary focus for the mayor's office.⁵³ Also regulated under this particular ordinance though was the newly formed category of "class D cabarets," defined as, "A Cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, mail [sic] or female

⁵² Gary Schuster, "Convictions Upset in Topless Case," *Detroit News*, July 5, 1972, 8-C.

⁵³ Don Lenhausen, "City Tightens Anti-Smut Laws," *Detroit Free Press*, October 25, 1972, 3.

impersonators, or similar entertainers.”⁵⁴ Still, this ordinance only applied to businesses trying to open after the new law had been passed, meaning the roughly ninety existing topless bars in the city were unaffected.⁵⁵

Other, less heralded provisions of the law more directly affected existing topless bars. Namely, the ordinance sought to more closely regulate the topless dancers themselves through two major legal changes. The first required that all dancers receive a “group ‘D’ entertainer’s identification card from the Detroit Police Department.” What this new ID requirement meant was that all dancers had to be fingerprinted and undergo a criminal record check, with “a record or conviction for an offense involving gambling, narcotics, prostitution, pandering or any other offense involving moral turpitude” leading to a refusal of the police to grant the ID card. The second major change was in proscribing the roles of dancers before and after their acts by barring any dancer from “perform[ing] a secondary service such as selling cigarettes, photographing patrons, waiting tables, bartending or hat checking.”⁵⁶

These provisions in the new law were a reaction to fears that dancers might also act as prostitutes. Such fears were rampant, and efforts to regulate exotic dance in the city had long focused on the threat of prostitution. The specific provision against dancers acting as bartenders or waitresses had been a point of contention back in 1959, when Censor Bureau chief Melville Bullach instructed exotic dancers in the city “that he would not tolerate table-hopping and drink-hustling by strippers.”⁵⁷ Some thirteen years later, Bullach’s informal policy was passed into law, with fears of prostitution again driving this regulatory approach. As Lieutenant Leo Martin, head

⁵⁴ “Ordinance to Amend Chapter 5, Article 4 of the Code of the City of Detroit,” 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

⁵⁵ Julie Morris, “Go-Go Girls Grouchy About Police Census,” *Detroit Free Press*, November 29, 1972, 4.

⁵⁶ “Ordinance to Amend Chapter 5, Article 4 of the Code of the City of Detroit.”

⁵⁷ Louis Cook, “This Is the Limit, Police Censor Tells City Strippers,” *Detroit Free Press*, July 10, 1959, 4.

of the police department's liquor license section, said at the time of the new ordinance's enactment, "We're not saying all these girls are prostitutes. We're not down on go-go girls, don't get us wrong. But we don't want B-girls dancing in Detroit."⁵⁸

Still, even as the ordinance was designed to halt prostitution among exotic dancers, more than a few viewed the new provisions as merely the newest way to harass and attack the adult entertainment industry. Numerous dancers and bar owners agreed that the real aim of the law was "to kill go-go" and "close down all go-go bars."⁵⁹ And they were perhaps right. Said Councilman David Eberhard, who was then considering a run for mayor of Detroit: "If I were mayor, I would padlock all of these places and let them prove me wrong. I do not want to stand by and see Detroit become 'Trash City.'"⁶⁰

The aspects of the law regulating the work of exotic dancers would prove controversial. The restraint on dancers working as bartenders or waitresses between sets particularly hurt given that the industry had long relied on interaction between dancers and customers to stimulate business and generate tips for the dancers. Dancer Kay Meloche claimed the new ordinance would have a counterintuitive effect, saying, "We all have our regular customers who come just to see us dance. But now they're not coming back. We can't talk to them or dance for them. This is going to drive some girls into prostitution, I'm convinced." Others connected the economic hit felt by dancers to the economic hit the city would feel if trends continued. Larry Zoline, manager of Gold Diggers, tied the industry to the lucrative convention trade for the city, noting that the recent Society of Automotive Engineers had been a flop for his bar, saying, "The guys came in

⁵⁸ Morris, "Go-Go Girls Grouchy About Police Census," 4.

⁵⁹ Jim Neubacher, "Topless Go-Goers Restrained, Bar Business Is Gone-Gone," *Detroit Free Press*, January 22, 1973, 3; Morris, "Go-Go Girls Grouchy About Police Census," 4.

⁶⁰ Chuck Thurston, "Detroit's Go-Go Dancers Get Squeezed Where It Hurts," *Detroit Free Press*, January 24, 1973, 8.

and wanted to enjoy themselves and they couldn't. They asked 'Why can't the girls talk to us.' They left. This is going to hurt the city. They're not going to come here for conventions." Numerous newspaper articles in the months following the law catalogued the drop in business at topless bars. At least one dancer noted that Dearborn topless bars were prospering in the face of the misfortune of Detroit's topless industry, saying, "In Dearborn, just a few blocks away, it's wide open. They sit with customers, they go bottomless."⁶¹



Figure 19. *Detroit Free Press*, November 29, 1972, p. 4.

The fingerprinting requirement particularly drew the ire of dancers. As one dancer said to the *Free Press* of the requirement to get an identification card, "I don't like coming down here

⁶¹ Neubacher, "Topless Go-Goers Restrained, Bar Business Is Gone-Gone," 3.

and being fingerprinted. I haven't even committed a crime. It takes away your dignity."⁶² In reality, the annoyance and loss of dignity that came from having to go to the police station to get fingerprinted was not an ancillary byproduct of the law, it was at the heart of the law. It provided another hurdle for dancers to deal with, and further stigmatized their work. Still, at least one dancer embraced the law as a way of cleaning up the industry. Said Annette Ellis, "At first I didn't like it, but now, I think it's good. This benefits us all by screening the hookers and addicts out of the business. I don't want to work with them."⁶³ Not unlike distinguishing topless from the indecency of bottomless, by denigrating a select few "bad apples" among exotic dancers, Ellis and many others in the industry sought to lend themselves a degree of respectability.

Ironically, this same logic was used by belly dancers in Detroit to fight the new ordinance and distance themselves from topless dancing. Crucially, the new law required belly dancers to register with the city just the same as topless dancers. Not long after the ordinance was passed, belly dancers began to lodge complaints at being "classified with strippers, go-go dancers and impersonators." In their view, whereas belly dancing was centuries old and required skill, go-go dancing had barely been around a decade and was seemingly for the talentless. Such distinctions were considered to be real and substantial among members of the City Council. As one article said, "Councilmen David Eberhard, a Lutheran minister, said his only objections were to lewd dancing. And belly dancing, he added, does not fall in that category. Belly dancing is a cultural activity which is proper and even popular at some ethnic festivals, he said."⁶⁴ Another article

⁶² Morris, "Go-Go Girls Grouchy About Police Census," 4.

⁶³ Neubacher, "Topless Go-Goers Restrained, Bar Business Is Gone-Gone," 4.

⁶⁴ Don Lenhausen, "Belly Dancers Protest," *Detroit Free Press*, February 15, 1973, 12.

said of one belly dancing venue in particular, “Council members all said they had no intention [of] putting a ‘high class’ place like The Cedars out of business.”⁶⁵

The issue came down to one of language, and specifically the ordinance’s mention of “exotic” dancing. As Councilman Anthony Wierzbicki explained, “We hadn’t intended to get into this particular field (belly dancing). Exotic is kind of a vague term. When we said exotic, I don’t think we meant foreign types of dancing. I think it was intended to cover strippers and go-go dancers.”⁶⁶ Confusion over what exactly the councilmen had voted for was surprisingly prevalent. Councilman Nicholas Hood admitted that he had no knowledge of any of the regulations against topless dancing when he voted for the larger package of anti-obscenity ordinances. As he said, “The regulation against the girls was in the fine print. We didn’t realize that they were being regulated too. We were after the Adult Bookstores, peep-movies and massage parlors.”⁶⁷ Beyond indicating the fact that he apparently had not read the bill he voted for, Hood’s statement is indicative of the relatively low priority topless bars tended to be given by city officials as well as anti-porn advocates, with other forms of adult businesses seen as more threatening to the social order.

All this pointed toward the weakening enthusiasm for the anti-obscenity drive among some members of the City Council. Whereas 1972 had seen enthusiastic support for the regulation of adult businesses, 1973 saw weakening interest for the enactment of new legislation, and even some support for the repeal of older legislation, particularly the identification requirement for exotic dancers. Even as this shift toward a looser approach was evident among members of the City Council, Mayor Roman Gribbs was relentless in his continued attack on

⁶⁵ Stephen Cain, “Council Rallies to Aid of City’s Belly Dancers,” *Detroit News*, April 13, 1973, B-1-D.

⁶⁶ Lenhausen, “Belly Dancers Protest,” 12.

⁶⁷ Thurston, “Detroit’s Go-Go Dancers Get Squeezed Where It Hurts,” 8.

adult entertainment in the city. And so 1973 saw Gribbs and the City Council square off in a battle over topless dancing in Detroit, with the fate of the industry hanging in the balance.

As both sides geared up for a showdown over the proposed repeal of the identification requirement, a new specter of indecent exotic dance finally emerged in earnest: bottomless. In early 1973, at the western end of the Michigan Avenue “strip” of topless bars, in the suburb of Inkster, there appeared the region’s first confirmed sightings of bottomless dancing. As the *Free Press* explained in an April 25 article, bottomless in Inkster had become a regular attraction “except when a suspicious-looking stranger walks through the door.” When a bar felt confident no vice squad officers were in attendance, G-strings were removed and fully-nude dancing reigned. As the same article reported, “Parking lots are routinely jammed at Inkster’s three bottomless bars on Michigan Ave., and on a recent Friday night, there were long waiting lines at the door. Topless bar owners on Detroit’s Michigan Ave. glumly say their business is off up to 50 percent.”⁶⁸ The same day that the *Free Press* published its story on bottomless in Inkster, Gribbs sent a letter to Michael Glusac in the city attorney’s office stating, “In view of recent publicity concerning the influx of bottomless dancing in Wayne County and its potential introduction into the city, I am directing you to immediately review the City Ordinances and make the necessary amendments for my submission to Common Council prohibiting such dancing in the city of Detroit.”⁶⁹ On April 27, just two days after the *Free Press* reported on bottomless in Inkster, Gribbs sent the City Council a series of ordinances designed to prevent the spread of bottomless into Detroit.⁷⁰ That same day, the City Council took up a proposal to revoke

⁶⁸ Maryanne Conheim, “Bar Dancers Go Bottomless -- but Only Off and On,” *Detroit Free Press*, April 25, 1973, 1.

⁶⁹ Roman S. Gribbs to Michael Glusac, April 25, 1973, Roman Gribbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

⁷⁰ Roman S. Gribbs to Common Council, April 27, 1973, Roman Gribbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

the requirement that exotic dancers be fingerprinted and licensed, with a majority of councilmen tentatively indicating support for the repeal.⁷¹

In a press release upon the unveiling of his new anti-bottomless proposals, Gribbs stated, “We don’t need it [bottomless dancing] in Detroit and we don’t want it. I believe that the people of our City have made it very clear that this offends the public morality. I personally think it is degrading to women and insulting to basic human dignity.”⁷² Gribbs’ statement was indicative of the type of rhetoric he and his supporters most often deployed against the topless industry. In emphasizing morality and the protection of women, Gribbs attacked the industry by emphasizing the continuities with other decency-based anti-obscenity campaigns. And, when it came to the issue of bottomless, Gribbs met little resistance to his proposals. Even Carl Ranno, attorney for the topless bar owners, indicated to the City Council that “bar owners would agree to a ban on bottomless dancing, providing the language of the proposed ordinance was made more exact.”⁷³ If there were many issues of contention between the various parties involved in the fight over exotic dancing in Detroit, seemingly the one point of agreement was that bottomless dancing was a line that dare not be crossed.

Before long it was revealed that Gribbs’ proposals went beyond just banning bottomless dancing. Also on the chopping block were simulated performances of sex acts, and, as it turned out, all topless dancing. The surprise announcement was delivered by Phillip Tannian, one of Gribbs’ top aides, who disclosed that the administration was not only moving on bottomless, but topless as well. Topless had been declared legal in Detroit in 1972 by the Michigan Court of

⁷¹ Don Lenhausen and Peter Benjaminson, “Go-Go Crackdown Is Sought by Gribbs,” *Detroit Free Press*, April 28, 1973, 3.

⁷² “Statement of Mayor Roman S. Gribbs,” April 27, 1973, Roman Gribbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

⁷³ Stephen Cain, “Bottomless Vote Nears,” *Detroit News*, May 24, 1973, B-1-D.

Appeals due to the indecent exposure ordinance in the city covering “public places,” a category which did not specifically include bars and cabarets. Gribbs’ plan was to add these places to the indecent exposure ordinance, thereby making them illegal. The industry recognized immediately the implications of the plan, with attorney Carl Ranno saying, “This is not just a matter of writing tickets. This becomes a matter of putting an industry right out of the city.”⁷⁴

Unsurprisingly, in the face of all this, the topless industry in Detroit mounted a multipronged campaign to fight back against its proposed extinction. Perhaps the most visible part of these efforts was a letter writing campaign directed at Gribbs. Though details of how this campaign was waged remain murky, it appears that flyers were handed out, likely at bars themselves, with individuals asked to sign their name and mail the flyer to Gribbs at city hall. Roughly 2,000 of these can be found housed in the archived papers of Gribbs, though that number likely inflates the actual number of letter writers.⁷⁵ Given that letter writers were not asked to give their address, it is nearly impossible to verify that each person signed their own name, and that they only signed a name to one flyer. We can, for instance, fairly assume that the person who signed as “Mayor Roman Gribbs” was not, in fact, Mayor Roman Gribbs. Still, even if the total number of letters is inflated, the campaign does speak to the widespread support the industry had in Detroit. This fact was also indicated by polls done by the *Free Press* on this issue. Amazingly enough, when readers of the paper were queried on whether they thought bottomless dancing should be allowed to continue, some 57 percent answered in the

⁷⁴ Don Lenhausen, “Topless Dancing Faces Ban,” *Detroit Free Press*, May 16, 1973, 3, 11.

⁷⁵ See Roman Gribbs papers, Box 458, Folders 2-4, Box 459, Folders 1-2 Burton Historical Collection, Detroit Public Library.

affirmative.⁷⁶ A few weeks later, a separate poll found 61.7 percent of *Free Press* readers agreeing with the notion that topless dancing is not obscene and does not harm citizens.⁷⁷

Beyond the way in which the letter writing campaign indicates widespread support for exotic dancing in the city, the flyer itself speaks to a newly developed rhetorical strategy used by the industry. Namely, while Gribbs was speaking of the immorality of topless, the industry was hitting back by focusing on the economics of topless. The flyer provides six facts about the industry, mostly focusing on the economic size of topless go-go in Detroit. It reads:

Fact: Gross sales are in excess of 12 million per year

Fact: Staff employees earn between 3 and 4 million per year.

Fact: Entertainers earn an estimated 1.7 million per year.

Fact: Topless go-go has been in the city for 7 years can the city of Detroit justify new laws to ban it now

Fact: U of M survey finds that each dollar spent is respent in the economy 17 times resultin[g] in a potential 200+million added to the Detroit economy.

Fact: 4% state sales tax is divided up the following way, 2% goes directly to education, ½ of the balance of 2% goes into the city of Detroit treasury.....who benefits????????????⁷⁸

Though the figures regarding the size of the industry are likely inflated—the numbers varied widely when attorneys and bar owners gave interviews to the press—their deployment is indicative of the broader strategy used by the topless industry. Rather than battling the city on questions of morality and decency, supporters of topless mounted an argument about the economic impact the industry had on the city, in this case by giving statistics on the net earnings

⁷⁶ “Sound Off,” *Detroit Free Press*, April 27, 1973, 1.

⁷⁷ “Sound Off,” *Detroit Free Press*, May 26, 1973.

⁷⁸ “Support Topless Go-Go,” 1973, Roman Gribbs papers, Box 459, Folder 2, Burton Historical Collection, Detroit Public Library.

of the industry, the number of employees and their pay, and the industry's contribution to the tax revenue of the city.

These arguments were at the heart of the complaints leveled at the city by Sonny Clark, manager of the National Burlesk, Detroit's last remaining burlesque theater in 1973. The city's newly proposed indecent exposure ordinance was set to affect the National Burlesk just the same as topless bars, and in comments to the *Detroit News* Clark spoke out against the measure. Said Clark, "It's all pretty ridiculous. This town's already dead. What are they trying to do, bury it?" In his view, "banning bottomless or topless dancing would be the final blow to the city's dwindling night life," as he unfavorably compared Detroit's live entertainment options to those offered in New York City and San Francisco. Echoing the economic arguments being pushed by bar owners, Clark went on to say, "As it is, it's a wonder we get any conventioners. We get maybe 60 or 70 people a night. They just don't want to come downtown anymore."⁷⁹

This line of reasoning held particular appeal in Detroit, where the flight of businesses from the city to the suburbs had not gone unnoticed. Losing topless bar patronage to the suburbs was a particularly acute fear given that Detroit's more permissive neighbors had long prospered from the city's relative prudishness. More than one supporter of topless made the connection to the last real ban on topless in the city following Judge Rashid's ruling. Said one article, "Carl Ranno, an attorney for the bars, predicted financial disaster in event of a ban, saying income dropped drastically during the last ban in June, 1971."⁸⁰ Meanwhile, dancer Nora McKiddie similarly recalled the impact of Rashid's ruling, saying, "All the business just went to Dearborn.

⁷⁹ James Graham, "Bottomless Ban to Hit Burlesque," *Detroit News*, May 21, 1973, 12.

⁸⁰ Don Lenhausen, "Topless Dancer Blasts Proposed Ban," *Detroit Free Press*, May 24, 1973, 3.

It was a bleak period for Detroit bars. Is the city trying to drive an industry right out of Detroit and into the suburbs once again?”⁸¹

The effectiveness of the industry’s economic arguments were such that supporters of the topless ban were forced to respond. Gibbs aide Jerry Tannian specifically expressed his doubt “that customers in Detroit would flee to more liberal minded communities, such as Inkster.” He also responded to the economic arguments in favor of topless in saying, “We did not make the (anti-topless) decision on the basis of economics but on the basis of human dignity.” This statement attempted to shift the conversation away from the economic impact a topless ban would have on the city to more traditional morality-based grounds for regulating adult entertainment. This pivot met with limited success. Indeed, the triumph of the topless bar owners in setting the terms of the debate is indicated by the words of Councilman Nicholas Hood, who when pressed on whether he wanted to see topless dancing banned, stated, “Oh, I don’t know about that. I don’t want to be in favor of restraint of trade.”⁸²

Organized Go-Go Labor

The effectiveness of this argument also is evident in the interest organized labor took in the fight over topless dancing in Detroit. In particular, Myra Wolfgang, secretary-treasurer of the Hotel and Restaurant Employees Union Local 705, became involved in debates over the fate of exotic dancing in the city in 1973. Wolfgang was at the tail end of an incredibly successful career as a labor organizer, with the *Detroit News* having called her “the most effective leader for the

⁸¹ Bob Talbert, “I, Too, Think It’s Shame About Sham,” *Detroit Free Press*, May 22, 1973, 17.

⁸² Lenhausen, “Topless Dancing Faces Ban,” 3, 11.

working poor in Michigan.”⁸³ In the world of go-go dancing, while others saw either immorality or big business, Wolfgang saw exploitative labor practices.



Figure 20. *Detroit Free Press*, October 30, 1963, p. 3.

This was not the first time Wolfgang had been involved in a fight over adult entertainment. In 1963 and 1964, she led a highly-publicized fight against the newly-opened Playboy Club in Detroit. The club, the eighth in the chain of Hugh Hefner-endorsed entertainment and eatery venues, was in the practice of not paying its “bunnies” a salary, with waitresses relying entirely on tips for their pay. Wolfgang organized pickets outside the Playboy Club that lasted some seven and a half months, the longest in Local 705’s history (see figure 20).⁸⁴ For Wolfgang, moral questions were inextricably linked with labor issues in the fight over

⁸³ Jean Maddern Pitrone, *MYRA. The Life and Times of Myra Wolfgang Trade-Union Leader* (Fort Wyandotte, MI: Calibre Books, 1980), 165.

⁸⁴ Pitrone, 120, 122–24, 127–28.

the club. When protesting against the State Liquor Control Commission's decision to give a liquor license to the restaurant, she enjoined that the commission "should not be used by those who would bring Sodom and Gomorrah to Detroit," further calling the club "licensed immorality."⁸⁵ Eventually, the pickets succeeded, and on August 13, 1964, the "union shop" card went up in the Playboy Club, and wages were guaranteed to workers.⁸⁶

Nearly a decade later, the battle over the fate of go-go and topless in Detroit similarly drew Wolfgang's attention, though the rhetoric she now deployed was decidedly different than the moralizing language she used in the fight over the Playboy Club. The labor leader focused on the plight of dancers, hoping to unionize them, or at the very least improve practices in the industry. This meant that she had something of an uneasy relationship with the city's efforts to regulate exotic dancing. On one point she did agree with the mayor and City Council, that being the ordinance prohibiting dancers from acting as waitresses or other support jobs. When a judge upheld that ordinance, Wolfgang approved of the decision, saying "A waitress is a waitress and an entertainer is an entertainer." As one article said of her reaction, "Mrs. Wolfgang said she was not concerned about the moral aspects of the ruling. She approves it because the dancers were taking work away from union waitresses." Whereas morality-based rhetoric had been an explicit part of her campaign against the Playboy Club, here she sought to sidestep these questions in focusing exclusively on labor issues. In this case, that meant acting in the interests of the members of her union deprived of jobs when dancers were allowed to wait tables.⁸⁷

In May, when the City Council convened to discuss a variety of issues surrounding exotic dancing in Detroit, Wolfgang was there to plead her case. Again, she sought to distance her

⁸⁵ Carter Van Lopik, "The Bunny Business Beckons," *Detroit Free Press*, October 29, 1963, 3.

⁸⁶ Pitrone, *MYRA. The Life and Times of Myra Wolfgang Trade-Union Leader*, 128.

⁸⁷ Ralph Orr, "Wolfgang: Dancer Can't Wait Table," *Detroit Free Press*, January 23, 1973, 8.

views from issues of morality, saying “I am not taking a moral stance on the question. The question of morality to me is the immorality of the exploitation of human beings.”⁸⁸ To this end, she brought with her before the City Council dancer Roberta Chilson, who implored the Council not to ban topless dancing, saying, “I ask the city not to take our livelihoods away. Our performances are not obscene.”⁸⁹ In regards to the controversial fingerprinting and identification card requirement, Wolfgang was strongly against the measure, cheekily calling on male customers to be fingerprinted rather than the dancers. This was in keeping with her perspective on exotic dance, wherein she sought to defend the rights of female workers, in this case by arguing that it should be male customers and not the dancers who fell under police scrutiny over charges of prostitution.⁹⁰

While appearing before the City Council, Wolfgang also fought against the Detroit law that required that all dancers gain employment via a booking agency rather than directly with bars themselves. In her view this “denied dancers the right to get their own jobs, and also denies them rights and benefits obtained by other employees such as workmen’s compensation.”⁹¹ On May 29, Mayor Gribbs met with Wolfgang on the matter, after which he expressed to aides that “he would now like to have language drafted he can submit to Council making the booking agent section in regard to bar entertainers merely permissive rather than an absolute requirement.”⁹² It is not entirely clear what came of this in the end, and agencies would continue to dominate in subsequent years.

⁸⁸ Stephen Cain, “Bottomless Ban May Cover Topless Bars, Too,” *Detroit News*, May 16, 1973.

⁸⁹ Cain, “Bottomless Vote Nears.”

⁹⁰ Lenhausen, “Topless Dancing Faces Ban,” 11.

⁹¹ Lenhausen, 11.

⁹² P.G. Tannian to Michael Glusac, June 1, 1973, Roman Gribbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

Ultimately, efforts to unionize dancers in Detroit died down, and with it went labor's interest in Detroit's topless battle. Still, Wolfgang's involvement in the matter raised important issues regarding exotic dance in the city. The battle over the fate of topless in Detroit was quite often pitted as the mayor and City Council versus bar owners, with the workers quite often forgotten in the proceedings. While reconstructing the exact working conditions for exotic dancers of the time may be impossible, anecdotal evidence points to real problems for dancers in the industry. Stories abound of dancers threatened with being fired if they did not go topless or bottomless, or dancers facing repeated harassment from customers.⁹³ Opponents of the industry often used these stories as backing for new laws designed to regulate and even stamp out exotic dancing in Detroit. In reality, problems with labor practices were largely a result of these anti-obscenity crusaders. As Gayle Rubin writes, "The underlying criminality of sex-oriented businesses... renders sex workers more vulnerable to exploitation and bad working conditions. If sex commerce were legal, sex workers would be more able to organize and agitate for higher pay, better conditions, greater control, and less stigma."⁹⁴ Though it would be a mistake to place topless dancers neatly in the same category as prostitutes, society's reoccurring demonization of all forms of sexual commerce outside the bounds of marriage meant that dancers in Detroit were vulnerable to the same types of anti-vice and anti-obscenity crusades long-weathered by prostitutes. If Wolfgang's championing of exotic dancers was short-lived, it nevertheless was a moment of possibility that saw the rights of sex workers defended rather than them being made

⁹³ Lee Winfrey, "An Ex-Drummer Is King of Detroit's Go-Go World," *Detroit Free Press*, April 21, 1969, 3, 8; Cain, "Bottomless Vote Nears"; David Ashenfelter, "Bottomless Dancer Trades Music for Lawn Mower," *Detroit News*, May 11, 1973, B-1-W.

⁹⁴ Rubin, *Deviations*, 160.

mere passive recipient to the whims of the elected officials enacting laws and the judges interpreting them.

“Topless Go-Go Goes On & On”

In May of 1973, the City Council voted on three ordinances related to exotic dance, with the results something of a mixed bag for both supporters and detractors. Unsurprisingly, a ban on bottomless dancing passed easily. More controversially, the Council voted to repeal the requirement that exotic dancers get an identification card from the police. On June 4, Gribbs sent a letter to the Council informing them of his decision to veto their repeal and keep in place the fingerprint and ID card requirement. He did so at the behest of the police department, which had sent a memo detailing how infractions at cabarets in the city had been sharply down since the law’s enactment. Ultimately the Council proved unable to overturn Gribbs’s veto.⁹⁵

Most significantly, the City Council voted to amend the indecent exposure ordinance to apply to bars and cabarets and not just “public places” in the city. Crucially though, the City Council left it up to the courts to decide whether topless dancing in bars constituted indecent exposure. In other words, the City Council made it possible for indecent exposure laws to apply to topless bars in Detroit, but left it up to the judicial system to decide whether to actually do so. In so doing, they avoided having to directly ban topless dancing, while simultaneously ameliorating the concerns of those wanting action.⁹⁶

Indicating how the economic arguments deployed by topless bar owners had come to dominate the debate, in reporting on the Council’s actions the *Free Press* wrote, “In passing a

⁹⁵ Stephen Cain, “Council Helps Gribbs in Fight Against Topless Dancers,” *Detroit News*, May 30, 1973; Don Lenhausen, “Council Bans Indecency; Topless Go-Go Could Go,” *Detroit Free Press*, May 30, 1973; Roman S. Gribbs to Common Council, June 4, 1973, Roman Gribbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

⁹⁶ Cain, “Council Helps Gribbs in Fight Against Topless Dancers”; Lenhausen, “Council Bans Indecency; Topless Go-Go Could Go.”

new indecent exposure ordinance last week, the Common Council may have destroyed one of Detroit's few multimillion dollar entertainment industries—topless go-go dancing.” In the face of continuing pressure from those criticizing the City Council and the mayor for the economic effect of their war against topless, Gibbs issued a statement in which he said, “It is very questionable whether bars in Detroit will lose any appreciable amounts of money by complying with the law. Nevertheless, the question of profit and loss by itself cannot be a deciding factor in the law-making process. It is up to the mayor and the Common Council to pass such ordinances as will benefit the public health, safety, and welfare. This is what has been done.” Even as Gibbs tried to shift the conversation back toward morality, that the mayor felt it necessary to respond to the point regarding the size of the industry speaks to the way in which the notion had gained serious traction locally.⁹⁷

Following the ordinance's passing, all indications were that the days of topless dancing in Detroit were numbered. However, just one day before the ordinance was set to go into effect, a major flaw in the mayor and City Council's approach came to light. Namely, back in October of 1972, the city had included “topless dancer” as part of the definition of class D cabarets, making it dicey territory for the city to now legally ban such activity. As Maureen P. Reilly, an attorney for the city, put it, “We can't charge someone for doing what we've given them a license to do.” The irony then was that an ordinance that had been passed to halt the spread of topless bars in the city was now preventing their out-and-out extinction. And so the elimination of topless in Detroit was given a last minute reprieve, leaving the mayor's office, the driving force behind the law, looking foolish and clumsy.⁹⁸

⁹⁷ John Miller, “As Go-Go's Go, So Go Bars?,” *Detroit Free Press*, June 4, 1973, 3, 12.

⁹⁸ Tim McNulty, “Topless Go-Go Goes On & On,” *Detroit Free Press*, June 8, 1973, 3.

Gribbs immediately proposed an amendment to the previous year's ordinance to remove the reference to "topless dancers" from the definition of class D cabarets. However, the City Council had evidently seen enough and so tabled the matter. The *Detroit News* noted that the Council was "disturbed at the flood of hearings and discussions it has had to schedule on a whole series of cabaret ordinances," while the *Free Press* wrote, "Councilmen appear to be weary of the long hassle over topless, bottomless and belly dancing. And they are miffed by some of Mayor Gribbs' actions in the matter." Council President Mel Ravitz, in denying Gribbs's request for further action to clarify the ordinance licensing class D cabarets, stated, "I just can't consider this (topless) issue as one of the high-priority matters. I think we have done what is right and reasonable to ban bottomless. I think we should leave it at that." And so, despite the wishes of the mayor, the City Council largely put aside the issue of topless, moving on to some of the city's more pressing concerns.⁹⁹

Topless Suburbs

As noted above, the suburbs were often more permissive when it came to exotic dancing. The suburb of Inkster is illustrative in this regard. Inkster had inaugurated the bottomless era in the area in early 1973 when three bars along Michigan Avenue went fully nude.¹⁰⁰ After newspaper reports revealed the bottomless practices of these bars, police arrested fourteen dancers in May, charging them with indecent exposure. Outside the trial, half a dozen women protested bottomless dancing, with one protester saying, "The moral fiber of our city is being

⁹⁹ Stephen Cain, "Bottomless Dancing Banned in Detroit," *Detroit News*, June 13, 1973; Don Lenhausen, "Council Skips Ban on Topless," *Detroit Free Press*, June 20, 1973, 6.

¹⁰⁰ Conheim, "Bar Dancers Go Bottomless -- but Only Off and On," 1, 7.

undermined, and we certainly don't need that." Reflecting the fear that bottomless would come to define the city, one sign read, "Inkster is not sin city."¹⁰¹

Yet bottomless continued, as did arrests. In July of 1974 four women were arrested for indecent exposure after dancing bottomless at the Nite Lite Lounge, one of the three Inkster bars that had initially inaugurated bottomless.¹⁰² In fact, from 1973 through 1975, reportedly over 150 arrests were made at two Inkster bars alone.¹⁰³ The wave of arrests did not amount to much, though, especially since they gummed up the works of the judicial system, with one judge lambasting the Inkster police for the mass arrests.¹⁰⁴ Still, the harassment and arrests continued. In 1976, two police officers were suspended after they claimed that they had acted on orders to harass the Nite Lite Lounge out of business, a claim that was denied by Inkster's chief of police, who said the officers' statement showed "a flagrant lack of loyalty."¹⁰⁵

A constant throughout these proceedings in Inkster was recognition of the political problem that nude dancing posed for the city. One city official, granted anonymity by the *Free Press*, expressed his view that "I think there ought to be some type of control, but personally don't give a damn one way or the other." A key reason for this was that it was estimated that John Hamilton, owner of two topless bars and another restaurant in Inkster, was either the first or second largest employer in town.¹⁰⁶ For city officials then, the calculus seemed to be the need to balance responding to citizens' complaints against exotic dancing while not actually driving out

¹⁰¹ Louis Heldman, "Go-Go Dancers Bared All But Toes, Policeman Says," *Detroit Free Press*, May 17, 1973, 5-B.

¹⁰² "Police Grab 4 Dancers in Topless Raid," *Detroit Free Press*, July 28, 1974, 6.

¹⁰³ Ron Ishoy, "Everytime the Girls Take It All Off John Hamilton Gets a Little Richer," *Detroit Free Press Magazine*, November 23, 1975, 10.

¹⁰⁴ Leonard Yourist, "Nude Performers Given a Break," *Detroit News*, June 26, 1975, 1-B-W; Sara Rimer, "Irate Judge Strips Bottomless Dance Cases Off Docket," *Detroit Free Press*, June 26, 1975, 12.

¹⁰⁵ "Ticketed: Loyal to His Lady," *Detroit Free Press*, March 17, 1976.

¹⁰⁶ Ishoy, "Everytime the Girls Take It All Off John Hamilton Gets a Little Richer," 15.

a major employer in the local economy. Still, no politician wanted to be too closely associated with adult entertainment. When one dancer said to the press that Inkster Mayor Edward Bivens Jr. had been in the bar, Bivens was forced to clarify that he had merely “been in and out for a few minutes during a civic dinner.”¹⁰⁷

A similar problem faced Highland Park Mayor Robert Blackwell after it was reported that he went to the topless bar the Tender Trap nearly every day for lunch and was in fact on a first name basis with the dancers. Unlike Inkster Mayor Bivens, though, Blackwell did not shy away from the association, and indeed was closely associated with adult entertainment in the city. In addition to frequenting the Tender Trap, Blackwell had also attended the grand opening of one nude modeling studio, the Blue Orchid, painting one of the employees there. Another time, Blackwell took a group of reporters to see the adult film *The Devil in Miss Jones* (1973) at Highland Park’s Krim Theater. In fact, at least in part due to Blackwell’s liberal stance, Highland Park was, by the mid-1970s, something of a haven for adult businesses, with the city referred to in the press as “Smut City” and “Sin City.”¹⁰⁸

In 1975, Mayor Blackwell went up for reelection, and the race centered on his perceived permissive attitude toward, and even embrace of, adult entertainment. The *Free Press* endorsed the challenger, Jesse Miller, saying that under Blackwell Highland Park had “degenerated into an open haven for prostitution and pornography.”¹⁰⁹ Miller ran on the platform of cleaning up the city, ultimately narrowly defeating Blackwell in the election. The day after being voted out of

¹⁰⁷ Heldman, “Go-Go Dancers Bared All But Toes, Policeman Says,” 5–B.

¹⁰⁸ Jo Thomas and Peter Benjaminson, “Smut City: Sex Strip Flourishes in Highland Park,” *Detroit Free Press*, January 20, 1975, 1–2; James Kenyon, “Highland Pk. Attacks Smut,” *Detroit News*, June 26, 1973, 3–B.

¹⁰⁹ “Highland Park Needs Change,” *Detroit Free Press*, November 1, 1975.

office, Blackwell was back at the Tender Trap giving an interview to the *Free Press*.¹¹⁰ His successor, meanwhile, was quickly caught up in scandal when it turned out that one of his largest campaign contributors was the operator of a bottomless dancing bar, and that, once in office, the mayor had asked the police to “take it easy” on the bar owner.¹¹¹ In 1979, Blackwell ran for mayor again, and when asked about his history of patronage at the Tender Trap, Blackwell claimed he no longer frequented it or similar locales, saying, “Under no circumstances would I be involved in having lunch at those places anymore because it would give the cloud that I’m giving support, when actually I’m not.” Asked directly if he would “get rid” of places like that, Blackwell replied, “Oh, yes, oh, yes, oh, yes.”¹¹² Blackwell would win back his mayoral seat, going on to serve another two terms.

Conclusion

The 1970s would see more battles over exotic dancing in Detroit, though they never reached the fever pitch that they did in the early part of the decade, when debate over exotic dancing raged between the mayor and City Council. Rather, an uneasy truce was seemingly reached whereby topless was acceptable, and bottomless not. When bottomless did inevitably get introduced in Detroit proper in 1974, city officials’ reaction against it was swift. After a judge ordered seventeen bars to scale back their acts, which were said to feature bottomless and simulated sex acts, Rick McNeil, manager of the Royal Coach Lounge, responded by saying, “This town wants to be a convention town, but it closes down the only fun around.”¹¹³

Responding to such claims, City Council President Carl Levin said, “We don’t need the

¹¹⁰ Peter Benjaminson, “Blackwell at Topless Lunch: Showy Mayor Turns Bitter,” *Detroit Free Press*, November 6, 1975, 14–D.

¹¹¹ Jo Thomas, “HP Cleanup Attempt Stirs Political Dust,” *Detroit Free Press*, June 13, 1976, 10.

¹¹² Tim Kiska, “Clean up Highland Park?,” *Detroit Free Press*, January 28, 1979, 1.

¹¹³ Thomas C. Fox, “Judge Curbs 17 Go-Go Spots,” *Detroit Free Press*, December 4, 1974, 3.

bottomless business in Detroit, as difficult as our economic conditions are.”¹¹⁴ This statement reflected the oddity of a city that was desperately trying to attract businesses simultaneously moving to shut down a prosperous industry. No matter how much money topless bars raked in, nor how much tax revenue they contributed to city coffers, their association with commercial sex would always make them suspect.

A constant throughout this era was that customers followed new “innovations” in exotic dancing to wherever they might be. That meant that when the era of topless was inaugurated, those bars still sticking with bras and pasties found their customer base fleeing. When topless was briefly banned in Detroit in 1971, customers simply went over to Dearborn. When Inkster inaugurated bottomless, bars there started filling up, to the detriment of topless bars in Detroit. In his dissertation on the history of gay life in Detroit, Tim Retzliff explores the “queer sexual commute,” whereby individuals traveled by automobile across Detroit and its suburbs in search of gay sexual encounters.¹¹⁵ The movement of customers between topless bars offering various levels of sexual explicitness indicates another type of sexual commute, one in which seekers of adult entertainment traveled across the city and beyond its borders in search of the latest most salacious offerings.

One of the inevitable results then of Detroit’s war on exotic dancing was the way it drove customers to neighboring suburbs. If the suburbs were uneasy about this turn of events, they nevertheless reaped the economic benefits of housing thriving businesses that Detroit had rejected. This “race to the bottom” among bars meant that whichever city or suburb was most

¹¹⁴ Tom Hennessy, “Bare Bottom Cold Shouldered,” *Detroit Free Press*, February 21, 1975, 3.

¹¹⁵ Tim Retzliff, “City, Suburb, and the Changing Bounds of Lesbian and Gay Life and Politics in Metropolitan Detroit, 1945-1985” (Yale University, 2014), 129–39.

willing to tolerate commercial sex would reap the very real economic benefits. That nevertheless few were willing to do so speaks to the political toxicity of adult entertainment.

This reluctance of elected officials to embrace the economic potential of exotic dance also points to the way in which adult entertainment, for better or worse, could come to be seen as defining a city. This explains Detroit City Councilman David Eberhard's admonition that he would not let Detroit become "Trash City," protesters in Inkster saying their suburb would not become "Sin City," and the widespread labeling of Highland Park as "Sin City" and "Smut City." Meanwhile, those on the other side of the debate took to calling Detroit a "ghost town" and a "dead town" on those occasions when the city managed to actually shut down topless. Adult entertainment was thereby more than just one industry among many in these places. Rather, it had the potential to define places as a whole.

This is significant given the way that urban historians have long sought to understand how cities and suburbs define themselves as distinct from one another. In his book *Colored Property*, David Freund writes: "Suburban residents fighting to protect the homogeneity of their new neighborhoods often lived in places indistinguishable, at least physically and architecturally, from the Detroit neighborhoods that many had recently left behind." So how then did suburbanites distinguish their neighborhoods from their urban neighbors? For Freund, the answer comes down to "suburban political culture."¹¹⁶ While this is undoubtedly true, the history of exotic dance in the Detroit metropolitan region suggests that a proliferation of commercial sex in an area could also come to define a place, creating widely-held beliefs as to the distinction between Detroit and its suburbs.

¹¹⁶ Freund, *Colored Property*, 29.

Crucially though, it often did so in ways challenging notions of urban centers as dens of adult entertainment, whereas the suburbs were free from such commercial sex. In reality, the suburbs of Detroit were often offering more explicit adult entertainment options than the city itself. The reasons for this are varied, but the identity of which suburbs were the ones that saw commercial sex thrive helps elucidate this issue. Namely, not all suburbs had thriving adult entertainment industry. Whereas the working-class Inkster, Dearborn, and Highland Park all, at various times, saw topless bars flourish in its midst, the more middle and upper class suburbs of Oakland County and the Grosse Pointes were nearly free from such businesses. Given the mobility of customers, it would be a mistake to think that this indicates that the working class were primarily the customers of topless bars. The customers at adult businesses often lived in different neighborhoods, or even different cities, preferring the anonymity offered by more distant adult businesses to the convenience of nearby ones.

For those suburbs where topless bars did flourish, it was something of a double-edged sword. On the one hand, adult businesses could provide much needed jobs and tax revenue in a suburb in desperate need of both. On the other hand, too much adult entertainment and a place could become known for it, becoming, like Highland Park, “smut city.” Of course, this was only a problem to the extent that people thought it was a problem, and Mayor Blackwell in Highland Park evidently only considered it an issue after voters did. And, given the struggling economy in Highland Park, the city may well have been better off as “smut city” than the alternative. As Laurence Wolf, owner of the Krim Theater, said, “Blackwell knows if those theaters weren’t adult theaters, they’d be boarded-up theaters.”¹¹⁷

¹¹⁷ Thomas and Benjaminson, “Smut City: Sex Strip Flourishes in Highland Park,” 2.

CHAPTER FOUR

The Blight of Indecency: Anti-Porn Politics and the Urban Crisis in Redford

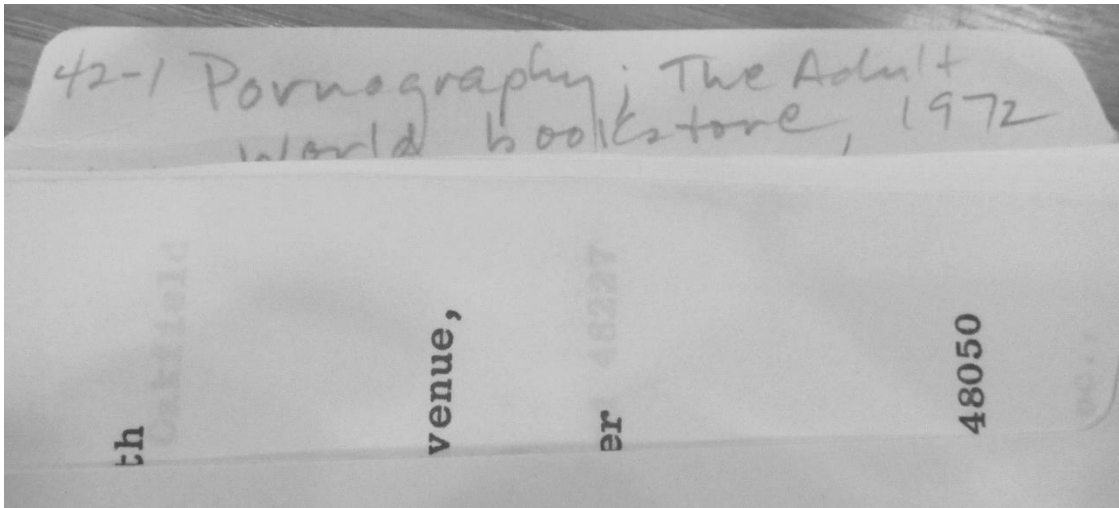


Figure 21. Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

Late in the summer of 1972, the Adult World Bookstore opened its doors in the neighborhood of Redford, a residential community located in northwest Detroit. The bookstore—and the pornographic material it housed—quickly caught the attention of Pastor James O. Banks of the Redford Presbyterian Church, who on September 17 used his weekly sermon to discuss the Adult World. In his remarks the pastor condemned the bookstore, bemoaning what its opening symbolized for both the Redford neighborhood and more broadly for Christian values. He sought to draw distinctions between normative sexuality (practiced within the bounds of heterosexual marriage), and commercial sex, saying of the goods offered by the Adult World: “It is cheap. It is raw sex. It is crude. It is degrading. It is sex separated from sexuality. It is sex pictures and symbols being sold. It is wrong. It represents a way of life in total

contradiction to the Christian.”¹ The pastor used his sermon to reiterate the importance of normative Christian views on sex, views which had been central to anti-porn politics for decades. Banks ended his speech by calling on his congregation to reject apathy and take action against the bookstore.

And take action they did. Letters protesting the Adult World soon began arriving in the mailboxes of major city officials. What started as a slow stream of letters soon became a flood, with not only church members writing, but also many neighborhood residents and organizations. The letters that they sent, however, quite often diverged greatly from the language used by Pastor Banks. Rather than focusing on Christian norms of propriety and decency, letter writers tended to embrace lines of argument that, if not abandoning religious and morality-based arguments entirely, nevertheless drew more centrally on other concerns. These included the fear that the bookstore would lead to an “invasion” of unwanted outsiders, the perceived need to protect children from the excesses of commercial sex, their rights as homeowners to decide the character of their neighborhoods, and lastly the belief that the Adult World would cause the economic decline of Redford and Detroit. Economic and rights-based rhetorical strategies like these were largely foreign to traditional anti-porn rhetoric; instead this line of argumentation was more often employed to buttress colorblind conservative politics in fights over racial integration.

This chapter examines anti-porn politics during the early 1970s, asking how the rhetoric used by anti-porn advocates evolved in the face of the era’s massive proliferation of pornography, and what were the contexts that shaped this new discourse? In order to answer this, I begin by examining the history and demographics of Redford, using digital mapping to argue

¹ James O. Banks to Roman S. Gibbs, October 12, 1972, Roman Gibbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

that the neighborhood was an area perched uneasily between poor black inner city and rich white suburb. I then move to an overview of anti-porn politics and the letters sent by Redford's protesting residents, using maps showing where the letters were coming from to speak to the racial and gender makeup of Redford's anti-porn activists. Looking at the content of the letters themselves next, I examine the major themes running throughout them, in particular pornography's perceived threat to children, the rampant fears that the Adult World would attract "undesirable" individuals, and lastly concerns over property values and white flight. Finally, I conclude by looking at the results of Redford's fight against the Adult World as well as what would happen to the neighborhood itself.

The Politics and Demographics of Redford

Not to be confused with Redford Township, which is located just outside Detroit's borders, the neighborhood of Redford (sometimes called Old Redford) was annexed by Detroit in 1926, making it one of the last major additions to the city.² The neighborhood lies in the northwestern section of Detroit, near the border between the city and the surrounding suburbs of Livonia, Farmington Hills, and Southfield. This location meant that in many ways Redford of the early 1970s more closely resembled the neighboring suburbs than it did the rest of Detroit. Because of the massive size of the city—the combined areas of Manhattan, Boston, and San Francisco can fit snugly within Detroit—neighborhood residents could claim to be closer to and share more in common with the white suburbs than the rest of the increasingly black city. Moreover, Redford was almost uniformly white, upwards of 90 percent so, something that was

² Frank B. Woodford and Arthur M. Woodford, *All Our Yesterdays: A Brief History of Detroit* (Detroit: Wayne State University Press, 1969), 277.

true of most of northwest Detroit, which stood as one of the last bastions of whiteness in the city (see figure 22).

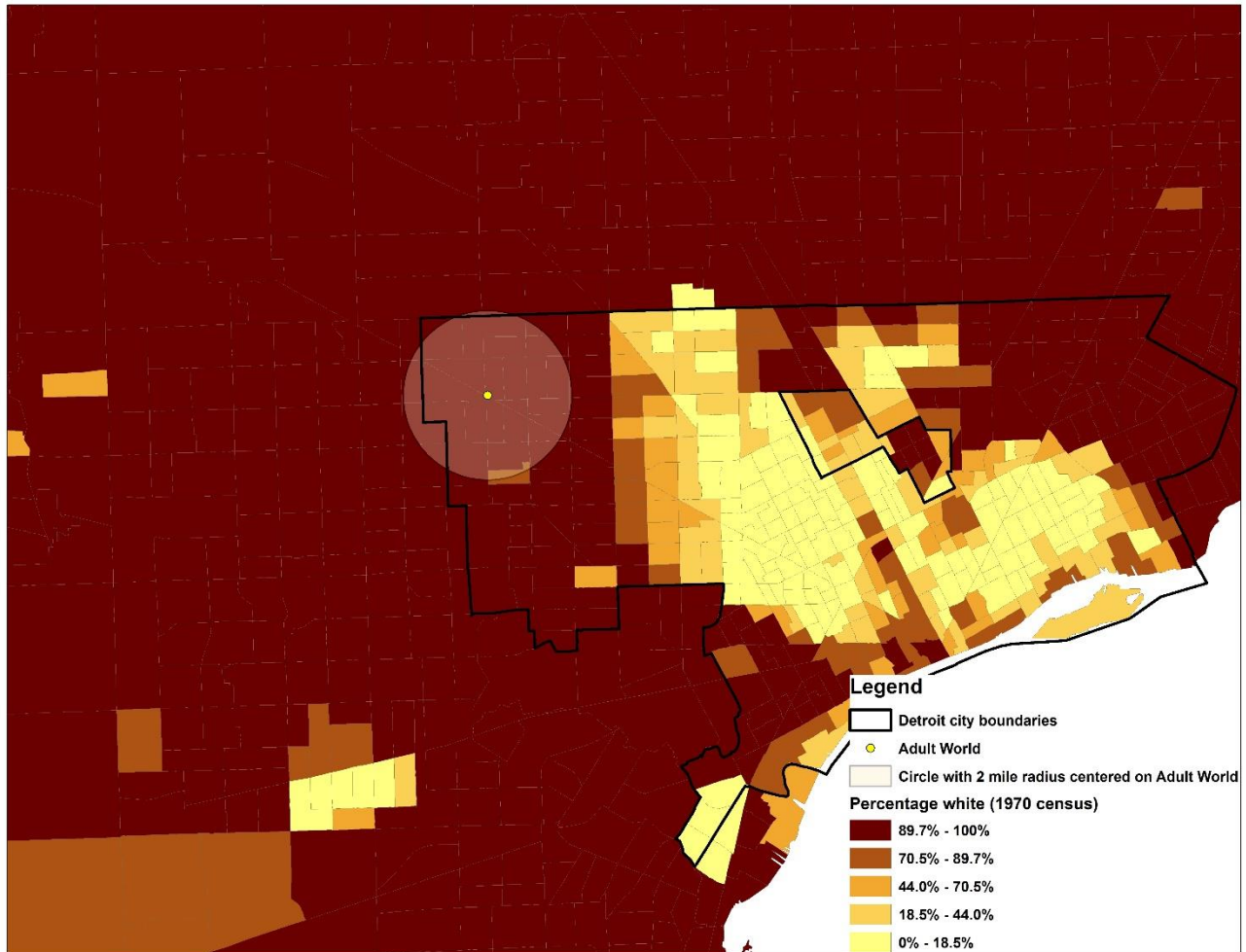


Figure 22. Percentage of White Residents in Detroit Metropolitan Area, 1970 Census.

Note: Darker shading of areas indicates a higher percentage of white residents. The Adult World Bookstore is marked in yellow and is at the center of a circle with a radius of 2 miles, indicating the nearby neighborhood. All maps created by author using ArcGIS.

Still, even as Redford's racial composition resembled that of the suburbs, its economic status was more mixed, with many families in the area making less than \$8,000 a year, roughly the median national family income in 1970 (see figure 23). While the area was certainly more well off than much of the rest of Detroit, it nevertheless paled in comparison to the surrounding suburbs. This meant that Redford acted as something of a frontier between the poor black inner

city and wealthy white suburbs, with its racial makeup more like the latter even as its economic status fell somewhere between the two.

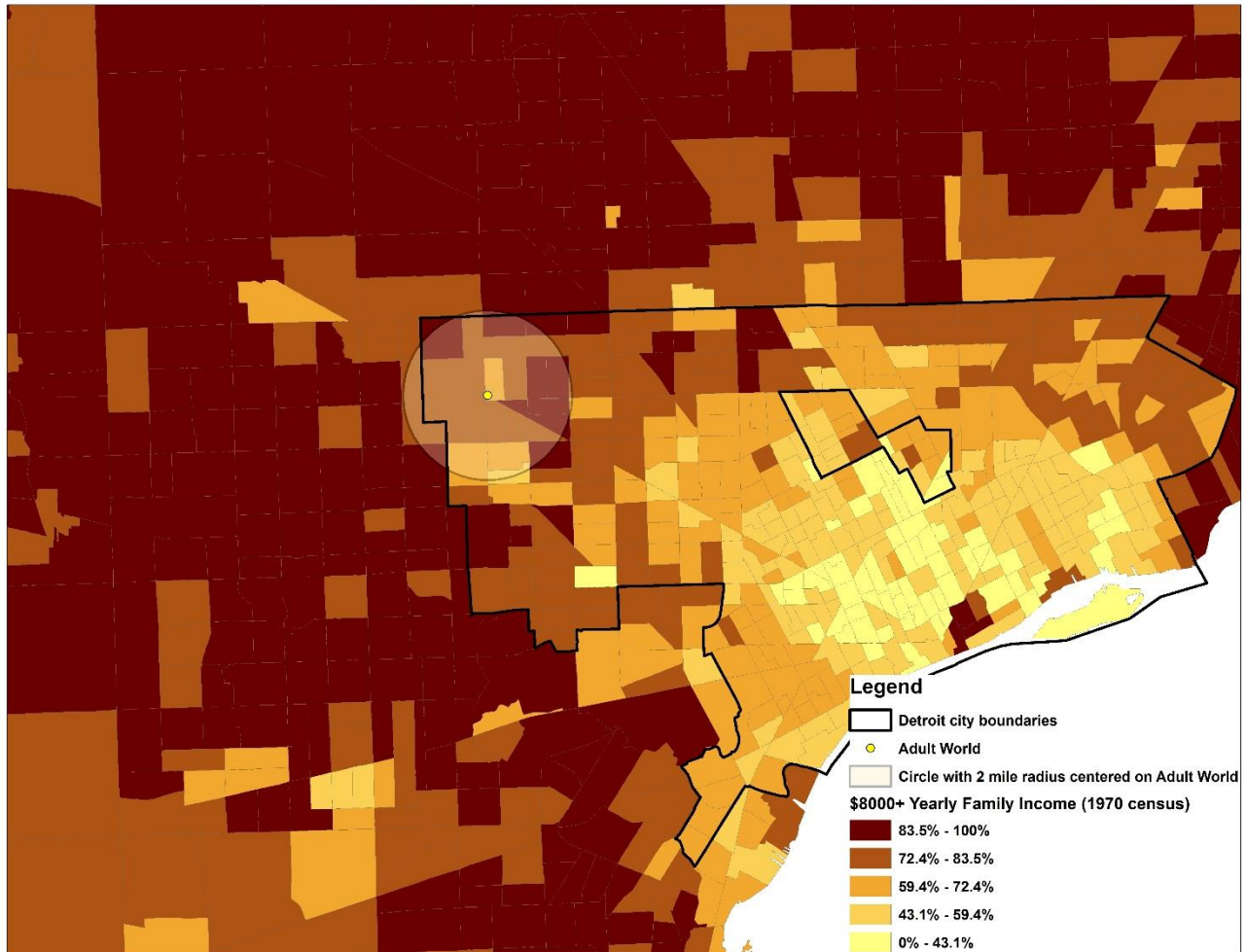


Figure 23. Percentage of Households with Yearly Income over \$8,000, 1970 Census.

Note: Darker shading of areas indicates a higher percentage of households making above \$8,000, roughly the average family income in 1970. The Adult World Bookstore is marked in yellow and is at the center of a circle with a radius of 2 miles.

This in-between status explains why Redford and much of northwest Detroit had long been a bastion of white resistance to racial integration. In the 1950s, some of the “most hard-core resistance to the ‘Negro tide’” centered in this northwestern section of the city, as whites fought

against proposed housing projects and the entrance of blacks into their neighborhoods.³ In 1960, an effort to bus students from over-crowded inner city schools to more prosperous nearby neighborhoods was met with fierce resistance from the white residents of Redford and northwest Detroit.⁴ By the 1970s, area residents were keenly aware of their growing isolation in a changing Detroit, giving their repeated fights with the rest of the city over issues surrounding race an added urgency.⁵ Critically too, while whites in suburbs like Grosse Pointe and Bloomfield Hills were engaging in their own battles over racial issues, they had less to lose economically, being firmly entrenched within the middle and upper class, and protected by exclusionary zoning laws from the racial turnover that would characterize less well-off neighborhoods in Detroit and its suburbs. By contrast, whites in northwest Detroit were more vulnerable, with the spread of the impoverished inner city seen as a threat to residents' increasingly tenuous hold on middle class status.

³ Joe T. Darden et al., *Detroit: Race and Uneven Development* (Philadelphia: Temple University Press, 1987), 127.

⁴ Darden et al., 221–22.

⁵ John Hartigan Jr., *Racial Situations: Class Predicaments of Whiteness in Detroit* (Princeton, N.J: Princeton University Press, 1999), 69.

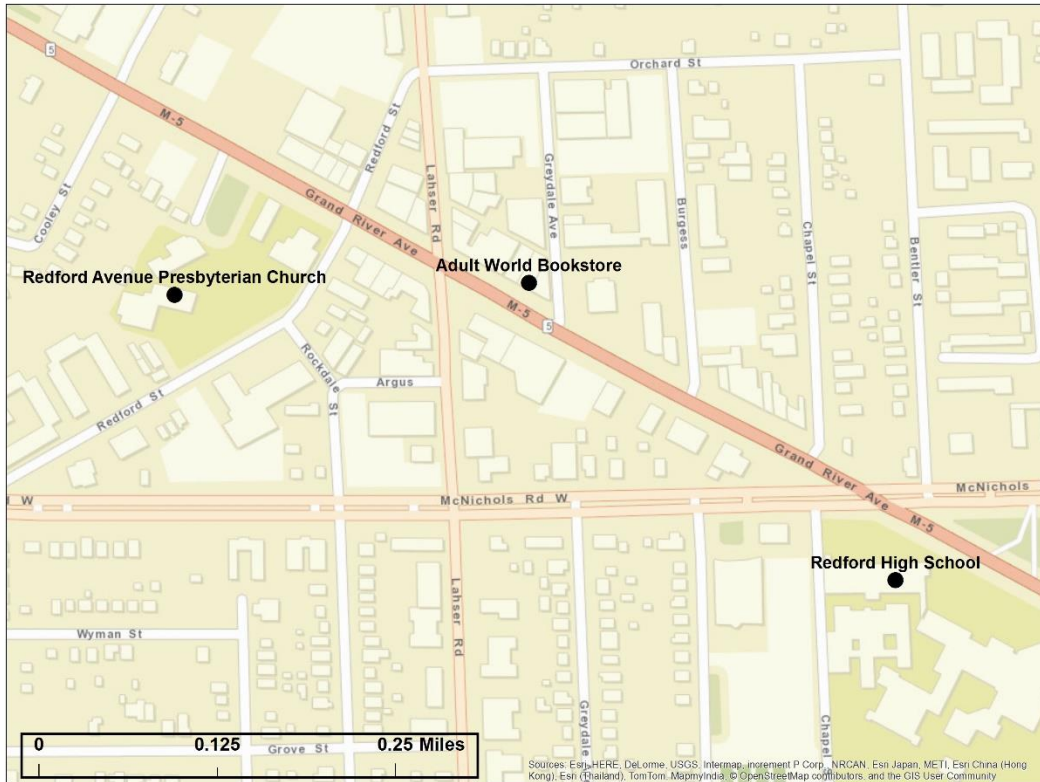


Figure 24. Key locales in Redford.

In the summer of 1972, amidst this turmoil, the Adult World Bookstore quietly opened its doors in the heart of Redford. The bookstore was located neatly between the Redford Presbyterian Church and Redford High School, each of which stood just a few hundred yards away on either side of the Adult World (see figure 24). Linking the church, bookstore, and school was the major thoroughfare of Grand River Avenue, one of Detroit’s five main spokes, which acted as something of a commercial strip in Redford made up of small businesses and retail outlets. Given its proximity to the suburbs, as well as the class and racial makeup of the surrounding neighborhood, it is no surprise that this section of Grand River in northwest Detroit was a popular destination for suburbanites doing their shopping in the city. The proprietors of the Adult World no doubt were lured to this area by its prime commercial location on a major

thoroughfare, but this setting would also fuel the ire of the residents of Redford, who were less than happy about the new business that had opened in their midst.

An Overview of the Letters of Protest

By the time of Redford's letter-writing campaign in 1972, the anti-porn movement had been on the defensive for years as the religious-tinged moralizing that had long typified anti-porn political discourse came to look out of step with the times.⁶ A general aversion to censorship was becoming ever more widespread among the public throughout the 1960s, with the Catholic-led forces still advocating for movie and literary censorship increasingly written off as bluenose prudes clinging to a lost pre-sexual revolution era.⁷ Meanwhile, obscenity law, the ill-defined exception to the First Amendment which had long been the favored legal approach of anti-porn forces, had been significantly narrowed by a series of 1960s U.S. Supreme Court decisions.⁸ All this led to a massive proliferation of pornography beginning in the early 1970s as adult entertainment became a visible part of the urban landscape as never before. At first, these adult businesses tended to congregate in the downtowns of major cities, but before long they began to

⁶ Major works on the history of the anti-porn movement include Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (Berkeley: University of California Press, 1987); Whitney Strub, *Perversion for Profit: The Politics of Pornography and the Rise of the New Right* (New York: Columbia University Press, 2011); Carolyn Bronstein, *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge: Cambridge University Press, 2011).

⁷ For more on the role of Catholics in censorship campaigns, see Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2007); Gregory D. Black, *Hollywood Censored: Morality Codes, Catholics, and the Movies* (Cambridge: Cambridge University Press, 1996); Frank Walsh, *Sin and Censorship: The Catholic Church and the Motion Picture Industry* (New Haven: Yale University Press, 1996); Gregory D. Black, *The Catholic Crusade Against the Movies, 1940-1975* (Cambridge: Cambridge University Press, 1998); James M. Skinner, *The Cross and the Cinema: The Legion of Decency and the National Catholic Office for Motion Pictures, 1933-1970* (Praeger, 1993).

⁸ See Ira H. Carmen, *Movies, Censorship, and the Law* (Ann Arbor: University of Michigan Press, 1966), 54–124; Jeremy Geltzer, *Dirty Words and Filthy Pictures: Film and the First Amendment* (Austin: University of Texas Press, 2016), 210–42; Richard F. Hixson, *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem* (Carbondale: Southern Illinois University Press, 1996), 20–79; Jon Lewis, *Hollywood v. Hard Core: How the Struggle Over Censorship Created the Modern Film Industry* (New York: NYU Press, 2000), 230–66; Whitney Strub, *Obscenity Rules: Roth v. United States and the Long Struggle over Sexual Expression* (Lawrence: University Press of Kansas, 2013), 183–200; Strub, *Perversion for Profit*, 43–79.

appear in residential areas as well, prompting a major backlash in many neighborhoods, including in Redford.⁹

The campaign against the Adult World Bookstore was kick-started when Pastor James O. Banks of the Redford Presbyterian Church used his weekly sermon to call on his parishioners to not go into the recently opened bookstore and to reject apathy and fight back against this intrusion of a “smut store” into Redford.¹⁰ By the end of October, hundreds of letters had arrived at city hall not only from members of the Redford Presbyterian Church, but also neighborhood residents, parent-teacher groups, and homeowners associations. Most of these included an address for the sender, making it possible to map where letters writers resided, thereby giving us a sense of their demographics (see figure 25). Not surprisingly, the vast majority of letters were sent from nearby households, with eighty percent coming from those living within two miles of the Adult World. Letters sent from other parts of the city, with a few exceptions, tended to come from areas in Detroit that were, like Redford, predominantly white. Meanwhile, roughly one in six of the letters originated from almost uniformly white suburban locales. Many of these suburbanite letter writers were former residents of the Redford area, while others did their shopping or went to church there. Put together then, it seems exceedingly likely that most, if not all, of those writing protest letters were white.

⁹ For more on the porno chic era, see Bronstein, *Battling Pornography*, 63–82; Carolyn Bronstein and Whitney Strub, eds., *Porno Chic and the Sex Wars: American Sexual Representation in the 1970s* (Amherst: University of Massachusetts Press, 2016); Geltzer, *Dirty Words and Filthy Pictures*, 243–72; Lewis, *Hollywood v. Hard Core*, 192–229; Strub, *Perversion for Profit*, 146–78; Linda Williams, *Screening Sex* (Durham: Duke University Press, 2008), 112–54.

¹⁰ Banks to Gribbs, October 12, 1972.

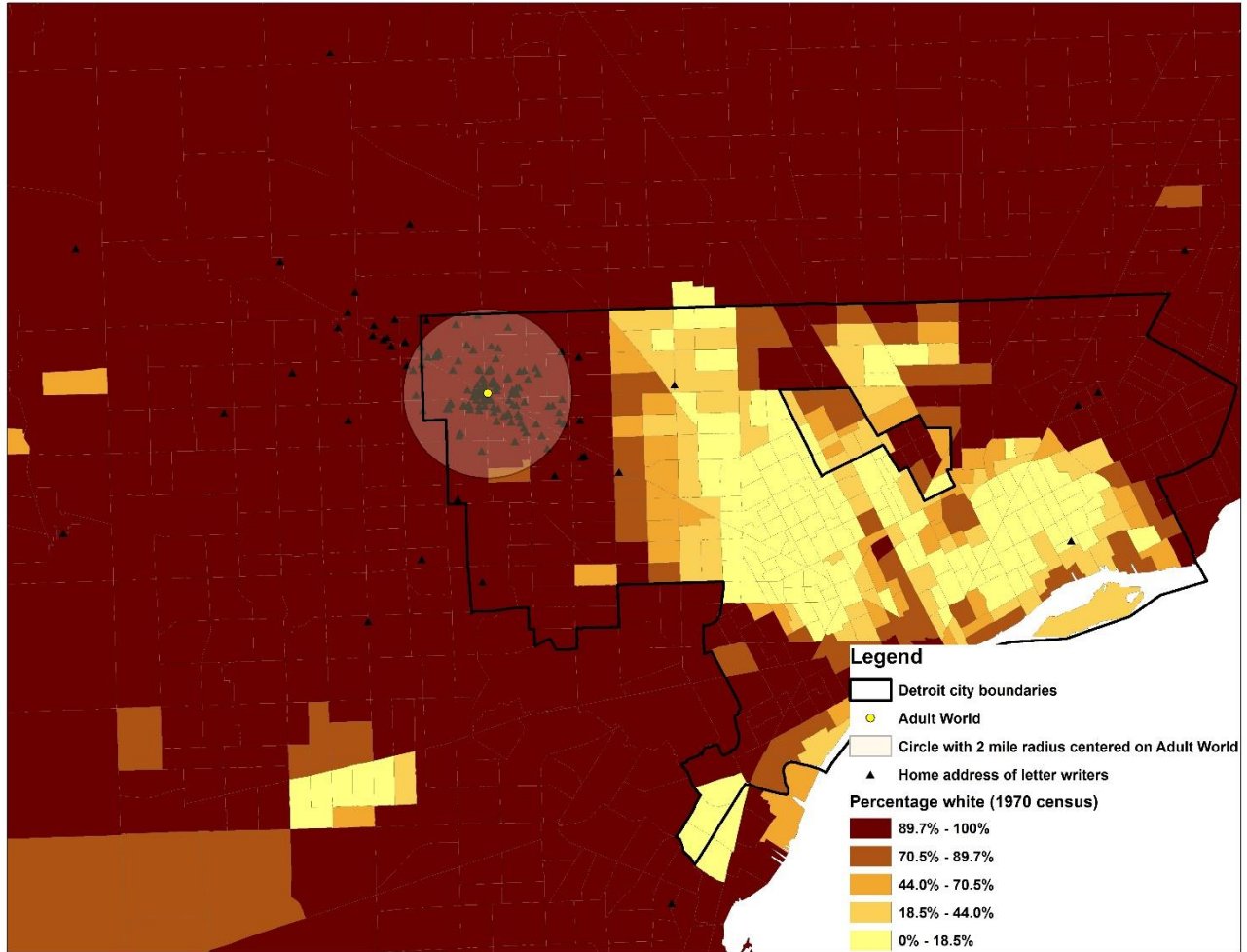


Figure 25. Origins of Letters Protesting Adult World Bookstore, with Percentage of White Residents in Detroit Metropolitan Area, 1970 Census.

Note: Black triangles indicate the home address of those writing letters. Darker shading of areas indicates a higher percentage of households making above \$8,000, roughly the average family income in 1970. The Adult World Bookstore is marked in yellow and is at the center of a circle with a radius of 2 miles.

In total, these letters bore the signatures of roughly 280 individuals.¹¹ Of these, based on given names and gendered English honorifics, an estimated 194 letter writers were women and 67 men, with the gender of the remaining 19 indeterminate. This gender imbalance is even starker when omitting those letters sent by a husband and wife together, without which there remain letters from 153 women and 26 men, or nearly 6 women for every 1 man. This perhaps

¹¹ This total is based on unique names only, meaning those who sent multiple letters to either Ravitz or Gribbs, or sent letters to both Gribbs and Ravitz, were only counted once.

even understates the gender disparity given that, of those men who did send letters, many were acting in an official role as head of neighborhood organizations or local businesses, meaning just a handful were sent from individual male residents taking it upon themselves to write letters of protest. Though it might be tempting to see the marked prominence of women in Redford's protest campaign as a precursor to the feminist anti-porn movement, there is no indication that these women identified as feminists, nor did their letters draw on anything resembling a feminist rhetoric. Moreover, the feminist anti-porn movement would not begin until 1974 in the earliest reading.¹² Indeed, as Whitney Strub has argued, the position of mainstream feminism on pornography during the early 1970s was very much in flux and open to contention, even as there was a general uneasiness within feminism surrounding the prospect of media censorship.¹³

Instead, this gender disparity, taken along with the presumed whiteness of most of the letter writers, provides some indication as to the outsized role that white women played in local anti-porn activism of the early 1970s, an extension of the important role white women had long played in grassroots conservative politics and neighborhood resistance to racial integration.¹⁴ As Thomas Sugrue writes of the battles over neighborhood integration in Detroit:

Concerns about family, domesticity, and community all undergirded white women's role in neighborhood resistance in the postwar city... [Women] had even more at stake than men in the preservation of a neighborhood. They viewed neighborhood transition as a profound threat to the sense of community they had constructed. And they feared the introduction of outsiders—in the case of Detroit, blacks—as a threat to the domestic unit.¹⁵

¹² For more on the history of the feminist anti-porn movement, see Bronstein, *Battling Pornography*.

¹³ Strub, *Perversion for Profit*, 213–16.

¹⁴ See Michelle M. Nickerson, *Mothers of Conservatism: Women and the Postwar Right* (Princeton, N.J.: Princeton University Press, 2014); Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton University Press, 2002); Matthew F. Delmont, *Why Busing Failed: Race, Media, and the National Resistance to School Desegregation* (Oakland, California: University of California Press, 2016), 142–67.

¹⁵ Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*, Revised (Princeton University Press, 2005), 251.

Though the perceived outsiders had changed, the prominence of white women remained the constant in neighborhood resistance to both racial integration and the opening of adult businesses. Given this, it should come as no surprise that, as discussed below, much of the rhetoric employed by those protesting the Adult World was steeped in, and adapted from, language used in fights over the racial integration of white neighborhoods.

Though the letters sent to the mayor and city councilmen protesting the Adult World Bookstore vary greatly in style and content, the three main threads running through them were the need to protect children, fears surrounding the invasion of unwanted outsiders, and a belief that the Adult World would hurt the local economy and lower property values. Here I draw from Marilyn Adler Papayanis, who writes of 1990s neighborhood fights over pornography in New York City, saying, “Outrage had been particularly vehement in residential neighborhoods, where citizens feared that the presence of such establishments would expose their children to obscene material (either as a result of graphic signage or lax policing), flood their streets with so-called undesirable elements from other areas, and, perhaps most importantly, lower property values.”¹⁶ Critically though, while these rhetorical strategies were fully calcified by the 1990s era that Papayanis focuses on, these notions were still in their infancy in the early 1970s. This meant that the terms of this new anti-porn discourse were still being formulated, with Redford’s protesting letter writers actively devising new rhetorical strategies that would become widespread in the years to come. Because of this, each of these themes took on particular valences in Redford’s anti-porn campaign, indicating the degree to which this rhetoric could be shaped by local contexts.

¹⁶ Marilyn Adler Papayanis, “Sex and the Revanchist City: Zoning out Pornography in New York,” *Environment and Planning D: Society and Space* 18, no. 3 (2000): 343.

The Threat to Children

One of the most potent rhetorical devices used by anti-porn advocates has long been the invocation of the figure of the idealized and innocent child imperiled by the spread of pornography. This was particularly true in the United States, where, as Walter Kendrick writes, this notion “exercised a power unknown in Europe.”¹⁷ Anthony Comstock, America’s most famous and notorious anti-obscenity crusader, largely built his career on the perceived endangerment of children in the face of indecent media, with his 1883 book *Traps for the Young* acting as, in his words, “a plea for the moral purity of children.”¹⁸ Fredric Wertham framed much of his postwar crusade against comic books in similar terms, highlighted by his 1954 book *Seduction of the Innocent*.¹⁹ In modern America, this discursive formation has found its newest application in debates over child pornography and the potential corrupting influence of internet pornography on children.²⁰

Given all this, and given the aforementioned proximity of the Adult World Bookstore to Redford High School, it is not surprising that letter writers repeatedly invoked the need to protect children from pornography. To organize residents, a flyer was distributed by the Redford Presbyterian Church giving the addresses of key officials to write to, as well as sample wording for use in letters. Predictably, the sample letter greatly emphasized the threat to children posed

¹⁷ Kendrick, *The Secret Museum*, 141. For more on the perceived need to protect children from sexual media, see Marjorie Heins, *Not in Front of the Children: “Indecency”, Censorship, and the Innocence of Youth* (New York: Hill & Wang, 2001); Anne Higonnet, *Pictures of Innocence: The History and Crisis of Ideal Childhood* (New York: Thames & Hudson, 1998); James Kincaid, *Erotic Innocence: The Culture of Child Molesting* (Durham: Duke University Press Books, 2000).

¹⁸ Anthony Comstock, *Traps for the Young* (Funk & Wagnalls, 1883), 1.

¹⁹ Fredric Wertham, *Seduction of the Innocent: The Influence of Comic Books on Today’s Youth* (Rinehart & Co., Inc., 1954).

²⁰ See Higonnet, *Pictures of Innocence*, 159–92; Kendrick, *The Secret Museum*, 252–59; Kincaid, *Erotic Innocence*, 166–73.

by the Adult World, saying of pornography, “It corrupts our youth and works against what we are trying to do in our families in teaching good sex and the disciplined mind and body. It stands over against what we are wanting to see taught in our schools yet our High School youth must pass this shop on the way to and from the Redford High School each day.”²¹ In drawing on the perceived vulnerability of Redford’s youth, the letter immediately set out the stakes of the issue for area residents.²²

While some residents simply copied the sample letter—a few even just signed the sample letter itself and sent it in unchanged—most wrote in their own words, even as many still placed the protection of children at the heart of their letters. Mr. A. Schanenberger,²³ writing on behalf of the Burt Area Citizens Committee, expressed his doubt that children would not be allowed to enter inside the store, stating, “While the present controls limit admittance to 18 years or older this adult bookstore is within 900 feet of Redrord [sic] High School and a posted age limit does not guarantee constraint by the owner when that level of curoisity [sic] and and [sic] money is readily available.”²⁴ Beyond the alarm over the notion that those under the magic age of 18 might make it into the bookstore, Schanenberger also expressed fear that entrance into the store

²¹ Mrs. Naomi Morgan and John R. Morgan to Mel Ravitz, October 17, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

²² It is also worth noting that the letter’s mention of “teaching good sex” is by no means an indication of support for sex education. As Janice M. Irvine argues in her book *Talk about Sex*, the issue of sex education, not unlike pornography, was a critical lynchpin for the rise of the New Right. This sample letter’s linking of the issues of pornography and sex education therefore not only connected two major debates over sexual speech, but also sought to draw on the grassroots fervor that had helped propel debates over sex education into the forefront of American politics and turned opposition to unfettered sexual speech into a matter of conservative doctrine. Janice M. Irvine, *Talk About Sex: The Battles over Sex Education in the United States* (Berkeley: University of California Press, 2004), 2. For more on the link between the anti-porn movement and the rise of the New Right, see Strub, *Perversion for Profit*.

²³ I have tried to use names as given by the letter writers themselves, meaning the name they signed at the end of their letters, regardless of whether their full name was given elsewhere, such as on a letterhead or as part of a return address on the envelope.

²⁴ Mr. A. Schanenberger to Roman S. Gribbs, October 26, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

itself might not even be necessary for the corruption of children. As he continues, “Unconcern is again reflected in the present choice of building advertising. The flashing lights are contemporary enough but to blatantly [sic] flash: ‘Pleasure is what we sell.’”²⁵ Critical then was not just the products sold within the store, but the very presence and visibility of the store itself. In other words, Redford’s youth might not even need enter the bookstore to be corrupted by its influence; a peek at the storefront signage might be enough on its own.

Similarly, Evelyn Ginn in her letter also expressed particular concern over the exposure of children to pornography. As she wrote, “Naturally, we do not care to have curious youngsters reading this pornographic material. It nurtures an unhealthy attitude toward sex, most especially when a child’s knowledge has not been fully developed.”²⁶ Ginn went beyond just rehearsing the well-worn trope of the innocent youth in danger from the perils of pornography, as she also posited the notion that the adults going into the store were developmentally stunted, not truly having achieved adulthood. As she went on to say, “Secondly, these are not really ‘adult’ bookstores. A mature adult with a normal sex life and a healthy attitude toward sexual love, does not seek this type of entertainment. Only a warped or undeveloped personality needs the kind of stimulus that comes from reading and seeing this type of material.”²⁷ This fits with what Walter Kendrick identifies as the era’s dominant conception of the adult consumer of pornography, who he describes as the “sinister figure of a mentally defective adult—probably male, probably also of lower-class origin—who wallowed in infantile idiocy and wished to make others do the same.”²⁸ Concomitant with the presumed innocence of children then was the questioning of

²⁵ Schanenberger to Gribbs.

²⁶ Evelyn Ginn to Roman S. Gribbs, October 18, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

²⁷ Ginn to Gribbs.

²⁸ Kendrick, *The Secret Museum*, 208.

whether adults consuming pornographic material really qualified as adults, with consumption of pornography either a symptom of their developmental deficit, or perhaps the cause.

Attracting “Undesirable Elements”

Attached to this notion of mentally stunted adults as the consumers of pornography was a second major line of protest in these letters, which was the view that adult businesses attracted “undesirable” individuals who posed a danger to residents. At times, letter writers constructed the specter of these unwanted outsiders as being homosexuals who were interested in children. As Evelyn Ginn wrote in her letter, “Last summer my teenage son was approached by a man who used filthy sexual language and spoke of ‘smoker’ movies. I wonder if he had just been to see one. Or perhaps he had just read some pornographic material that stimulated him to the point that he had to go out and pick up a young boy.”²⁹ In drawing on the perceived link between child molestation and homosexuality—and in turn the perceived link between sexual “perversions” and the consumption of pornography—letters like this again worked to emphasize the danger to the neighborhood’s children posed by the Adult World Bookstore.

More often though, Redford’s protesting residents wrote of unwanted outsiders in ways that drew on contemporaneous debates surrounding race, wherein white suburbanites frequently spoke of a “racial invasion” of their neighborhoods by black city dwellers.³⁰ As David Freund writes of white homeowners in the Detroit suburb of Dearborn, “They insisted that blacks had destroyed residential neighborhoods in Detroit and now posed an immediate threat to suburban

²⁹ Ginn to Gribbs, October 18, 1972.

³⁰ See Darden et al., *Detroit: Race and Uneven Development*, 130–31; David M. P. Freund, *Colored Property: State Policy and White Racial Politics in Suburban America* (Chicago: University of Chicago Press, 2010), 286, 395; Kevin M. Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton: Princeton University Press, 2007), 66; Sugrue, *The Origins of the Urban Crisis*, 231, 249.

residents, who needed to prevent a ‘Negro invasion.’”³¹ Likewise, letters objecting to the Adult World often used derivations of the term “invasion” in conjunction with the discussion of the bookstore’s drawing of unwanted types into the area. As Ann M. Sullivan wrote in her letter, “The Northwest Redford – Detroit area has been invaded by ‘The Adult World,’” while Mrs. Wm. D. Murphy implored, “Please help Northwest Detroit clean out this dirty mess that has invaded us.”³²

However, even as residents protesting the Adult World echoed white racial politics in their deployment of a racialized language of “invasion,” given that Redford was situated within Detroit’s borders, their view of these outsiders was markedly different than that of their suburban neighbors. This meant that the presumed “invaders” brought to Redford by the Adult World Bookstore—the undesirable individuals who were set to tarnish the community—were not the poor black city-dwellers feared by white suburbanites, but rather the white suburbanites themselves. Myron Gelt, owner of Gigi Floral Fashions, located next door to the Adult World, explicitly made this point in his letter of protest, saying, “Most of the patrons of ‘porno’ shops are usually the white middleclass suburbanites who live in their suburban utopia.”³³ Meanwhile, Mrs. Overly similarly wrote in her letter to the mayor, “If our neighborhood does not patronize this establishment, it still does not prevent people out of the neighborhood from coming in, who would not have it in their own neighborhood.”³⁴ Given the relative dearth of adult businesses in

³¹ Freund, *Colored Property*, 334.

³² Ann M. Sullivan to Mel Ravitz, October 17, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University; Mrs. Wm. D. Murphy to Roman S. Gribbs, September 26, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

³³ Myron Gelt to John Nichols, Mel Ravitz, and Roman S. Gribbs, October 11, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

³⁴ Mrs. Harold Overly to Roman S. Gribbs, October 10, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

the suburbs in comparison to the nearly fifty spread throughout Detroit at this time, the suburban origins of the individuals to whom she is referring is all too clear.

The fact that the letter writers focused on outsiders altogether also points to the fact that all involved seemed to assume that no residents of the Redford area could possibly be among the customers of the Adult World. Of course, the reality was likely otherwise, as no doubt the Adult World drew customers from the surrounding neighborhood. Still, given the proximity of Redford to the suburbs, as well as the fact that Grand River Avenue in this area was something of a shopping destination, it does stand to reason that the Adult World drew a substantial number of suburbanites among its clientele. The fact that many of these suburban dwellers resided in places that were, at least in the estimation of Redford's protesting letter writers, both economically prosperous and porn-free, only exacerbated frustrations over the perceived invasion of unwanted suburban outsiders into Redford due to the Adult World.

Property Value and White Flight

The final thread linking these letters was concern over falling property values and the economic vitality of Redford and Detroit. These concerns were almost always couched in an expression of civic pride that was tied to a sense of loss and a fear for the city's economic and social health. As Mrs. F. H. Wilcox wrote in her letter, "I was born in Detroit, so were my parents, and so were my children. I've been proud of being a 'Detroiter' but the new business which recently moved into my neighborhood is spoiling my pride in my city (emphasis in original)."³⁵ Similarly, Evelyn Ginn wrote, "Please do anything you can to put all the 'adult' bookstores and movies out of business. We don't need them in our city. They are dangerous to

³⁵ Mrs. F. H. Wilcox to Mel Ravitz, October 8, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

the mental health of some, and an insult to all the people in Detroit who care about our city and the people in it. I care.”³⁶ Here Ginn drew upon the “I Care About Detroit” campaign, which had been initiated by the Central Business District Association following the violence and unrest that shook the city in the summer of 1967. The “I Care About Detroit” promotion involved handing out flyers and buttons with the slogan to residents and the holding of special events downtown, with Motown star Smokey Robinson even recording a song of the same name to support the cause.³⁷ The expression was meant to evoke pride in the city and a sense of ownership over Detroit’s future, and so its deployment here in the fight over the Adult World points to the way in which the spread of adult businesses was seen by many as imperiling the future prospects of Detroit.

Still, even as many letter writers expressed their civic pride, this was often linked with threats to follow the path taken by so many other white Detroiters in fleeing to the suburbs. This perspective was expressed by Mr. and Mrs. Houslander, who asked, “Is this another way to drive people from Detroit? We have lived here all our lives, however, if this is the beginning of things to come, perhaps there will be more of an exodus.”³⁸ Such threats to join in this white flight to the suburbs were tied to a threat of political retribution for inaction on the part of city officials. As Mrs. James Gilligan wrote in her letter, “As a taxpayer on two residences in Detroit, and a city income tax payer, I will withdraw from this city unless some action is taken on these places,

³⁶ Ginn to Gribbs, October 18, 1972.

³⁷ Diane J. Edgecomb, “News Bulletin,” July 1, 1968, Jerome P. Cavanagh Collection, Box 426, Folder 7, Walter P. Reuther Library, Wayne State University; Julie Morris, “5,000 Show They Care About City,” *Detroit Free Press*, August 11, 1969, 3.

³⁸ Mr. and Mrs. Houslander to David Eberhard, September 25, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

and also cost my vote likewise!!!”³⁹ No doubt the threat of leaving the city, along with a promised response come election time, were strategies designed to induce political action.

Linked to concerns surrounding white flight were fears that adult entertainment in Detroit would cause legitimate businesses to flee to the suburbs. The city’s economy, by the early 1970s, was visibly in decline, a trend that would ultimately continue for decades to come as businesses fled the city in increasing numbers. A key theme in these letters then was the view that the presence of adult theaters and bookstores in the city would only hasten the trend of businesses leaving for the suburbs. Myron Gelt, the aforementioned proprietor of Gigi Floral Fashions, stated the orthodox view on the issue when he wrote in his letter, “When a porno shop moves in, five regular businesses leave the city as does your tax base.” As a small business owner himself, Gelt would go on to expand on this in saying, “We would hate to be classified as one of those businesses fleeing to the suburbs; but with neighbors such as ‘porno’ shops, it leaves very little choice.”⁴⁰ The view that the economic health of the city depended on the closing of adult businesses was widely expressed throughout these letters. As Marie Mitchell wrote, “If the Common Council is sincerely trying to get Detroit ‘back on its feet,’ this type of smut store should be closed.”⁴¹ True or not then, the belief that adult businesses were a major cause of the economic decline of Detroit was ubiquitous and widely held.

Fears regarding the economic effect of such establishments were particularly acute when it came to their perceived impact on residential neighborhoods. As Burt Area Citizens Committee President A. Schanenberger said of the Adult World, “This use on Grand River

³⁹ Mrs. James Gilligan to Mel Ravitz, September 28, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

⁴⁰ Gelt to Nichols, Ravitz, and Gribbs, October 11, 1972.

⁴¹ Marie Mitchell to Mel Ravitz, October 13, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

within a shopping area may at first seem to be appropriate on a major thoroughfare, but its performance and outward effect on our residential community is what concerns us and makes it objectionable.”⁴² The emphasis here was on the effect that adult businesses were seen as having on residential neighborhoods, with the implication being the seeming acceptance of adult entertainment if sequestered within business districts like the downtown of the city. As Karen Fink said in her letter protesting the Adult World, “I wish to protest, mainly, the location of this store.”⁴³

These concerns led many to call for laws preventing them from opening in neighborhoods. Expressing this view was Irene Stein, who wrote, “Some laws should be passed forbidding these adult book + peep stores from operating in primarily residential areas.”⁴⁴ Meanwhile, others asked for greater local control, as with James Gilligan, who expressed that he was planning on “moving to a community where the local governmental authorities has sufficient ingenuity to pass legislation whereby these stores will only operate with the approval of the local neighborhood.”⁴⁵ Notably, this view that residents should have the right to decide whether or not to allow adult businesses echoed the strategies that had become central to color-blind white racial politics of the era. As Matthew Lassiter writes, “Color-blind ideology shaped a collective politics of white, middle-class identity that defined ‘freedom of choice’ and ‘neighborhood schools’ as the core privileges of homeowner rights and consumer liberties.”⁴⁶

⁴² Schanenberger to Gribbs, October 26, 1972.

⁴³ Karen L. Fink to Mel Ravitz, October 18, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

⁴⁴ Irene Stein to Mel Ravitz, October 15, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

⁴⁵ James Gilligan to Mel Ravitz, September 15, 1972, Mel Ravitz papers, Box 41, Folder 7, Walter P. Reuther Library, Wayne State University.

⁴⁶ Matthew D. Lassiter, “The Suburban Origins of ‘Color-Blind’ Conservatism: Middle-Class Consciousness in the Charlotte Busing Crisis,” *Journal of Urban History* 30, no. 4 (May 2004): 550.

Though the particulars may have changed, the rights-based rhetoric used by white suburbanites had largely been kept intact by anti-porn activists. As one letter protesting the Adult World succinctly put it, “We, as residents, have rights too!”⁴⁷

Charles Allegrina, writing on behalf of the North Rosedale Park Civic Association in Detroit, which represented some fourteen hundred households, encapsulated many of these key issues in his letter of protest. As he wrote, “We believe the use of freedom of the press as a rationale [for permitting adult businesses] amounts to a total disregard for the affect this type of amusement has on the surrounding neighborhoods. Various people have described it as the first signs of blight.”⁴⁸ Allegrina’s use of the term “blight” holds particular significance here, given its association with racial issues and the urban crisis. Blight had long been the word used to describe condemned and economically impoverished neighborhoods, which meant that it had come to be associated with predominantly black urban areas. Neighborhoods linked with blight were, in turn, potential targets of urban renewal, which often meant the veritable destruction of the community and the displacement of its residents. Thus, the threat of Redford becoming associated with blight carried with it very real economic consequences for residents. Allegrina’s word choice here was no mere coincidence then, as it tied the fight over the Adult World to a longer history of white backlash against an expanding black urban center.

Significant too is Allegrina’s explicit rejection of a defense of adult businesses based on “freedom of the press” and the First Amendment, as he instead focuses on the perceived negative economic impact of such businesses on residential neighborhoods. In drawing on economic

⁴⁷ Mr. and Mrs. Michael Mayer to Mel Ravitz, October 11, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

⁴⁸ Charles D. Allegrina to Mel Ravitz, October 21, 1972, Mel Ravitz papers, Box 42, Folder 1, Walter P. Reuther Library, Wayne State University.

arguments, those protesting the Adult World Bookstore were able to sidestep debates over morality and censorship; indeed, many explicitly denied the relevance of those issues altogether. As Ralph Williams wrote in his letter objecting to the Adult World, “This protest is not made in the interest of establishing moral standards for the people of this city. Each adult has the duty and right to set his own standards within the framework of the U.S. Constitution. All open minded people will accept the fact that our own values are not necessarily best for everyone.”⁴⁹

Arguments like these sought not only to sidestep debates over censorship and the perceived immorality of pornography, but also to deny entirely their germaneness to the issue at hand.

This rhetorical move drew much of its inspiration from color-blind ideology, which had developed as a result of the explicit racism of older white racial politics looking increasingly outmoded by the 1970s. The new color-blind rhetoric, in David Freund’s words, “enabled whites to defend segregation and even to dismiss civil rights protest while claiming to be nonracist.”⁵⁰ Similarly, the anti-porn movement had been on the defensive for decades as free speech arguments used in opposition to media censorship campaigns increasingly won the day in the legal realm and the court of public opinion. In the face of this, a new anti-porn politics was needed, one that, like color-blind racial conservatism, could distance itself from its increasingly-discredited past. And so, when Redford’s letter writers emphasized economic concerns over moral ones—even denying the relevance of free speech issues altogether—they participated in the formation of a powerful new anti-porn rhetoric, one that could fit the post-sexual revolution era. Of course, just as racism still was at the heart of color-blind ideology, morality still undergirded much of the assumptions behind this new anti-porn discourse, and the goals of the

⁴⁹ Ralph E. Williams to Roman S. Gribbs, September 23, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

⁵⁰ Freund, *Colored Property*, 17.

anti-porn movement remained largely the same even in this new era. Still, this new rhetoric reshaped anti-porn politics by modernizing the movement, allowing it to attract supporters who would otherwise have been put off by the idea of a religious- and morality-based anti-porn campaign.

Conclusion

On October 11, in the midst of the deluge of letters sent by Redford residents protesting the Adult World, the Detroit City Council directed the heads of three city departments to look into the possibility of taking action to close the bookstore.⁵¹ That same month, as will be discussed in chapter five, the City Council was busy passing new landmark anti-porn ordinances designed to prevent the opening of new adult businesses. These ordinances though had little ability to shutter existing adult houses, and so the reply came back that the city had no way of closing the Adult World.⁵² Even so, Redford's residents soon got their wish when in November the Adult World quietly closed its doors. Though one woman wrote a letter thanking City Council President Mel Ravitz for closing the bookstore, in reality it appears to have shut down of its own accord due to community pressure and fears of legal action.⁵³

The Adult World would not be the last adult business that Redford would have to deal with though, as in early 1973, the Pussycat Theater opened its doors in northwest Detroit just over a mile from where the Adult World had been. The community again organized in response, if not perhaps with quite the same level of passion as they had against the Adult World. The

⁵¹ George C. Edwards to Creighton C Lederer, William E. Clexton, and Philip Tannian, October 11, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

⁵² Philip Tannian to Common Council, November 9, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

⁵³ Mrs. Stanley Taylor to Mel Ravitz, November 13, 1972, Mel Ravitz papers, Box 41, Folder 7, Walter P. Reuther Library, Wayne State University.

same arguments were again used in opposing the Pussycat, with the *Detroit Free Press* writing, “The Redford Park Community Association believes that the Pussycat Theater, which opened about a month ago at Telegraph and Grove, has hurt property values and will eventually have a bad effect on neighborhood businesses.” That group’s leader further argued that the Pussycat, despite being in operation for just one month, had already made an impact on the community in that potential home buyers in the neighborhood were being “deterred by the proximity of the theater.”⁵⁴ Still, the protests of the community would fail to close the Pussycat, with the theater continuing to operate for years to come.

The notion that adult businesses directly caused neighborhood decay and the decline of housing prices is questionable; what is beyond doubt though is that the anti-porn protesters I have examined in this chapter did firmly believe this to be true. And, regardless of the underlying validity of this belief, the reality was that it could have profound real-world effects. In the years ahead, Redford changed in all the ways we might expect, with white residents moving out to the suburbs in droves, and the area looking increasingly like the rest of the city by declining economically and becoming more racially diverse. Given the complex structural forces at work driving these changes, it seems fair to assume that no neighborhood letter-writing campaign against an adult business was likely to alter Redford’s fate. Still, the furor over the Adult World did fuel a belief among the residents of Redford that the neighborhood was in trouble. This belief in turn led many residents to more seriously consider a move out to the suburbs, accelerating the flight of people and businesses from the area. The residents who galvanized their community to protest against the Adult World were fervently trying to save their neighborhood; in reality, they may well have only hastened its decline.

⁵⁴ Louis Heldman, “Ban Helps Smut Peddlers Thrive,” *Detroit Free Press*, February 12, 1973, 3, 8.

CHAPTER FIVE

Erogenous Zoning: The Creation and Dispersal of the “Detroit Model”



Figure 26. Undated 1970s-era photo of “porno row” in Highland Park.

The anti-porn activism of Redford’s residents fed into the adoption of a new set of anti-porn ordinances in Detroit in late October of 1972. Rather than using obscenity law, the traditional lever of anti-porn regulatory action, the city sought to use zoning law to regulate the location of adult businesses. The city’s new anti-porn laws would quickly be challenged in the courts, eventually making it all the way up to the United States Supreme Court. After the high court affirmed the constitutionality of Detroit’s zoning-based approach to anti-porn regulation,

what came to be known as the “Detroit Model” was quickly copied by countless cities across the country, going on to reshape the preferred means for halting the growth of pornography.

Despite its immense influence, Detroit’s zoning law has received little scholarly attention to date outside of legal histories, where the focus is exclusively on the Supreme Court case rather than the origins of law itself in Detroit. This chapter aims to fill this gap by exploring the development of Detroit’s anti-porn zoning laws, the debate over them, and their influence on the country as a whole. I place this history centrally within the context of Detroit of the early 1970s, which was struggling with how to respond to urban decay and downward economic trends. I also seek to understand how the law was shaped by political actors who came at the issue of pornography from a variety of different perspectives, perspectives that shaped their respective approaches to the question of how best to regulate pornography. In the end, I make the case for seeing the Detroit Model as an extension of efforts by the city to combat the urban crisis, with the city’s innovative approach to regulating pornography, as well as the rhetoric and logic underlying it, in time coming to reshape anti-porn politics throughout much of the United States.

The Political Contexts of Detroit

Before delving into the City Council’s debates over pornography in the early 1970s, it is necessary to briefly examine the political contexts in Detroit at the time. For much of the 1960s, Detroit’s political scene was centered around Jerome Cavanagh. In 1961, Cavanagh ran for mayor despite the fact that he was a thirty-three-year-old political neophyte who had never held or even ran for elected office and had little name recognition city-wide. This is to say nothing of the fact that incumbent Louis Miriani was popular and held tremendous institutional support in the city. In the nonpartisan primary, Cavanagh garnered less than half the support that Miriani’s reelection bid did, but he nevertheless ran second and thus was given the opportunity to square

off against Mayor Miriani. Cavanagh's campaign sought to tap into the African American community's frustration over the state of race relations in the city under Miriani, particularly by centering the issue of excessive policing.¹ Still, few thought Cavanagh had much of a chance of actually beating Miriani, with *Free Press* columnist Judd Arnett writing on the eve of the election that it would take a "miracle" for Cavanagh to pull out a victory.² In a shocking turn though, Cavanagh was carried into the mayor's post with the overwhelming support of roughly eighty-five percent of African Americans voters. Following his victory, the boy-wonder mayor gained national attention for his good looks, his charm, and his meteoric political rise. Comparisons to Kennedy abounded, with many predicting that his position as mayor would be a springboard to greater heights for Cavanagh.

During his time as mayor, Cavanagh showed little interest in engaging in anti-porn politics or furthering the city's media censorship practices. He laid out his views on pornography and censorship most clearly in a November 1963 speech before the Metropolitan Detroit Council on Better Literature for Youth, a group organized around a campaign against indecent and pornographic literature. In his talk, Cavanagh did express concern over the "profusion of suggestive, lurid, and sometimes downright filthy books." Still, Cavanagh reserved most of the criticism in his speech for efforts to censor media, saying:

It seems to me that extreme care must be exercised when setting up any screening system whether it be private or public... Shall we attempt to read every book, examine every magazine, review every movie? Is the answer in banning books or is the responsibility one which can be met in other ways?³

¹ Joseph Turrini, "Phooie on Louie: African American Detroit and the Election of Jerry Cavanagh," *Michigan History Magazine*, December 1999, 11–17.

² Judd Arnett, "...And Still Champion," *Detroit Free Press*, November 6, 1961, 44.

³ "Remarks by Mayor Jerome P. Cavanagh before the Metropolitan Detroit Council on Better Literature for Youth," November 13, 1963, Jerome P. Cavanagh Collection, Box 108, Folder 17, Walter P. Reuther Library, Wayne State University.

For Cavanagh, the answer to that last question was clearly the latter approach, as his speech went on to call both for a “campaign for the classics” and that “parents assume their proper responsibility in regard to the reading matter to which their children are exposed.” Cavanagh’s remarks made clear not only his own feelings on the matter, but also that he seemed to have learned from the repeated mistakes of earlier censorship campaigns. He specifically alluded to *Butler v. Michigan*, the Supreme Court case that had struck down the city’s literary censorship practices, as evidence to back up his assertion that any anti-porn legislation must be moderated by constitutional norms. He also drew on the notion that censoring a work tends to publicize it in arguing, “Instead of giving free advertising by banning a book or thundering against a movie or magazine, let us proclaim the merits of good books and good movies.” In keeping with this, Cavanagh created a “Good Literature Week” for Detroit, and further used his speech to champion the Sidney Poitier film *Lilies of the Field* (1963), saying it “should be playing to standing room only.”⁴

This speech stands, to my knowledge, as the only time Cavanagh directly addressed the issue of media censorship during his eight years as Detroit’s mayor. This was despite the fact that, by the time he left office in 1970, pornography was becoming an increasingly visible part of the landscape of Detroit. Meanwhile, his appointees to head the police department oversaw the easing of movie censorship restrictions in the city and the decline and eventual demise of the Censor Bureau. Undoubtedly then, Cavanagh reflected what was increasingly becoming the orthodox position among liberals of the 1960s, which was to be by and large opposed to indecent media in the abstract while nevertheless equally opposed to efforts to censor such works

⁴ “Remarks by Mayor Jerome P. Cavanagh.”

In 1965 Mayor Cavanagh cruised to reelection, winning just over two-thirds of the vote. But his second term proved to be bruising; a bitter public divorce from his wife, a failed attempt to run for the United States Senate, and lastly the violence that shook Detroit in 1967. The alternately-named riots or rebellion of that summer tarnished Cavanagh's reputation, puncturing the notion that Detroit was a "model city" for race relations. Though many still saw him as the favorite to win reelection in 1969, undoubtedly the shine had been taken off Cavanagh's political stardom, and in June of that year Cavanagh announced that he would not seek a third term as mayor.

Cavanagh's decision left the race wide open. One of the top candidates was the moderate liberal Richard Austin, the Wayne County Auditor who was seeking to become the city's first black mayor. Meanwhile, despite being the favored choice among many, in July of 1969 white liberal Councilman Mel Ravitz announced that he would not run for mayor, and would instead seek reelection to the City Council. With Ravitz refusing to enter the race, the search was on for a white liberal-leaning candidate to face off against Austin. Before long, Roman S. Gribbs stepped up to the plate.

Roman Gribbs was a Detroiter through and through, having been born to Polish immigrants in the city, lived in Detroit his whole life outside of a stint in the army, and gone to both undergraduate and law school at the University of Detroit. He became an assistant prosecutor for Wayne County in 1957, a position he held into the mid-1960s before twice running for the position of Recorder's Court Judge, losing both times. In June of 1968, Gribbs got his big break when he was appointed to the post of Sheriff of Wayne County. In the months ahead, he received commendations in the press for appointing an African American man to be his second in command and chief deputy. He proceeded to win re-election that same year, setting

him up for a four-year term as sheriff.⁵ After Ravitz refused to run though, attention turned to him as a possible mayoral candidate in Detroit. A week after Ravitz refused to enter the race, Gribbs announced his candidacy.⁶

For scholars looking at the history of Detroit, Gribbs is often painted as a law and order figure who played to the racist fears of whites in the city during his mayoral bid.⁷ And undoubtedly Gribbs did at times engage in this type of politics in the runup to the 1969 election, particularly with some of the rhetoric surrounding his campaign's focus on crime in the city. And yet, this view of Gribbs leaves out the important ways in which Gribbs consciously distanced himself from race-baiting conservatives by carving out a moderate liberal position when it came to issues surrounding race. Upon announcing his bid for mayor, Gribbs explicitly refused to be tagged as a "law and order" candidate, even admitting that "many times citizens have legitimate complaints about police actions." His selection of an African American for the second position in his sheriff's office was repeatedly mentioned in press coverage of his campaign and also positioned him as a moderate liberal on race. Still, his role as sheriff meant that he also had a reputation as a candidate who would tackle crime, perhaps the central issue of the election.⁸ His image as a moderate allowed him to peel off support from more conservative candidates in the primary, and in particular Mary Beck, the firebrand conservative City Councilwoman who enjoyed the support of many whites in the city, but who had also turned off many voters with her

⁵ Judd Arnett, "High Cost of Justice," *Detroit Free Press*, June 28, 1964, sec. B, 3; "Runs for Judge," *Detroit Free Press*, April 30, 1966, 3; "Sheriff's Top Aide a Negro," *Detroit American*, June 5, 1968, 1; "Voting Tables," *Detroit Free Press*, November 7, 1968, sec. B, 12.

⁶ Ladd Neuman, "Ravitz Rejects Mayor's Race," *Detroit Free Press*, July 19, 1969, 3; David Cooper, "Sheriff Gribbs Enters Race for Mayor; To Seek Unity," *Detroit Free Press*, July 26, 1969, 3.

⁷ See, for example, Heather Ann Thompson, *Whose Detroit?: Politics, Labor, and Race in a Modern American City* (Ithaca, N.Y.; London: Cornell University Press, 2004), 80.

⁸ Cooper, "Sheriff Gribbs Enters Race for Mayor; To Seek Unity," 4.

flagrant race-baiting. By contrast, Gribbs could appeal to whites across the political spectrum, with conservatives seeing a focus on crime and liberals seeing nominally progressive racial politics.

In September, Austin and Gribbs finished as the top two candidates in the primary. Though Austin won the primary with 38 percent of the vote, with Gribbs trailing at 31 percent, it was Beck's 21 percent that spelled trouble for Austin. Almost immediately after the primary, it was reported that many of Beck's supporters would shift their support to Gribbs come November. Said one Beck supporter, "I'm for Gribbs now... In the first place, he is white, and besides Austin wants a police review board, and for that alone I wouldn't vote for him."⁹ Such sentiments were rife among whites in the city, who feared a black takeover of the political structures of Detroit.

Beyond the undeniable truth that many white Detroiters simply were unwilling to vote an African American into the position of mayor, the main challenge for Austin's campaign was that, in the words of the *Free Press*, "Gribbs nimbly combines moderate views with his image as a police officer."¹⁰ This allowed Gribbs to have his proverbial cake and eat it too, presenting a unifying and moderate vision of Detroit that could appeal to both racist white voters opposed to Austin as well as white voters concerned about crime in the city but nevertheless unwilling to support the explicit racism of more stringent law and order candidates. There was a decided irony to the fact that the mayoral race between Gribbs and Austin bitterly divided the city given that, when it came to their policy positions, the two candidates were nearly identical. Both were liberal-leaning moderates concerned about crime, and the two undoubtedly agreed on more

⁹ Michael Maidenberg, "Beck Supporters Moving to Gribbs, Survey Shows," *Detroit Free Press*, September 11, 1969, 3.

¹⁰ Maidenberg, 4.

issues than they disagreed on. Nevertheless, the election exposed deep fractures in the city when it came to race. In the end, Gribbs defeated Austin by the narrowest of margins, 258,010 votes to 251,816. In his victory speech, Gribbs told Detroit, “I pledge to you my unrelenting efforts, and I assure you I will be mayor of all the people. We will have unity.”¹¹

Even as Gribbs’ victory seemingly signaled the city’s preference for the continuation of white liberal political leadership, the election also brought indications of the new political order that was coming to Detroit. Most obviously this was seen through Gribbs’ narrow margin of victory; though Austin’s loss was a major disappointment for his supporters, the closeness of the election indicated clearly that a new era of black political leadership in Detroit was near at hand. Just as significantly, the city’s readiness for political change was indicated in the makeup of the newly elected City Council.¹² For the 1969 election, three of the nine members of the City Council chose not to seek reelection, making for the biggest turnover in the makeup of the Council in a decade.¹³ The newcomers elected were Carl Levin, Ernest Browne Jr., and David Eberhard. Levin was then something of a newcomer, known for his liberal politics and for hailing from a powerful political family in Michigan, and he would eventually go on to serve six terms as a United States Senator. Browne at the time was a little-known city budget analyst who surprised the political establishment with his success in the election, becoming the third African American serving on the City Council, then a record high for the city. He too was known for his liberal political positions.¹⁴

¹¹ Clark Hoyt, “Gribbs Wins Mayor Race,” *Detroit Free Press*, November 5, 1969, 1.

¹² Detroit’s legislative body was, until July 1, 1974, called the “Common Council,” at which point its name was changed to “City Council.” For the sake of simplicity, I refer to it as the City Council throughout this dissertation.

¹³ Ladd Neuman, “Council to Get a Face-Lifting,” *Detroit Free Press*, September 7, 1969, 3.

¹⁴ Ladd Neuman, “Ravitz and Hood Win Top 2 Council Seats,” *Detroit Free Press*, November 5, 1969, 1, 12.

Finally, David Eberhard was 35-years old when he was elected, having previously seen his star rise in the city as the pastor of Riverside Lutheran Church on the east side of Detroit. There Eberhard had run a number of inner city social services programs while building a reputation as a “liberal maverick in his denomination.” During the 1960s, Eberhard became actively involved in city politics, frequently hosting key city officials, including Mayor Cavanagh, at his church. He was progressive when it came to racial issues, having actively sought to diversify his own church, which went from nearly all white to forty percent black during his tenure. He first ran for City Council in a special election in 1968, and when it appeared that he might be matched up against Robert Tindal, a leader in the local NAACP, Eberhard said plainly that “it should be him over me. We need more black candidates.” After narrowly losing that race to a white conservative candidate, Eberhard ran again a year later, easily winning a City Council seat while running on a liberal platform, though as we shall see, he soon became the most stridently anti-porn voice on the City Council.¹⁵

Each of the three newcomers were young, and each was identified in the press as liberals, making a total of six liberals on the Council (Ravitz, Levin, Browne, Eberhard, Robert Tindal, and Nicholas Hood), with two other incumbent City Council members straddling the line between liberal and conservative (William Rogell and Philip J. Van Antwerp), and just one outright conservative (Anthony Wierzbicki). This was set to be the most liberal Detroit City Council in some time and one of the most racially diverse, now featuring three African American councilmen (Browne, Tindal, and Hood), though the departure of the aforementioned councilwoman Mary Beck left the City Council without any women.

¹⁵ Hiley Ward, “Militants Score for Council,” *Detroit Free Press*, August 10, 1968, sec. B, 11; Hiley H. Ward, “‘Direct Power:’ Key to Pastor’s Success,” *Detroit Free Press*, January 7, 1967, 12; Ward, “Militants Score for Council,” 11.

The most prominent political star of the new City Council was undoubtedly Mel Ravitz. Ravitz had been a sociology professor at Wayne State University when he first ran for City Council in 1961, and after his surprising victory, he became an outspoken progressive voice on the Council and a champion of working class and African American interests in the city. His reputation as perhaps the city's most liberal-minded white politician helped his political standing rise over the course of the Cavanagh administration, with higher office seemingly an inevitability. After declining to run for mayor in 1969 despite rampant speculation about his possible candidacy, Ravitz received almost fifty thousand more votes than any other candidate for the City Council, thus making him City Council President and setting him up for a future run for mayor of the city, potentially against the newly-elected Mayor Roman Gribbs.

The Trend Toward Greater Sexual Explicitness

On November 4, 1969, Detroit went to the polls to elect a new mayor and City Council. Two days later, the movie censorship practices of the Detroit Police Department's Censor Bureau were ruled unconstitutional by a District Court judge. In reality, the writing had been on the wall for movie censorship in Detroit for some time, with 1965 perhaps marking the beginning of the end. In March of that year, the United States Supreme Court announced its decision in the case of *Freedman v. Maryland*. The court's unanimous ruling severely restrained the power of movie censorship boards across the country by significantly raising the burden of proof needed to label a film as legally obscene, and thus not protected by the First Amendment. The *Freedman* decision meant that film censors could no longer summarily deny a license to a film, but would instead have to initiate a prompt legal proceeding, having no enforcement authority until a judicial decision was granted. After the ruling, movie censorship boards across the country were forced to reconfigure their operations or cease activity entirely.

In light of this, in the summer of 1965 the Detroit Police Department announced major changes to the Censor Bureau. In declaring the move, Police Commissioner Ray Girardin gave as his rationale the “complete confusion in the field of obscenity enforcement,” further saying, “Things have gotten to the point that no one can define obscenity. As such, it doesn’t make sense to have a squad of police officers ruling on what is or is not obscene, when there is no definition to test.” At that time, Girardin put the Censor Bureau under the direction of the Vice Bureau and five of the fourteen officers in the department transferred to other duties. The biggest change came in the area of literary censorship, which essentially ceased to operate at this point after surviving in limited form in the years following the Supreme Court’s 1957 *Butler* decision. Though the police could still arrest dealers and bookstore owners on obscenity charges, the pre-censorship of books that had characterized the work of the Censor Bureau under Herbert Case was a thing of the past. Still, even with these changes, Police Commissioner Girardin was quick to assure the public at that time that “this doesn’t mean a permissive breakdown in morality,” further clarifying that movie censorship would continue in Detroit.¹⁶

The Censor Bureau would thus continue its movie censorship work during the latter half of the 1960s, even as it did so with a cautiousness that spoke to recent legal precedents. The *Freedman* decision required prompt judicial review of any attempt to censor a film, but doing so meant involving the court system and drawing public attention to the film being censored, which the Censor Bureau had long tried to avoid. Thus, the Censor Bureau began to practice what might accurately be called censorship without the censorship. If, after viewing a film, Detroit’s film censors considered it to be legally obscene, then they would request that certain cuts be

¹⁶ “‘Obscenity’ Too Hazy, Detroit Police Shifting Powers and Personnel,” *Variety*, June 2, 1965, 1; “Detroit Police Commissioner Says Film Censorship Will Continue,” *Boxoffice*, June 7, 1965, ME-1.

made to the film in question. However, to avoid the need for a judicial review, these requested cuts were only a suggestion as to how to fit within Michigan's obscenity law rather than an actual requirement necessary for a film to be granted a license for exhibition. Once again then, the Censor Bureau was relying on the cooperation of the industry it was tasked with regulating, and in nearly all cases it was met with such such cooperation. As Inspector Hank Majeske said in 1967, "We get 100 percent co-operation. We tread very softly. We try to reach agreement."¹⁷

That was true, at least, until the Detroit Police Department's Censor Bureau tried to censor Russ Meyer's sexploitation film *Vixen!* (1968), asking that around 500 to 600 feet of the film be removed. Meyer's production company, Eve Productions, Inc., not only did not agree to the cuts, it sued the city in federal court, arguing both that the obscenity ordinance used by the city amounted to unconstitutional prior restraint, and that the city lacked a provision for immediate adjudication once challenged.¹⁸ The case came up before U.S. District Court Judge Fred W. Kaess, who on November 6, 1969, ruled that Section 5-2-7 of the Detroit Municipal Ordinances dealing with the "Censorship of Moving Pictures" was unconstitutional, citing the *Freedman* decision as precedent. Following the ruling, after over half a century's work censoring the movie content for Detroit, the Censor Bureau finally met its demise.¹⁹

The case was just one in a series of court decisions during the late 1960s that narrowed the scope of obscenity law, and thus constrained the ability of cities to censor and regulate adult film and media, in Michigan and across the country. This in turn sped the trend toward greater sexual explicitness in cinema that had already been an evident trend throughout the 1960s. In

¹⁷ James H. Dygert, "Police Exercise Subtle Control over Films," *Detroit Free Press*, August 15, 1967, 10.

¹⁸ Ken Barnard, "Film Raids Go Way of All Flesh," *Detroit News*, September 20, 1970, sec. H, 11.

¹⁹ *Eve Productions, Inc. vs. Detroit*, No. 33261 (United States District Court Eastern District of Michigan Southern Division November 6, 1969).

1967, the *Detroit Free Press* declared, “Detroiters can now see films in public theaters that 10 years ago they might have been arrested for having in their private possession.”²⁰ A year later, *Detroit News* film critic Ken Barnard published an article titled “Sex in Movies—How Far Will They Go?” Interviewed for the article was Ross Caccavale, owner of a series of art-house theaters in the Detroit metropolitan area, who correctly predicted, “With the public permissiveness of the last 10 years, we’re only a few years away from commercial exhibition of hard-core pornography.”²¹

In 1969, Detroit was confronted with the release of the Swedish picture *I Am Curious (Yellow)*, which featured extensive nudity and staged sexual intercourse, and which was a landmark in the trend toward greater sexual explicitness on the big screen. Pointing to the legal landscape at the time though, after Highland Park attempted to ban the film they were quickly enjoined from doing so by a federal court order.²² By October of 1970, the *Detroit News* found itself declaring, “These are the sordid ‘70’s. Now you can see total nudity, front and rear, and almost every form of sexual perversion right there on the silver screen – in living color... And some theaters – like the Stone Burlesk – just run stag film footage spliced together – no plot, not even a pretense of a socially-redeeming quality.”²³

This trend toward greater sexual explicitness was hardly confined to the movies. Adult bookstores also grew rapidly in number during this era. In September of 1970, one Detroit City Councilman estimated that the number of adult bookstores in the city had increased from three to

²⁰ James H. Dygert, “The Standards--And the Times That Hold Sway Over Movies,” *Detroit Free Press*, August 13, 1967, sec. B, 1.

²¹ Ken Barnard, “Sex in Movies—How Far Will They Go?,” *Detroit News*, November 17, 1968, sec. E, 1.

²² “U.S. Court Blocks Ban on ‘Curious,’” *Detroit News*, August 28, 1969, 3, 22.

²³ James A. Treloar, “Skin Flicks in Livid Color (Green),” *Detroit News*, October 19, 1970, 3–4.

eighteen in that year alone.²⁴ Meanwhile, as explored in chapter three, the exotic dancing trade began to grow more explicit, with topless bars rapidly increasing in number around the start of the decade. The theatrical world in Detroit also embraced the trend, with the onstage nudity in the play *Hair* leading to a firestorm of controversy in the city in 1970.²⁵ Even the art scene in the city reflected the move toward greater sexual explicitness, with fourteen drawings by Beatle John Lennon that depicted his love life with Yoko Ono drawing much controversy in the city and even the attention of the Detroit Police Department after they had their American premiere at a Detroit art gallery.²⁶

Detroit was hardly alone in seeing works labeled pornographic receive previously unheard of levels of prominence and popularity. As the 1970s began, pornography assumed a prominent place in the urban landscape across the country as never before. Every major city in the United States seemed to suddenly find itself overrun with adult businesses, with a newfound sexual explicitness testing the limits of propriety. Meanwhile, these cities were, much like Detroit, struggling with how best to regulate pornography in this new era. Most attempted to use obscenity law to prosecute individual films or filmmakers, only to find themselves stymied by liberal court decisions. Given this curtailment of the traditional legal means of regulating pornography, cities were left seemingly helpless in the face of the rapid growth of adult entertainment. It was within this context that in 1970 the Detroit City Council began to grapple with the problem directly. The legislation they eventually adopted would, in time, change the face of anti-porn politics and the preferred legal approach for regulating pornography. But first,

²⁴ Michael Brogan, "Smut Houses: Growing Problem in Detroit," *Detroit News*, September 21, 1970, 10.

²⁵ "'Hair' Here to Stay Despite Police Frowns," *Detroit Free Press*, June 18, 1970, sec. B, 4.

²⁶ Mike Maza, "Detroit to Get First Peek at Banned Lennon Prints," *Detroit Free Press*, January 20, 1970.

they would have to come to the conclusion that few wanted to admit: banning pornography using obscenity law was, in the legal climate of the early 1970s, a near impossibility.

1970: The City Council Debates Anti-Porn Legal Approaches

In May of 1970, the City Council began discussing the issue of pornography and the present lack of a legal means for the city to regulate sexually-explicit media. This was prompted both by the rapidly increasing number of adult businesses in the city as well as the arrival in Detroit of the musical *Hair*, which featured a brief nude scene. At a meeting, a number of Councilmen, led by David Eberhard, pressed city attorney William P. Doran on how Detroit might control pornography. Doran responded in a circumspect manner, noting that “legally, control is almost impossible because one man’s pornography may be another man’s art.”²⁷ Without legal recourse to shut down *Hair*, the City Council instead put to a vote a resolution calling for Detroit citizens to boycott the premiere of the play. The measure failed four to five, with Anthony Wierzbicki, William Rogell, Philip J. Van Antwerp, and Eberhard voting for the measure, while Ravitz led those opposed to it.²⁸

In the weeks ahead, the City Council continued to grapple with the issue. Eberhard led the attack against pornography, warning ominously of the rising tide of adult entertainment in the city. He charged that the number of adult bookstores had increased tenfold in the last year alone, and warned of the increasingly-racy contents sold within such establishments. As the *Detroit News* wrote of one City Council meeting, “Eberhard spoke of a proliferation of ‘dirty book’ houses, some having ‘novelette counters’ offering erotic devices and back-room curtained rooms ‘like voting booths’ where persons can view obscene films in privacy.”²⁹ Driven by concern over

²⁷ Ladd Neuman, “Hands Off ‘Hair,’ City Told,” *Detroit Free Press*, May 15, 1970, 3.

²⁸ Clark Hallas, “It’s ‘Hair’—By a Whisker,” *Detroit News*, June 10, 1970, sec. B, 4.

²⁹ Clark Hallas, “Council’s War on Obscenity Is Sidetracked,” *Detroit News*, July 1, 1970, sec. B, 7.

these developments, Eberhard proposed a new obscenity ordinance for the city, one that he hoped would shut down the adult businesses which were then proliferating in number.³⁰

The challenge of course was in determining what exactly could be considered obscene, a question that had vexed the courts for decades by that point. The lack of clarity was such that even the city's porn dealers wanted a clear ruling, with one adult bookstore owner saying, "It's hard to determine what's obscene. What's obscene to one person isn't to another. I wish they would set the guidelines, then we'd have something to go by."³¹ The City Council therefore asked the Corporation Counsel, which acted as the attorney's office for the city, to prepare a legally-viable definition of obscenity.³² Their response was adapted from what was then the United States Supreme Court's three-pronged test, with the Corporation Counsel's definition reading:

Any material is obscene with reference to which there is a concurrence of the following three elements:

- a. The dominant theme of the material taken as a whole appeals to a prurient interest in sex.
- b. The material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters.
- c. The material is utterly without redeeming social value.³³

Meanwhile, also in June of 1970 the Legal Coordinator of the Detroit Police Department prepared two proposals for new obscenity ordinances. In these, a definition of obscenity that was similar but by no means identical to the Corporation Counsel's was given.³⁴ Both these

³⁰ "Definition of Obscenity Sought by Legal Expert," *Detroit News*, June 17, 1970, sec. C, 5.

³¹ Louis Heldman, "What's Obscene? City Guide Asked," *Detroit Free Press*, June 30, 1970, sec. C, 10.

³² "Definition of Obscenity Sought by Legal Expert," 5.

³³ William P. Doran to Common Council, June 25, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

³⁴ John O'Leary, "Approach No. I — Obscenity," June 8, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University; John O'Leary, "Approach No. II — Attack on Obscenity," June 8, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

definitions were found lacking though, leading Assistant Corporation Counsel William Doran to shoot down Eberhard's proposed obscenity ordinance as legally unviable in light of rulings by the United States Supreme Court. Anthony Wierzbicki, the most reliably conservative member of the City Council, responded that he thought the Supreme Court rulings should simply be ignored, saying, "We ought to be able to set up our own definition of obscenity and say, 'This is obscene.'" Shockingly enough, the notion of simply ignoring Supreme Court precedents was also shot down by the Detroit Corporation Counsel as not legally feasible.³⁵

Given the stalemate on obscenity, the City Council began to ponder alternate forms of regulating adult businesses. Some councilmen suggested more stringently enforcing fire safety regulations at adult movie theaters, particularly so-called "mini" adult theaters, which tended to seat fewer than a hundred. This strategy was something of a return to the early days of cinema, when the rapid growth in the number of nickelodeon theaters in Detroit starting in 1906 elicited major concerns over the safety of patrons in these small storefront theaters. As Lieutenant Joseph Areeda, head of the Detroit Police Department's obscenity unit, told the City Council in 1970, "I can see the day when these small movie houses are all over the city. All they have to do is rent an old storefront, set up 40 chairs and show 16-millimeter films." Outside of the reference to the 16-millimeter format, this statement would have seemed perfectly suited to debates over regulating movie theaters during the nickelodeon era of cinema.³⁶

Another legal approach suggested by the City Council was to place a special tax on adult businesses. Said Eberhard on this idea, "We're going into this now through the back door. If we can't run them out with the law, we could tax them out, perhaps." Eberhard's comments made

³⁵ Hallas, "Council's War on Obscenity Is Sidetracked," 7; Ron Landsman, "Council Moves to Curb Smut Peddling in City," *Detroit Free Press*, July 1, 1970, 3.

³⁶ Hallas, "Council's War on Obscenity Is Sidetracked," 7.

clear that this proposal was less about the tax itself than the way in which the tax might, in a roundabout manner, drive adult entertainment venues out of business. This presented a legal quandary though in that if this tax forced out adult businesses it would likely be seen legally as a violation of the First Amendment. The City Council therefore directed the Corporation Counsel to look into the legality of the idea.³⁷ The *Detroit Free Press* found the notion novel enough to poll its readers on the proposal, with just over half opposing the idea of taxing porn.³⁸

The last major idea posited in the City Council for how best to regulate pornography came from City Council President Mel Ravitz, who suggested the use of zoning law. Ravitz proposed that the city's "Anti-Skid Row Act" be extended to apply to adult businesses. This section of the city's zoning code had been adopted by the City Council in 1962, and had at its center a provision that prohibited certain types of businesses—including pawnshops, second-hand stores, bars, lodging houses, shoe shine parlors, and pool rooms—from locating within 1,000 feet of each other. The ordinance was aimed at combating the formation of "skid row" areas in Detroit, with the types of businesses in question seen as causing neighborhood decay and blight, therefore justifying their dispersal across the city. The bill was backed at the time by numerous neighborhood and home owner groups, who saw these types of businesses as a major cause of the decline of some of the city's residential areas, and the newly-elected Ravitz in turn helped shepherd it through the City Council.³⁹ By spreading out rather than banning businesses seen as having a negative economic impact on neighborhoods, the ordinance was able to survive legal challenges, persisting as an innovative approach to the regulation of businesses thought to

³⁷ Hallas, 7.

³⁸ "Sound Off," *Detroit Free Press*, July 3, 1970.

³⁹ "Anti-Skid Row Law Gets 7-2 Council OK," *Detroit Free Press*, February 21, 1962, 3.

have undesirable secondary effects.⁴⁰ Ravitz's proposal in 1970 then was to simply extend the list of regulated businesses to include adult-oriented establishments, thereby making it harder for them to open while dispersing them across the city, avoiding the formation of a "smut district."

Ravitz had in fact previously proposed expanding the regulated uses zoning ordinance to control sex-oriented businesses. In early 1965, in the wake of a wave of protests prompted by the opening of a new burlesque theater near Wayne State University in midtown Detroit, Ravitz suggested that burlesque theaters might be added to the list of regulated businesses under the skid row ordinance.⁴¹ Though this did not end up becoming law at that time, in the midst of the City Council's debate in 1970 over how to regulate pornography, Ravitz revived the idea, suggesting that adult movie theaters and bookstores be added to the list of the types of business dispersed under the city's existing anti-skid row zoning ordinance. Said Ravitz of the proposal, "We won't be able to eliminate them, but at least we can control their numbers and location."⁴² In contrast to Eberhard then, who sought a means to eradicate pornography from the city entirely, Ravitz proposed a more measured approach, one that would prevent adult businesses from proliferating in any one area while still allowing them to function where no nearby regulated use businesses were present. Just as critically, whereas Eberhard emphasized moral concerns in proposing the use of obscenity law, by utilizing zoning law Ravitz instead focused on economic concerns, meaning the secondary effects on neighborhoods of adult businesses. The differing priorities and approaches of Eberhard and Ravitz would come to dominate the debate in the City Council over pornography.

⁴⁰ "Pawnbrokers Lose Bid for New City Locations," *Detroit Free Press*, October 26, 1962, 3.

⁴¹ "Burlesque, Skid Row Law Eyed," *Detroit News*, January 5, 1965, sec. D, 6.

⁴² Hallas, "Council's War on Obscenity Is Sidetracked," 7.

Eberhard's leadership on this issue and his hardline stance against pornography was seen as something of a surprise at the time given his reputation as a progressive liberal. Still, there had been some indications that he might take such a position. In 1963, as pastor of the Riverside Lutheran Church, when Eberhard set up what he called a "Christian Key Club" for youth in the community, he used the occasion to go out of his way to criticize the then-newly opened Playboy Club in Detroit. As he said of his church's club, "[T]here won't be any bunnies... Bunnies are a symbol of a playboy attitude which is irresponsible. We want to show that church youth are responsible."⁴³ Still, pornography or censorship had seemingly never come up when Eberhard ran for City Council, leaving many confused and disappointed by his anti-porn stance. As the radical weekly paper the *Fifth Estate* wrote in June of 1970, "All the liberals were campaigning hard to get good guy Rev. David Eberhard elected to the city council last year. Now that they were successful, he has repaid them by introducing a new ordinance dealing with obscenity and defamation of the flag and religion."⁴⁴ Weeks later, the *Fifth Estate* would label Eberhard a "Liberal-turned-censor."⁴⁵

Meanwhile, Ravitz's views on the issue of pornography and censorship could hardly have been more different. Whereas Eberhard had been the only one of the City Council's six liberals to vote for the proposed boycott of *Hair*, after voting against the boycott Ravitz divulged that he had already bought tickets to the play and planned to attend with his wife.⁴⁶ Just eight days later, during the opening week of the play in Detroit, Ravitz not only attended *Hair*, he "danced coatless" onstage after being invited up, along with other members of the audience, during the

⁴³ Hiley H. Ward, "Church Features New Key Club," *Detroit Free Press*, February 15, 1963, 3.

⁴⁴ "Deee-Troit Seen," *Fifth Estate*, June 25, 1970, 4.

⁴⁵ "Deee-Troit Seen," *Fifth Estate*, July 9, 1970.

⁴⁶ Hallas, "It's 'Hair'—By a Whisker," 4.

finale rendition of “Let the Sun Shine In.” The sight elicited some laughs, with the *Free Press* publishing a cartoon rendition of Ravitz onstage with scantily-clad women and hippies (see figure 27). It also became a minor source of controversy, with fellow Councilmen William Rogell and Anthony Wierzbicki—both of whom had voted in favor of the proposed boycott of the play—expressing their concern over the propriety of Ravitz’s onstage appearance. Ravitz was reportedly at first reluctant to respond to the criticism but later said, “I enjoyed the show and I didn’t find it obscene. I think it’s a show you have to judge in its totality. In that respect it was a vital, affirmative performance. I was asked if I would join the cast on stage and I did. I participated and enjoyed it thoroughly.”⁴⁷



Figure 27. *Detroit Free Press*, June 19, 1970, p. 3.

⁴⁷ Louis Heldman, “Ravitz Fails to Impress Critics by Dancing in ‘Hair,’” *Detroit Free Press*, June 19, 1970, 3.

This was largely in keeping with Ravitz's liberal leaning when it came to the issues of pornography and censorship. He tended to avoid taking a firm stance on the issue, particularly having little interest in the moral-grandstanding that so often was attached to anti-porn activity. When he did dip his toes in anti-porn waters, it was always with economic rather than moral concerns in mind first and foremost, as was the case with his recommendation that the city's regulated uses zoning provision be applied to adult businesses. His thinking on the issue was no doubt influenced by being a sociologist, and as both an academic and subsequently as a politician he had advocated for the inclusion of the voices of neighborhood residents in the debate over urban renewal. His proposal to disperse adult businesses can thus be seen as in line with his broader concern over neighborhood decay in the city than any closeted moralizing anti-porn stance.

This is also evident in some of the responses sent by Ravitz's office to the many letters from constituents regarding pornography in the city, letters which arrived in growing numbers over the course of the early 1970s as pornography became widespread and the City Council reckoned with how to respond. Most of these letters were in support of the enactment of new anti-porn laws, and to these Ravitz's office dutifully responded with variations on a form letter which stressed that the City Council was trying to act against pornography but was hemmed in by court decisions, and that Ravitz had proposed the use of zoning to regulate adult businesses. In other words, to anti-porn letters Ravitz responded by stressing that the City Council, and he in particular, were trying to take action against pornography, but were being stymied by the courts.⁴⁸

⁴⁸ See Mel Ravitz to F. A. Shaw, August 7, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

The rare constituents who wrote Ravitz criticizing the city's war on pornography received a very different and more forthright response. In December of 1970, one Detroit resident wrote Ravitz to express his view that, even as he was personally opposed to pornography, laws to prohibit its spread were in his view just as self-defeating as Prohibition had once been. As the letter said, "You Can Not Legislate Morality. When you do, You drive the immorality underground... If I thought for one second a new law would stop all the Pornography, I would be the first in line to back such a Law—But these types of laws have not worked in the past and I can not see how they could work now."⁴⁹ To this, Ravitz gave a personalized response, saying, "I think that you are quite right, it is not going to be possible to legislate these stores and other purveyors of pornography out of existence. Indeed if people would simply cease visiting these establishments perhaps that would be the most effective means of making clear that they are unwanted."⁵⁰ He actually often gave similar answers in letters responding to those constituents complaining about porn and calling for action by the City Council. In December of 1970, Ravitz replied to one part of a constituent's letter that decried pornography by simply saying, "As for the pornographic book stores, I would suppose that if people do not frequent them they will soon go out of business."⁵¹ In 1971, when one property owners' association wrote requesting help in combating an adult book store in their neighborhood, Ravitz wrote them back to say, "I wish I

⁴⁹ Dennis McGuire to Mel Ravitz, December 6, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

⁵⁰ Mel Ravitz to Dennis McGuire, December 22, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

⁵¹ Mel Ravitz and Carl Lyons, December 22, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

could be more helpful, but I cannot except to suggest that the store in question not be supported by residents of the area... It is my belief that the best counteraction is not to patronize them.”⁵²

Ravitz stated his views on censorship perhaps most clearly in a response to a letter sent by Thomas Donohue in March of 1971. In his letter, Donohue complained of the Wayne County Prosecuting Attorney William Cahalan’s handling of the grand jury investigation into the police shooting of Charles Calloway, with Donohue criticizing Cahalan for failing to make a strong case while he was simultaneously vigorously pursuing legal action against the operators of adult businesses in Detroit.⁵³ To this, Ravitz replied:

Although I do not know the details of the Calloway case, I do share the general point of view expressed in your letter, namely, that our law enforcement agencies should concentrate on fundamental problems rather than to deal with rather questionable “morality” issues such as book stores and “skin flicks”.

My own general point of view is that we need to have a basic revision of our State Criminal Code removing from that Code many items that are items of personal morality. I think that this would free the Police Departments and the Prosecuting Attorney offices around the state to do a more effective job on those areas of more significant community concern.⁵⁴

This view was in keeping with the position of many liberals at that time who saw pornography as a matter of personal morality and a “victimless crime” which government should not bother trying to regulate. In fact, Ravitz’s letter here in many ways mirrored the controversial majority opinion of the Presidential Commission on Obscenity and Pornography, which in the fall of 1970

⁵² Mel Ravitz to David Hillstrom, May 26, 1971, Mel Ravitz papers, Box 32, Folder 13, Walter P. Reuther Library, Wayne State University.

⁵³ Thomas Donohue to Mel Ravitz and William J. Cahalan, March 9, 1971, Mel Ravitz papers, Box 32, Folder 13, Walter P. Reuther Library, Wayne State University.

⁵⁴ Mel Ravitz to Thomas Donohue, March 23, 1971, Mel Ravitz papers, Box 32, Folder 13, Walter P. Reuther Library, Wayne State University.

had issued a report (soon to be rejected by the U.S. Senate and President Nixon) that called for the repeal of all laws governing the circulation of pornography amongst consenting adults.

There is great deal of irony in the fact that the anti-porn zoning law that Detroit would eventually come to adopt—and which would then fundamentally reshape the legal means used to regulate pornography across the country—was masterminded not by an anti-porn crusader, but rather by a politician who seemingly had no strong feelings regarding the morality of pornography and indeed thought the governmental focus on the issue was a misguided waste of time. As these letters make clear, Ravitz's views aligned far more closely with those who wanted to see pornography decriminalized than those, like Eberhard, who wanted to see pornography banned outright. Ultimately then, it would be economic arguments as well as perhaps pragmatic political considerations that would help turn Ravitz into one of country's most influential architects of anti-porn legislation.

Still, Ravitz's zoning-based approach to regulating pornography failed to pick up much momentum by the end of the summer of 1970, and the year was marked by much talk and little action by the City Council on the issue of pornography. The problem on the legal front was the vagueness and uncertainty surrounding obscenity law, as Eberhard and the other anti-porn advocates on the City Council struggled to deal with the reality that they could not simply ban pornography. A legally-viable approach was needed, but at least for now, there was no agreement on what exactly that might look like.

Meanwhile, with the City Council divided on how to respond, or if a response was necessary altogether, other local branches of government took action. On August 8th, 1970, the Wayne County Prosecutor's office and the Detroit Police Department orchestrated the largest one-day anti-porn strike in Detroit history. They raided six adult bookstores, charging store

owners with sale and possession of obscene material, while also confiscating some \$50,000 worth of pornographic material, including hard-core adult films and peep show machines.⁵⁵ This was just one of a series of targeted raids and prosecutions by Wayne County Prosecutor William L. Cahalan in late 1970, and seemed to signal that adult entertainment in Detroit was now on the defensive. As events unfolded though, it became clear that Cahalan's reliance on obscenity law was just as problematic as it had been for so many prosecutors in recent years. A series of obscenity rulings, many of them openly contradicting one another, were handed down by the courts in the months to come, and together they constrained Cahalan's anti-porn strikes in Detroit and its surrounding suburbs.⁵⁶

With ongoing confusion in the courts, the City Council continued to wrestle with the issue, with little in the way of results. To try to untangle the legal mess, in the fall of 1970 the City Council requested two reports from city government agencies. The first of these was from the Police Department and concerned why the city's obscenity ordinances were not being enforced. Police Commissioner John Nichols replied by noting that the ordinance dealing with movie censorship had been struck down a year earlier in the *Vixen!* case, while the ordinance dealing with obscene pictures and songs was being unenforced due to the belief that it too was unconstitutional.⁵⁷

The other report was from the City Council's Support Service, and focused on assessing the viability of the various methods of regulating pornography that had been proposed in the

⁵⁵ "Smut Raids Hit 6 Bookstores," *Detroit News*, August 8, 1970, 6; "5 Dealers, 100 Films Seized in Biggest City Smut Raid," *Detroit Free Press*, August 8, 1970, 3.

⁵⁶ "Obscenity Statute Ruled Out by Judge," *Detroit News*, October 6, 1970, 4; "Judge Says Ecourse Film Is Obscene," *Detroit News*, October 15, 1970, sec. B, 14; David L. Good, "Lawyer Doubts Smut Can Be Stopped," *Detroit News*, December 9, 1970, 12-C.

⁵⁷ John Nichols to Common Council, December 21, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

Council. When it came to obscenity, based on recent Supreme Court rulings which held that an individual had a right to privately own obscene material, the memorandum took it as a given that the only constitutional method of controlling adult material through obscenity would be to regulate it based on “the protection of minors or unwilling persons.” The report therefore concluded that a ban on adult businesses distributing or exhibiting obscene material to consenting adults was unlikely to stand up in court.⁵⁸

The memorandum also took up other proposed methods of regulating pornography, including the idea of levying a special tax on them. On this matter, the report was unequivocal, saying that such a proposal “is clearly constitutionally forbidden” since it would “be seen as a discriminatory regulation of the attempt to exercise a constitutionally protected right.” Though the city could choose to tax *all* movie theaters and *all* bookstores, it could not discriminate by taxing only the adult ones.⁵⁹

When it came to Ravitz’s idea of using zoning, two problems were cited. The first was an inherent limitation of the proposal, which is that adult businesses already in operation would not be impacted under such a plan, with new businesses planning to open the only ones affected. The second issue regarded the question of the proposal’s constitutionality. As the report read:

It is unlikely that, constitutionally, the location of adult bookstores could be regulated by zoning laws, the same way liquor stores and bars are regulated. The problem is one of equal protection of laws. As in the question of taxing, the City could zone all bookstores and all movie theatres... but not only those that deal with sexual subjects.⁶⁰

⁵⁸ Common Council Support Service, “Memorandum of Law and Recommendations Regarding Proposed Ban of Adult Bookstores and Movie Theatres,” December 7, 1970, 1, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

⁵⁹ Common Council Support Service, 4.

⁶⁰ Common Council Support Service, 4.

The report thus correctly identified what would later prove to be the central legal question surrounding the notion of using zoning to regulate adult businesses, which is whether the First Amendment protections granted to theaters and bookstores meant that they could not be regulated by zoning in the same manner as liquor stores or bars. At this point, internal city memorandums make clear that Ravitz's proposal was thought to be unconstitutional, and so the notion was tabled for the time being. The memorandum instead suggested that the city adopt the obscenity guidelines laid down by the Supreme Court in *Redrup v. New York* (1967), with the policy being that "it is the duty of the government to protect its citizens from unwanted intrusions into their private lives, not to regulate their personal and private morals which do not interfere with the lives and morals of others."⁶¹ Still, such a proposal would have done little to shutter most adult businesses in the city, and could hardly satisfy the demands of hardline anti-porn advocates like Eberhard.

In December of 1970 the City Council held a public meeting on the issue, with the vast majority of the public who spoke at the meeting supporting new anti-porn regulations. Eberhard suggested that the city simply padlock "smut" bookstores and theaters and make the owners prove their material was not obscene, a move which undoubtedly would have been overturned by the courts.⁶² To this and other radical responses, assistant Corporation Counsel William P. Doran urged caution, saying, "The concerns of these people who want us to take action certainly are legitimate and deeply and firmly held. But what they assume should be done and what can be done constitutionally are two entirely different things." In truth, Doran said, he had "no hope at all" that adult businesses in the city could be closed legally.⁶³ The City Council then was

⁶¹ Common Council Support Service, 4.

⁶² "Eberhard Wants Smut Shops Padlocked," *Detroit News*, December 10, 1970, 26.

⁶³ Good, "Lawyer Doubts Smut Can Be Stopped," 12-C.

seemingly left without options, and so put the question of how to stop the spread of pornography on the backburner, moving on to other matters of concern.

Beyond the lack of consensus on how to regulate pornography legally, a broader issue for Eberhard and his fellow crusaders was that the anti-porn rhetoric they tended to rely upon looked out of step with the times. Proponents of new anti-porn legislation for the city continued to use the traditional moralizing and religious-based anti-porn discourse of old, but in the wake of the sexual revolution no one wanted to be labeled a prude, particularly as public sentiment had congealed around a general opposition to media censorship. Advocates did themselves no favors either when they tried to tie the anti-porn fight to other morality-based issues, as happened when Mrs. Jacob Wenzel, secretary of the Metropolitan Detroit Council of Better Literature, said at a June 30, 1970 public meeting of the City Council on the issue of pornography: “They should outlaw these things critical of organized religion and our nation. A reverent attitude is more appropriate in thinking of our government.”⁶⁴

This statement led the *Detroit Free Press* to publish an editorial responding to Wenzel’s comments and more broadly to the City Council’s war against pornography. The paper harshly criticized the whole enterprise, saying, “It seems improbable in this city, with its diversity of religion and politics, that we should now be called upon to defend freedom of speech and religion at their most elemental level. Yet that is precisely the point to which Councilman Eberhard’s crusade against the smut peddlers has brought the council.” The editorial, while granting the good intentions of Wenzel and Eberhard, nevertheless evinced an opposition to censorship that was broadly symptomatic of liberal views on the issue at the time, with the piece going on to say, “We cannot have censorship without getting ourselves in trouble on the issue of

⁶⁴ Landsman, “Council Moves to Curb Smut Peddling in City,” 3.

whether we can be free to question our government and to exercise our independence. This is what has kept the Supreme Court hung up on trying to find a workable definition. This is why our society has to put up with some borderline stuff that has only the minutest kind of redeeming social value.” Ultimately then, what anti-porn advocates were lacking in 1970 was not just a legally-viable approach to regulating adult media, but also discursive strategies that might allow the movement to create separation between itself and blue-nosed moralizing censorship campaigns of old.⁶⁵

A new form of anti-porn rhetoric had already begun to emerge by 1970 though, even as it would take some time for it to fully coalesce into the movement seen in chapter four’s examination of Redford’s 1972 anti-porn campaign. The first hints of it appeared in grassroots neighborhood-based anti-porn protests targeted at specific adult businesses. An example of this came in the July 1970 protests of the Candid Magazines for Adults Bookstore in the Jefferson-Chalmers area of eastern Detroit. Every day for nearly three weeks neighborhood residents picketed outside the bookstore from its 10 a.m. opening to its 8 p.m. closing time. The protest was organized by the Ad Hoc Committee for a Quality Community, a group that was formed to express opposition to Candid Magazines and other adult businesses in residential areas. The very name of the group indicated that its opposition to pornography was based on a grassroots neighborhood politics rather than traditional moralistic anti-porn politics. This distinction was reiterated in the public comments by the leaders of the group, including the statement of Reverend Ronald Schmidt, who said of the Candid Magazines bookstore, “This is the death of our neighborhood.”⁶⁶ The group’s official statement made clear that they hoped to distance

⁶⁵ “No Room for Censorship in a Democratic Society,” *Detroit Free Press*, July 2, 1970, 6.

⁶⁶ Jody Ross, “Neighbors Picketing Racy Magazine Store,” *Detroit Free Press*, July 18, 1970, 3.

themselves from traditional anti-porn advocates, saying, “It is the express desire of our group to work toward the creation and maintenance of a quality community. It is not our desire to deprive anyone of their constitutional rights to read whatever literature they wish or to endanger an art form with censorship, nor are we against human sexuality as expressed in a truly loving relationship.”⁶⁷ They acknowledged up front then the free speech arguments that had been winning the day and which had put the anti-porn movement on the defensive in recent years. Instead, they made clear that they sought to base their opposition to adult businesses on the grounds of the “maintenance of a quality community,” meaning the notion that adult businesses cause harm to neighborhoods. By setting out quite clearly the way in which the group diverged from their moralizing anti-porn predecessors, the Ad Hoc Committee for a Quality Community hoped to chart a new way forward for anti-porn politics that could respond to this new era in which censorship efforts were regarded with increasing skepticism.

One of the leaders of the Ad Hoc Committee for a Quality Community, Reverend Charles D. Robertson, further explicated the group’s approach to anti-porn politics in the letter he sent to Mel Ravitz about the Candid Magazines bookstore. Robertson couched the letter by discussing his hesitance to join the group due to his own liberal politics and aversion to being associated with more conservative anti-porn advocates, saying:

I had to do a great deal of “soul searching” before joining with the Pastor of Faith Lutheran Church to form The Ad Hoc Committee for a Quality Community... because, I think there are more pressing issues facing the world and society like getting out of Indo-China and cleaning up our environment, etc. and also, as a clergyman... I did not want to join with broom riding Mary Beck types in some kind of a right wing witch hunt.⁶⁸

⁶⁷ The group’s statement was included in the letter from Rev. Charles D. Robertson to Mel Ravitz, July 13, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

⁶⁸ Robertson to Ravitz.

In prefacing the letter in this way, Robertson actively sought to distance himself and the Ad Hoc Committee from the rhetoric and tactics used by anti-porn advocates for decades. Instead, the group sought to shape a new form of anti-porn politics, one not opposed to liberalism but actually based in it through a defense of ordinary homeowners in residential neighborhoods who were seen as the victims of the unchecked proliferation of pornography. Consequently, the focus for the reverend was less on banning such material entirely than it was on regulating their place in the urban landscape by keeping pornography out of residential areas. Such a position held real strategic value as a stance that might attract liberals who were uneasy about censorship and the rhetoric of older anti-porn campaigns, but who nevertheless were concerned about the impact of adult businesses on residential areas. As Mel Ravitz responded to the reverend's letter, "I appreciate the difficulty of your position and I share it with you. I, too, would like to avoid association with any kind of witch hunters but I can likewise appreciate the necessity to keep undesirable literature out of our community."⁶⁹

1971: Continued City Council Inaction

Over the course of 1971, the growth of adult entertainment in Detroit continued unabated. Statistics varied on the number of adult businesses in Detroit at this time, with one estimate putting the number of adult bookstores in the city at twenty-two and the number of adult movie theaters at sixteen.⁷⁰ Likewise, estimates of the exact size of the industry varied, with the *Detroit News* reporting that the city's adult businesses grossed between \$5 million and \$10 million a year, though in all likelihood those numbers were exaggerated.⁷¹ Moreover, the type of adult

⁶⁹ Mel Ravitz to Rev. Charles D. Robertson, August 3, 1970, Mel Ravitz papers, Box 25, Folder 19, Walter P. Reuther Library, Wayne State University.

⁷⁰ David L. Good, "Council May Move Against Smut Peddlers," *Detroit News*, September 23, 1971, sec. B, 9.

⁷¹ Allen Phillips, "Porno-Detroit: A Thriving Market," *Detroit News*, August 22, 1971, 9-B.

material offered by these businesses had changed, with hard-core films and magazines replacing their soft-core predecessors. Pornography sent through the mail also became a newfound topic of alarm in the city.⁷² Meanwhile, 1971 also saw a further flowering of topless dancing in the city, as discussed in chapter three.

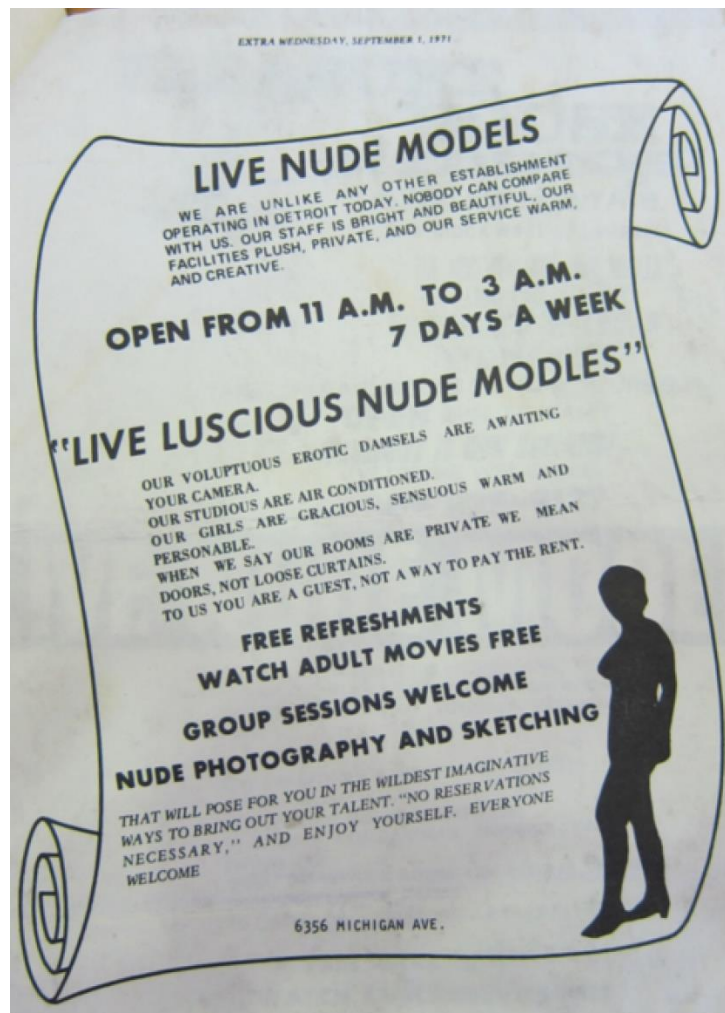


Figure 28. Flyer included in letter from anonymous to Mel Ravitz, October 6, 1971, found in Box 32, Folder 13 of Mel Ravitz papers at Walter P. Reuther Library.

New forms of adult entertainment also emerged. In May of 1971, the *Detroit Free Press* reported on a business in which for \$5 one could photograph a nude model for a half hour, with

⁷² Jane Briggs, "You Can Stop Smut Mail," *Detroit Free Press*, February 3, 1971, sec. C, 5.

the rule evidently being that no touch was allowed. It quickly drew the attention of the authorities, with the paper reporting, “The police have been around—32 in the first four days of business, the proprietor claims—but could find nothing illegal. Business appears to be booming.”⁷³ More nude modeling studios would soon follow. In the fall, one studio along Michigan Avenue drew the ire of some residents after it placed flyers under the windshields of parked cars in the area. One of those angry residents in turn anonymously wrote to Ravitz on October 6 about the issue, including the flyer in their letter (see figure 28).⁷⁴

Despite all this, the challenges felt by the City Council in trying to come to an agreement on a legally-sound way to regulate pornography had not measurably changed in the new year. In September of 1971, the City Council once again discussed ways in which the city might halt the spread of adult entertainment in the city. At the meeting, a number of different methods for potentially regulating pornography were raised, including Ravitz’s zoning approach and Eberhard’s recurring suggestion that “they should padlock the places and make the dealers prove their stuff is not pornographic.” A new idea up for consideration was to require all bookstores and theaters to gain a license to operate each year under the purview of the city’s Department of Buildings and Safety Engineering, thereby bringing them under closer control of the city. Finally, there was again a renewed push to craft a new obscenity ordinance for the city, this time at the behest of a member of the city’s Corporation Counsel, Thomas Gallagher. Gallagher’s optimism about the potential utility of obscenity law diverged from Corporation Counsel William P. Doran’s views a year prior. As Gallagher said at the meeting, “I think it can be done... We’re not quite as handcuffed as we thought in the first place.” In Gallagher’s view, the

⁷³ “Capitalism at Its Sexiest,” *Detroit Free Press*, May 23, 1971, sec. B, 1.

⁷⁴ “Citizen of Detroit” to Mel Ravitz, October 6, 1971, Mel Ravitz papers, Box 32, Folder 13, Walter P. Reuther Library, Wayne State University.

key was to focus on the category of obscenity rather than pornography, certain that the former was easier to define than the latter. The City Council then asked Gallagher to study further the various methods of regulating pornography discussed at the meeting and give his recommendation for a new anti-porn ordinance. Gallagher's confidence that he could come up with a viable ordinance was indicated when, in a response to a question about how long it would take to prepare a new obscenity ordinance, he boasted to journalists, "I can write it right now. Give me a piece of paper."⁷⁵

Less than a week later, Gallagher sent the City Council his response. In his letter, he argued against the approach of licensing adult businesses given that to do so would require all movie theaters and bookstores be licensed, and that "legitimate" businesses "should not be subjected to a regulatory law because of the misconduct of a relative few." The other problem with licensing in Gallagher's view was that to give licenses to adult bookstores would implicitly seem to condone them, even if it provided additional avenues of regulation. As he wrote of adult bookstores, "I don't think your honorable body should make any appearance of permissiveness so far as they are concerned." Such a line undoubtedly points to the strident anti-porn perspective Gallagher brought to this topic, and so it is perhaps no surprise that Gallagher preferred a return to an obscenity-based approach to regulating pornography. Gallagher sent the City Council a proposed ordinance to update Detroit's obscenity code, though at least for the moment the City Council chose not to act on the measure.⁷⁶

And so, as 1971 came to a close, things looked much the same as it had a year prior in the City Council. Council members continued to be stifled by debate over a constitutionally-viable

⁷⁵ Good, "Council May Move Against Smut Peddlers," 9.

⁷⁶ Thomas H. Gallagher to Common Council, September 28, 1971, Mel Ravitz papers, Box 32, Folder 13, Walter P. Reuther Library, Wayne State University.

method of regulating pornography, even as the pornography trade in the city flourished. Soon though, the anti-porn fight would be energized by the entrance of a new player on the scene, Mayor Roman Gribbs.

1972: The Mayor and City Council Begin to Take Action

In early 1972, the debate over pornography in Detroit began to heat up. In January, Councilman Eberhard announced plans to sponsor two ordinances, both drawn up by Gallagher, aimed at closing down many of the city's adult businesses.⁷⁷ The first of these ordinances, targeting adult bookstores, cleared a procedural vote in the City Council later that month, with the only dissenting votes being Carl Levin, Philip Van Antwerp, and Mel Ravitz, who argued that the ordinance was likely to be ruled unconstitutional given the difficulties of separating out "adult" books and bookstores from "normal" ones. As Levin said, the ordinance "will cover almost every modern novel whether it's pornographic or not." Even Gallagher, author of the ordinance, admitted the thorniness of the issue, saying that it is "almost impossible to pick up a current novel which doesn't refer to human sexual activities." He indicated he would look to revise the ordinance in the days ahead, while the Council continued to debate its next action.⁷⁸

On January 26, the City Council held a two-hour public hearing. Of the roughly twenty-five members of the public who spoke at the meeting, all but two were in favor of the new ordinances. The opposing voices were Adrienne James of the American Civil Liberties Union, who argued against the proposals on constitutional grounds, and Paul Lowinger, a psychiatrist and professor at Wayne State University who contended that there was no evidence to support the supposed link between crime and pornography. Lowinger further argued that anti-

⁷⁷ David L. Good, "Slowdown of Smut Flow Sought," *Detroit News*, January 5, 1972, sec. B: Metro-Detroit, 1.

⁷⁸ David L. Good, "Levin Says Obscenity Ordinance Misses Target," *Detroit News*, January 19, 1972.

pornography laws were “frequently used” to “persecute creative people.” This drew the ire of many in attendance, including Councilman Antwerp, who told Lowinger, “I think you’re nuts.”⁷⁹

The City Council members expressed differing opinions at the meeting, though most were broadly in favor of the proposed new obscenity ordinances. The two biggest naysayers were Ravitz and Levin, with the latter saying the proposed bookstore amendment “is not worth the paper it is written on.” Instead, he argued that boycotts and picketing should be the methods used to “get rid of” adult businesses. Ravitz similarly expressed his misgivings about the constitutionality of the proposals, though he also made sure to publicly express that he was “as concerned about the problem [of pornography] as anybody.”⁸⁰

In the days following the public meeting, Creighton C. Lederer, the head of the Detroit Department of Buildings and Safety Engineering, submitted to both Levin and Ravitz the results of his study on the potential methods of regulating adult businesses. Lederer advocated for Ravitz’s plan of using zoning law to regulate adult businesses, saying that they could be brought under the “regulated uses” section of the city’s zoning code, requiring that there not be more than one such establishment within one thousand feet of each other. Lederer’s memo spelled out the few exceptions to this rule in the city’s existing zoning code, including one if “the proposed use will not enlarge or encourage the development of a ‘skid row’ area” and another if the business “will not be contrary to any program of neighborhood conservation nor will it interfere with any program of Urban Renewal.” Such exceptions made clear that this section of the city’s zoning code was primarily about the supposed negative economic impact that certain businesses had on surrounding neighborhoods. Unsurprisingly then, for liberals like Levin and Ravitz, zoning

⁷⁹ Julie Morris, “Council Hears Blunt Plea For Curbs on Pornography,” *Detroit Free Press*, January 27, 1972, 3.

⁸⁰ David L. Good, “Obscenity Ordinance Faces Council Changes,” *Detroit News*, January 27, 1972, sec. C, 4.

presented an enticing alternative method for regulating pornography, one that could avoid the stifling of free speech through obscenity-based censorship that they were uncomfortable with, while still mollifying the many citizens who wanted to see concrete action taken by the City Council.⁸¹

Still, hardliners on the City Council continued to seek more radical measures to combat the spread of pornography. By February of 1972, the City Council was getting ready to vote on new obscenity ordinances proposed by Eberhard, even as some continued to call into question the legality of this approach. Among those questioning whether these ordinances would hold up in court was none other than the man who wrote them, Thomas Gallagher, who on February 10 wrote the City Council to “reiterate that the bookstore ordinance should not be considered or passed by your honorable body... After consultation with members of your honorable body and with members of the corporation counsel’s staff, I am convinced that this amendment is constitutionally defective.”⁸² Despite Gallagher’s warning, Eberhard proceeded to call for a vote anyways, with the Council deadlocking 4-4 on whether to adopt the ordinances aimed at adult bookstores and nude photo studios, only agreeing to pass some smaller minor revisions to the existing obscenity ordinances.⁸³ Two weeks later, Eberhard put the same ordinances up for a vote again, this time managing to get them passed with Councilman Van Antwerp, previously one of the nay votes, away on vacation.⁸⁴

⁸¹ Creighton Lederer to Carl Levin, January 28, 1972, Mel Ravitz papers, Box 41, Folder 6, Walter P. Reuther Library, Wayne State University.

⁸² Thomas H. Gallagher to Common Council, February 10, 1972, Mel Ravitz papers, Box 41, Folder 6, Walter P. Reuther Library, Wayne State University.

⁸³ David L. Good, “Council Pulls Punches in Fight Against Smut,” *Detroit News*, February 16, 1972; “Council Rejects New Smut Curb,” *Detroit Free Press*, February 16, 1972, 3.

⁸⁴ David L. Good, “Smut Stores Challenged to Fight New Ordinance,” *Detroit News*, March 1, 1972, 6.

After the Council passed the ordinances, Levin repeated his objections, saying, “It will cover almost every modern novel, whether it’s pornographic or not. I don’t think we accomplished anything by passing it, and we’re just kidding people into thinking we have.” He again suggested that picketing adult bookstores might be a better course of action for residents, while simultaneously drawing attention to his and Ravitz’s proposed zoning-based approach. Still, Eberhard could finally claim victory, having passed a law that could, in theory, significantly alter the landscape of adult entertainment in Detroit. That was based on two conditions though, the first being the question of whether the ordinance was constitutional, with Eberhard issuing a challenge to the city’s adult business owners: “Let them take us to court.” The second condition was more immediate and no less vexing: namely, would Mayor Roman Gribbs even sign the bill?⁸⁵

Up until this point, Gribbs had remained steadfastly silent on the question of what to do about the spread of pornography and adult entertainment in Detroit. Behind-the-scenes though, he had already begun to make moves that would set the stage for him to come out strongly against adult media. In late 1971, Gribbs established the anti-porn Mayor’s Task Force on Licensing Procedures, though he would tell neither the City Council nor the public at large about the agency until March of 1972.⁸⁶ A press release put out by the mayor’s office at that time explained the Task Force by saying:

The Mayor’s Task Force on Licensing Procedures was organized last year to investigate the growing number of citizen complaints and police problems with

⁸⁵ Good, 6; Julie Morris, “Council Bans Porno Stores,” *Detroit Free Press*, March 1, 1972, 3.

⁸⁶ Exactly when the Task Force was organized is not entirely clear, with most sources dating it to late 1971 (which is what Gribbs claimed), while some say it was formed in early 1972. Regardless, there would be no public mention of it until March 6, and it would be another four days after that before the mayor finally told the City Council about the Task Force. See “Mayor’s Office Press Release,” March 6, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library; Roman S. Gribbs to Common Council, March 10, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

X-rated movie houses and adult bookstores. According to Phillip G. Tannian, assistant to the Mayor and the task force chairman, the task force has been given the responsibility of strengthening the ordinance pertaining to such establishments and developing, where necessary the means to deal with such problems swiftly and effectively.⁸⁷

The Task Force was made up of representatives from five city departments, including the Corporation Counsel, Health Department, Fire Marshall's Office, Police Department, and Department of Buildings and Safety Engineering.⁸⁸ One indication that the mayor was placing a high priority on the issue of pornography was that he chose Philip Tannian to head the new task force. Tannian had been a key member of the mayor's election campaign team and was widely considered to be one of Gribbs' top aides and a growing political player in Detroit.⁸⁹

On March 6, less than a week after the City Council passed its new obscenity ordinance aimed at adult bookstores, Mayor Roman Gribbs signed the bill into law. That same day the mayor also announced that he had decided to revoke the license for the peepshow machine at Adult City, an adult bookstore operating on Eight Mile in northeast Detroit. The move was the result of the work of both the Mayor's Task Force on Licensing Procedures, which recommended the action, and the Detroit Police Department, which had an ongoing investigation into the business.⁹⁰ As part of this investigation, on September 28, 1971, Patrolman Paul Smith entered the Adult City, first noting the "adult books & magazines" sold in the front of the store before moving to the back rooms, where small private viewing stations were set up wherein for the price of a quarter a patron could watch "80 to 90 seconds" of 8mm hard-core pornography. A

⁸⁷ "Mayor's Office Press Release," March 6, 1972.

⁸⁸ "Mayor's Office Press Release."

⁸⁹ "Gribbs Appoints HP Council Chief as Legal Adviser," *Detroit Free Press*, February 11, 1970, sec. B, 1; "No Pull; Protection Ends," *Detroit Free Press*, June 13, 1971, sec. B, 1; John Opendahl, "Gribbs' Moves Hint of Race For Re-Election," *Detroit Free Press*, August 27, 1972, sec. F, 13.

⁹⁰ "Mayor's Office Press Release," March 6, 1972.

search warrant was then issued, with the owner of the store arraigned a day later. Nearly six months after that though, the case was still pending, leading both Police Commissioner John Nichols and the Task Force on Licensing Procedures, in consultation with the Corporation Counsel, to recommend that the mayor revoke the license used by the Adult City for its peepshow machines.⁹¹

The decision to revoke the Adult City's license and sign the City Council's new obscenity ordinance into law on the same day was a calculated and deliberate move by the mayor into the debate over pornography that had engulfed Detroit. As Mayor Gribbs said when announcing the Adult City's license revocation, "This is only the first of many such actions to be taken whenever and wherever necessary to halt the proliferation of pornography in Detroit."⁹² There was some sense that, after nearly two years of debate in the City Council—debate which had picked up steam in recent months—Gribbs was a late-comer to the anti-porn party, merely hopping on to the cause once it had become politically expedient to do so. This was implicit in how the *Detroit News* covered the mayor's announcement regarding the Adult City, with the paper writing, "With the action, Gribbs joins a crusade against pornography begun two months ago by the City Council."⁹³ Meanwhile, the *Free Press* wrote that the attorney for the Adult City "believes Gribbs took the action because of recent publicity about Common Council's action in passing a new city law aimed at adult bookstores."⁹⁴ Still, if he had perhaps shown up late, Gribbs had undoubtedly appeared in full force, making clear that going after the adult entertainment industry in Detroit would henceforth be a major priority for the mayor's office.

⁹¹ John F. Nichols to Roman S. Gribbs, February 11, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

⁹² "Mayor's Office Press Release," March 6, 1972.

⁹³ "Adult Bookstore Fights Revocation of License," *Detroit News*, March 7, 1972, sec. B, 2.

⁹⁴ "Peep Gallery Ordered Shut," *Detroit Free Press*, March 7, 1972, sec. B, 1.

As luck would have it, Gribbs was immediately given an opportunity to draw attention to his administration's anti-porn work when on March 19, less than two weeks after he publicly entered the anti-porn fray, the *Detroit News* announced it would ban all ads for X-rated movies. It did not take long for the mayor's office to draft a letter from Gribbs to the *News* in which he commended the paper's decision, saying it would be "applauded by all concerned citizens." He also used the letter to draw attention to the anti-porn work being done by his administration and specifically the Mayor's Task Force on Licensing Procedure, further saying, "I am earnestly and vigorously seeking to stem the tide of printed and visual smut."⁹⁵ Between Eberhard's ordinance becoming law, Gribbs' actions, and the move by the *Detroit News* to bar ads for X-rated movies, the anti-porn movement in Detroit was undoubtedly on the march in March of 1972.

Still, Mayor Gribbs, along with Eberhard and his fellow anti-porn advocates in the City Council, faced almost immediate setbacks. The mayor's move against the Adult City was the first to run into difficulties. On March 16, Judge John Feikens ordered the city not to interfere with the peepshow machines housed in the Adult City until he could come to a final ruling on the constitutionality of the obscenity restrictions in Detroit's licensing ordinance.⁹⁶ In the end this would prove irrelevant though, as the city's Department of Buildings and Safety Engineering proceeded to grant the Adult City a license renewal, seemingly unaware that the mayor had ordered those same licenses revoked two weeks prior. The *News* reported that "City officials were more than a little embarrassed at the 'clerical error,'" with the commissioner of the department, Creighton Lederer, admitting, "We goofed."⁹⁷

⁹⁵ Roman S. Gribbs to *Detroit News*, March 27, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

⁹⁶ "Peep Show Ban Delay Ordered," *Detroit News*, March 17, 1972, sec. B, 19.

⁹⁷ David L. Good, "Peep Permit OK'd; Gribbs Tried to Kill It," *Detroit News*, March 23, 1972, sec. C, 1.

Other mistakes would soon follow. On March 22, Gribbs announced that he would refuse to approve the operating license for the Riviera Theater because its owner, Arthur Weisberg, had allegedly previously plead guilty to charges of conspiring to exhibit pornography.⁹⁸ Within a week, Gribbs was forced to go back on this announcement after lawyers for Weisberg pointed out that it was not Weisberg but rather RGW Enterprises Inc., a corporation Weisberg then belonged to, which had plead guilty to the charges. By contrast, the charges against Weisberg had been dismissed. Once again then, the move to use existing licensing laws to go after an adult business in Detroit had backfired for the mayor, leaving his administration's first entries into anti-porn politics looking haphazard and ill-conceived.⁹⁹

Still, the mayor's office pushed on, continuing to emphasize the use of licensing law as its preferred mechanism for controlling pornography in Detroit. In late March, the mayor, with the aid of his Task Force on Licensing Procedures, unveiled a tentative proposal for new licensing procedures for all bookstores, cabarets, dance halls, and bars, among other types of businesses. The plan made two major substantive changes to city law, the first being that bookstores would now be required to get licensed to operate, which had not been the case up until this point (it was for this reason that the mayor went after the peepshow machines in the Adult City, rather than the non-existent license for the bookstore itself). The second major change was that both new and existing adult businesses would have to receive approval from a majority of neighborhood residents to be able to operate. The notion was to put power back in

⁹⁸ Roman S. Gribbs to J.G.A. Enterprises, Inc., March 22, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library; "Gribbs Refuses License to West Side Theater," *Detroit News*, March 24, 1972, sec. C, 8.

⁹⁹ "Theater License Ban an Error, Says City," *Detroit News*, March 30, 1972, sec. B, 2.

the hands of citizens, who would now get to decide which adult businesses could and could not operate in their communities.¹⁰⁰

Ravitz and Levin immediately came out against the plan. Ravitz particularly lambasted the fact that the proposal would apply to all bookstores, regardless of the type of literature they sold. Crafting the proposal in this way allowed the mayor to sidestep questions of how one legally distinguishes between regular bookstores and their adult counterparts, but it also meant burdensome new regulations for non-adult bookstores in the city. While expressing his opposition to the plan, Ravitz also reiterated his disapproval of pornography, saying “I’m as much opposed to pornography as anyone else but I just don’t know that you can do anything legally at all about bookstores.” Levin, meanwhile, attacked the aspect of the plan requiring that businesses get consent from their neighbors, saying, “You can’t require that someone receive the permission of his neighbors to talk or write. It’s clearly unconstitutional.”¹⁰¹

Ravitz and Levin’s vocal opposition to the proposal also spoke to the growing tensions between the City Council and Mayor Gribbs at this time. During the previous administration, the City Council had frequently done battle with Mayor Cavanagh on a host of issues, and relations between the mayor and City Council were often fraught. With Gribbs and a new City Council coming in, the hope was that things would be different in the coming term. The early results had been promising, and in January of 1970, just weeks after the mayor and City Council took their oaths of office, the *Free Press* published an anonymous letter satirizing their friendly relationship, with Gribbs’s visit to the City Council chambers met with a return visit to the

¹⁰⁰ John Woolley, “License Plan Aims at Smut in Stores,” *Detroit Free Press*, March 22, 1972, 11; David L. Good, “City Anti-Smut Plan Assailed,” *Detroit News*, March 22, 1972, sec. B: Metro-Detroit, 1.

¹⁰¹ Good, “City Anti-Smut Plan Assailed,” 1.

mayor's office by the City Council, only for the City Council to be "out-niced" when the mayor gave the men coffee.¹⁰²

By March of 1972 though, the relationship between Mayor Gribbs and the City Council had frayed considerably. At that time, the main source of rancor was over the implementation of some commercial strip redevelopment proposals that the City Council had previously passed, but which had been held up by the mayor's office. The City Council grew increasingly frustrated with the mayor as a result, showing their disapproval by refusing the formality of approving one report from the mayor and even threatening to hold up the payroll of the city's legal staff unless Gribbs approved the projects. On March 29, the *Detroit News* said of the fight, "The 'honeymoon' may not quite be over, but Detroit's city councilmen are having their first major spat with Mayor Gribbs."¹⁰³ Underlying much of this growing tension was the fact that the next city elections were set to be held in 1973, with many of the members of the City Council eyeing a possible run for mayor. It was within this context that Ravitz and Levin spoke out against the mayor's proposed anti-porn ordinances, with Levin calling the proposals "a curious transference of power to the mayor's office."¹⁰⁴

The rash of anti-porn activity in Detroit in March of 1972 encapsulated the variety of different approaches under consideration for how to regulate adult entertainment. Mayor Gribbs was pushing the use of licensing law by both relying on existing laws and proposing new ones. This approach had the benefit of granting greater regulatory control both to the city government

¹⁰² "The Honeymoon Escalates," *Detroit Free Press*, January 20, 1970.

¹⁰³ David L. Good, "Gribbs Delay on Commercial Strip Angers Council," *Detroit News*, March 29, 1972, sec. B Metro-Detroit, 1.

¹⁰⁴ Good, "City Anti-Smut Plan Assailed," 1.

as well as to neighborhood residents under the proposed new plan. The downsides were the potential legal complications of giving residents this type of power as well as the challenge of how to, or whether to, distinguish adult bookstores from regular ones. Councilman Eberhard, on the other hand, was driving forward with various obscenity-based plans which would allow the city to immediately shutter many if not most adult businesses. All this though was dependent on whether Eberhard's obscenity ordinances could actually survive legal challenges, which seemed unlikely to most observers. Finally, Councilman Ravitz's proposal was to add adult businesses to the city's already established anti-skid row zoning ordinance so as to disperse adult businesses. The plan would be unable to close existing adult businesses, only prevent new ones from opening, which, along with Ravitz's track record of "no" votes on Eberhard's proposed obscenity ordinances, led many to view it as too lenient of a strategy. In the months ahead, these three approaches would continue to compete with one another to see which would take hold as the city's main method for regulating pornography.

Eberhard's obscenity-based approach was quickly put to the test. Just weeks after new obscenity ordinances were passed at his behest in late February, and subsequently signed into law by the mayor in early March, the new law was challenged in the courts by Royal News Co., an Ohio-based distributor of adult material. Representing them was famed civil rights attorney Ernest Goodman, who had also served as lead counsel on Royal News' previous legal tussles with the city of Detroit. The suit contended that the city's new obscenity ordinance targeted at adult bookstores violated the First and Fourteenth Amendments, was overly vague, and denied

equal protection under law in its singling out of only adult-oriented bookstores for further regulation.¹⁰⁵

In June of 1972, just over three months after the lawsuit was first filed, Judge Philip Pratt ruled against the city, calling the new ordinance “constitutionally defective” and “obviously overbroad and vague.” As was so often the case regarding the legality of censorship laws, the judge singled out the way in which speech worth protecting would be harmed by this ordinance, saying, “This unqualified language would erase from human knowledge such disparate founts as photographs of carvings in some pyramids and textbooks on zoology and animal husbandry.” The ruling was hardly a surprise given the serious reservations nearly all parties had about the ordinance’s constitutionality prior to its passing in the City Council. After the ruling was announced, Assistant Corporation Counsel Thomas Gallagher said of the judge’s decision, “Even though I drafted the ordinance and defended it as fully as possible in federal court, I must admit that I tried to talk the Council out of adopting it this spring and I’m not surprised that Judge Pratt ruled against it.”¹⁰⁶ Undoubtedly we had come a long way from less than a year prior when Gallagher had confidently bragged to the press that he could write a new legally-viable obscenity ordinance on the spot.

Needless to say, Councilman Eberhard was less than pleased with the judge’s ruling. He called the decision “a typical example of what the courts are doing; we’re having government by the courts, not by referenda or by elected officials.”¹⁰⁷ A day later, and directly in response to the

¹⁰⁵ “Court Suit Fights City’s Law on Smut,” *Detroit News*, March 13, 1972, 11; “Smut Law Contested in Court,” *Detroit Free Press*, March 14, 1972, 3; David L. Good, “Smut Business Booms, But Dealers Feel Heat,” *Detroit News*, March 24, 1972, sec. C, 8.

¹⁰⁶ Douglas Glazier and Jeffrey Hadden, “Obscenity Ruling Appeal Unlikely,” *Detroit News*, June 21, 1972, sec. C, 16; Jonathan Miller, “Court Rejects City Ordinance Against Smut,” *Detroit Free Press*, June 21, 1972, 3.

¹⁰⁷ Miller, “Court Rejects City Ordinance Against Smut,” 3.

judge's decision, Eberhard unexpectedly announced that he would be running for mayor in the next year's election, making him one of the first major candidates to enter the race. His announcement was a clear indication not only of Eberhard's political aspirations, but just as importantly the way in which he viewed pornography as central to his politics, with the judge's decision seemingly spurring him to announce his candidacy with the election still over a year away.¹⁰⁸ Still, in the short term, in light of the judge's ruling, Eberhard indicated a willingness to take another look at the other proposed methods of regulating pornography, saying "We'll just have to take another tack. We'll try dealing with the problem from the angle of licensing and zoning if we can't do it the other way."¹⁰⁹

Meanwhile, the Gribbs administration continued to push forward with the use of licensing to regulate adult entertainment. Undeterred by his bungling of the licensing revocations of the Adult City bookstore and the Riviera Theater, Gribbs continued to use existing licensing law to harass and crack down on adult businesses. On March 30, the Department of Building and Safety Engineering, under the leadership of Creighton Lederer, began to require further "Administrative Review" for all permit applications in which the building housed any type of business which might be adult-oriented, including movie theaters, bookstores, and modeling studios.¹¹⁰ This allowed the city to deny a building permit to American Mini Theatres, which had planned to open an adult theater in northwest Detroit.¹¹¹ American Mini Theatres then sued the

¹⁰⁸ "Eberhard Says He'll Run for Mayor," *Detroit Free Press*, June 22, 1972, 10.

¹⁰⁹ Miller, "Court Rejects City Ordinance Against Smut," 3.

¹¹⁰ "Complaint," *Lido Cinema Corporation vs. Roman Gribbs*, No. 38356 (United States District Court for the Eastern District of Michigan Southern Division), May 24, 1972, exhibit F, Mel Ravitz papers, Box 41, Folder 6, Walter P. Reuther Library, Wayne State University.

¹¹¹ "Complaint," *Lido Cinema Corporation vs. Roman Gribbs*, 11-13.

city, and on May 17, Circuit Court Judge Joseph A. Moynihan ordered that Lederer and the Department of Building issue the permit for the theater.¹¹²

One day earlier though, the City Council passed an ordinance granting a 90-day suspension on the issuance of licenses and permits for all adult bookstores, nude modeling studios, and movie theaters. The bill passed five to three, with Ravitz, Levin, and Van Antwerp again making up the nay votes. Critics accused the ordinance of being unconstitutional while also noting that it applied to all new movie theaters and not just adult ones.¹¹³ This latter issue quickly led to an embarrassment when, just a few days later, a group hoping to bring children's movies and cartoons to the old Kramer Theater on the city's west side was denied a license due to the moratorium.¹¹⁴

With this suspension in place, the city upped its use of licensing to curtail the spread of adult businesses. The mayor soon denied a license to John Clark who was hoping to get a permit to operate the Adult Fare Theatre, quickly sparking a legal fight.¹¹⁵ In late May, Clark combined his complaint with that of American Mini Theatres and a few other adult business owners and together filed suit against the city over what they saw as the city's unlawful use of licensing restrictions to harass adult businesses. While the case was pending, American Mini Theatres wrote the mayor to inform him that, with renovations now complete, its new adult movie theater, the Playboy, would be opening its doors on August 2, 1972 without the still-pending license.¹¹⁶

¹¹² "Complaint," Lido Cinema Corporation vs. Roman Gribbs, exhibit I.

¹¹³ Julie Morris, "90-Day Ban Set on Smut Permits," *Detroit Free Press*, May 17, 1972, sec. C, 12; David L. Good, "New 'Adult' Licenses Halted," *Detroit News*, May 17, 1972, 7.

¹¹⁴ "Kiddie Shows Blocked," *Detroit Free Press*, May 20, 1972, 3.

¹¹⁵ "Complaint," Lido Cinema Corporation vs. Roman Gribbs, 11-12; Roman S. Gribbs to John Clark, June 10, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

¹¹⁶ Stuart Gorelick to Roman S. Gribbs, July 31, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

On the day of its opening, a city building inspector came to the theater and cited its owners for a defective furnace and having no certificate of occupancy. The theater's attorney fired back that the city had "continually placed stumbling blocks" in the way of the Playboy's opening.¹¹⁷ Within a week, the furnace was fixed and so the Playboy reopened despite still lacking an operating permit from the city.¹¹⁸ Perhaps emboldened by the move, weeks later John Clark announced that he too would open his Adult Fare Theatre without a license.¹¹⁹

While these efforts to prevent new adult businesses from opening via licensing law achieved some limited success, they were also met with significant resistance, pointing to the approach's overall inadequacy when it came to dealing with the broader problem. Moreover, it seemingly had done little to quell the growth of the adult entertainment industry in Detroit. Estimates in mid-1972 put the number of adult bookstores and movie theaters in the city anywhere from fifty to around seventy-five, many of them having opened that very year.¹²⁰ Meanwhile, the number of topless bars in the city continued to grow, particularly following the July 1972 Michigan Court of Appeals ruling overturning the 1969 conviction of Tyra Lea LaRue for indecent exposure. Undoubtedly then, as summer came to a close, and despite the many ordinances passed by the City Council and the denial of licenses by the mayor's office, pornography and adult entertainment was continuing to flourish in Detroit. Just at that moment though, the mayor and his chosen task force were getting ready to take action.

¹¹⁷ "Harassment Charged by 'X' Theater," *Detroit News*, August 4, 1972, 4.

¹¹⁸ "X-Rated Theater Back in Business," *Detroit News*, August 9, 1972, sec. B, 12.

¹¹⁹ Stephen M. Taylor to Roman S. Gribbs, August 17, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

¹²⁰ "Smut Shop Controls Urged," *Detroit News*, June 23, 1972, sec. B, 21; Tom Rieke, "Porno Shops Profit from Hang-Ups," *Detroit Free Press*, August 21, 1972, 12.

From Redford to the Detroit Model

On October 2, 1972, Mayor Roman S. Gribbs sent to the City Council the final version of the proposals recommended by his Task Force on Licensing Procedures. The press release sent out by the mayor demonstrated the way in which new currents in anti-porn politics had impacted the formation of the proposed ordinance. The statement began by saying, “Our purpose is not in acting as a censor, but acting in response to the needs and requests of the citizens of Detroit.” Immediately denying that the ordinances in any way amounted to censorship—which seemingly had become a four-letter word by this point—the mayor instead emphasized the grassroots neighborhood-based support for the plan, saying, “Our neighborhoods need protection from businesses our citizens feel are undesirable.” Marshalling this grassroots support, the mayor called on citizens to attend the public hearings for the ordinances on October 17 before the City Plan Commission and on October 20 before the City Council.¹²¹

In using language that emphasized grassroots opposition to adult businesses, the mayor was drawing on the anti-porn activism taking place in residential neighborhoods across the city at that very moment. Beyond the campaign of Redford against the Adult World Bookstore discussed in chapter four, a similar effort had begun against the Frisco Theatre at Woodward and Eight Mile in northern Detroit. There, homeowners protested outside the adult movie theater for weeks, using rhetoric largely similar to that used in Redford, including one resident saying that the Frisco had “invaded” the neighborhood. Evoking white racial politics of the era, that same resident also said of he and his fellow protesters, “We’re all family people – normal silent

¹²¹ “Mayor’s Office Press Release,” October 2, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

majority people.”¹²² Meanwhile, countless letters were simultaneously streaming into the mayor and City Council’s offices demanding action.

The groundswell of grassroots support for new anti-porn legislation was further evidenced by the two public hearings held on the issue that month. At the first of these, held on October 17 before the City Plan Commission, Gribbs himself appeared, telling those present, “The constitution of our country guarantees freedom of speech, but it does not guarantee that such freedom be allowed to hinder the rights of others and that it have the effect of severely crippling the morale and vitality of our neighborhoods.” Much like the grassroots protesters then flooding his offices with letters, Gribbs here sought to elide questions of free speech by instead emphasizing the rights of residents and homeowners along with the impact of adult businesses on neighborhoods. All but two of the roughly seventy-five persons attending the public hearing favored the adoption of the new ordinances, with many of these supporters hailing from community groups and homeowners’ associations. Meanwhile, the two lone naysayers were against the proposals only because they thought they did not go far enough in getting rid of pornography in the city.¹²³

The second public hearing on the matter was held October 20 before the City Council. This meeting attracted around 180 people, nearly all of whom supported the new proposals. A boost to these attendance numbers came from the chartered bus of 48 people that originated from the 16th Precinct Police Station, which was located in northwest Detroit just a few blocks from the Adult World Bookstore and across the street from Redford High School. A *Detroit Free Press* reporter rode with them to the meeting, with the reporter downplaying the notion that these

¹²² David L. Good, “Residents Give Up Fight Against Adult Theater,” *Detroit News*, October 10, 1972, 3.

¹²³ Julie Morris, “All at City Hearing Want Anti-Smut Law,” *Detroit Free Press*, October 18, 1972, sec. C, 10; Ronald L. Russell, “Planning Unit OK’s Gribbs’ Anti-Smut Rule,” *Detroit News*, October 18, 1972, sec. B, 1.

anti-porn activists were driven by religion and moralizing, saying that there was more “small talk than sermonizing” on the bus ride, and that the riders were “far from a bluestocking brigade.”¹²⁴

Among those bus riders was Beverly Drylie, who had written letters to both Ravitz and Gribbs protesting the Adult World. Talking to the *Free Press*, Drylie highlighted that her disapproval of adult entertainment was based solely on its entrance into residential areas, saying, “I wouldn’t object to having such places in a business-type district. I know there’s a certain demand for it.” She also emphasized the concerns surrounding the flight of people from the city, saying, “People are using this as one more argument to say the city’s done for... I’d hate to go to the suburbs. I love the city. It has all kinds of people, and that’s what I like.” Similarly, Myron Gelt, who had written letters protesting the Adult World as owner of Gigi Floral Fashions located just next door to the bookstore, drew cheers from those assembled when he told the City Council, “If you’re not gonna do something about it, stop calling meetings, because we’ve got more important things to do – like looking for homes in the suburbs.”¹²⁵

The lone dissenting voice at the hearing was Sheridan Holzman of the American Civil Liberties Union, who spoke directly to the proposed use of zoning, saying, “An adult bookstore is not the same as a bar, a pawnshop or the like. It is protected by the sanctity of the First Amendment to the Constitution.” Holzman also drew on familiar rhetoric in noting that the ordinance might jeopardize the showing of “prize-winning movies of obvious merit, like *The Graduate*, *Ryan’s Daughter* and *Clockwork Orange*.” This classic strategy of emphasizing the harm that censorship would do to prestigious art-house cinema, while ignoring the censoring of less high-minded material, nevertheless fell on deaf ears here, with Councilman Philip Van

¹²⁴ Maryanne Conheim, “Council Hears Foes of Pornography,” *Detroit Free Press*, October 21, 1972, 3.

¹²⁵ Conheim, 3.

Antwerp drawing laughter and applause when he replied to Holzman, “Who gave them prizes? Some bunch of New York City screwballs?”¹²⁶

On October 24, every member of the City Council voted in favor of the set of anti-porn ordinances recommended by the Mayor’s Task Force on Licensing Procedures, making it the first time that an anti-porn proposal passed this City Council unanimously. In their statements to the press, the two city officials who were most closely associated with the ordinance were Ravitz and Gribbs, and each used rhetoric drawn from contemporaneous grassroots anti-porn campaigns. Upon helping pass the ordinance, Ravitz expressed confidence that it would hold up better than previous bills struck down in the courts, saying, “I think this time the ordinances will pass (a court test) because we’re taking the view that these establishments have a blighting effect on neighborhoods by downgrading and depreciating property values.”¹²⁷

Press coverage surrounding the ordinance similarly emphasized the rights of homeowners and the economic impact of adult businesses rather than questions of morality or free speech. A *Detroit News* editorial on the new law said, “Basically, the ordinances do not pass moral judgment on adult book stores, nude modeling studios and the like.” For this reason, the editorial predicted the law would have an easier time in the courts than “past laws dealing with moral definitions.”¹²⁸ Such language indicated the success of the ordinance’s architects in crafting a law that could, at least rhetorically, elide these debates over morality.

On October 26, Gribbs signed the ordinances into law. Present at the bill signing were Mrs. Betty Hedeem, president of the Redford Community Council, and Mrs. Virginia Fuller,

¹²⁶ Conheim, 3; Ronald L. Russell, “Detroit Council to Vote Tuesday on Smut Curbs,” *Detroit News*, October 21, 1972, 14.

¹²⁷ Gloria Snead, “Council OK’s Smut Store Rules,” *Detroit News*, October 25, 1972, sec. B, 1.

¹²⁸ “A Try at Pornography Control,” *Detroit News*, November 11, 1972, 4.

representing the Redford Parents Club, both given personal invitations by the mayor. Each subsequently received a letter from Gribbs, complete with an autographed photo from the bill signing, with Gribbs expressing his gratitude for their help in “gaining passage of these vitally needed laws.” The letter went on to say, “I look forward to having your support as we continue our efforts to eliminate the blight of indecency from Detroit.”¹²⁹ As indicated by these words, if the morality-based arguments of old never fully disappeared, living on in Gribbs’s invocation of “indecency,” this rhetoric had become inextricably linked with a new anti-porn discourse emphasizing issues of blight and urban decay.

The Impact and Influence of the Detroit Model

The ordinances passed by the City Council and signed into law by the mayor were a mixture of zoning and licensing-based solutions to the rise of adult entertainment in the city. The measure that was seen as the most noteworthy at that time was a version of the provision that the Mayor’s Task Force on Licensing Procedures had recommended earlier that year requiring that new adult bookstores, adult theaters, and topless bars hoping to open in the city first receive approval from at least 51 percent of residents and business owners within 500-feet. This was seen as granting greater control to neighborhoods who could now exercise veto power over adult businesses trying to open in their communities. As Gribbs emphasized in his public statements, the ordinances were aimed at “truly giving power back to the people. We are giving the citizens the ability to oversee their neighborhoods and to decide what kinds of businesses they find desirable.”¹³⁰

¹²⁹ Roman S. Gribbs to Mrs. Betty Hedeem, November 1, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library; Roman S. Gribbs to Mrs. Virginia Fuller, November 1, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

¹³⁰ “Statement - Mayor Roman S. Gribbs, Morality and Media,” October 26, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

Garnering far less attention were some other measures tucked into the bill, including the fingerprinting and identification requirements placed on exotic dancers discussed in chapter three. The ordinances also adopted Ravitz's suggestion of placing adult businesses under the "regulated uses" clause of zoning, something that had not been part of the plan first suggested by the Mayor's Task Force on Licensing Procedures back in March. This ordinance required that there be no more than one "regulated uses" establishment—including not only previous regulated businesses like bars and pawnshops but also now adult businesses—within 1,000-feet of another. Despite eventually proving to be the most influential component of the ordinances, at the time this was perhaps the least-heralded part of the law, not even garnering a single mention in any of the news articles covering the passage of the ordinances nor in the mayor's statements.¹³¹

The ordinance had its limitations, most notably being that it offered little way for the city to close existing adult businesses, instead focusing on preventing new ones from opening. Eberhard bemoaned this, saying, "This is an essential weakness of these laws, so really we're only giving a partial answer to the problem."¹³² In mid-November, Assistant Corporation Counsel Maureen P. Reilly, who would soon become one of the law's principal defenders in court, wrote a letter to the City Council to tell them that the offices of the Corporation Counsel were currently drafting legislation to crack down on existing adult businesses.¹³³ Meanwhile, the police were also taking action on the matter by trying to build cases against already-operating adult businesses. This often amounted to harassment according to those in the industry.¹³⁴ They

¹³¹ Don Lenhausen, "City Tightens Anti-Smut Laws," *Detroit Free Press*, October 25, 1972, 3, 8; Snead, "Council OK's Smut Store Rules," 1; "Statement - Mayor Roman S. Gribbs, Morality and Media."

¹³² Snead, "Council OK's Smut Store Rules," 1.

¹³³ Maureen P. Reilly to Common Council, November 17, 1972, Mel Ravitz papers, Box 41, Folder 7, Walter P. Reuther Library, Wayne State University.

¹³⁴ Louis Heldman, "Pornography Trade Thrives in Detroit," *Detroit Free Press*, February 11, 1973, 6.

were not the only ones who called it this though, with one Highland Park police officer saying of their efforts to crack down on nude modeling studios, “Quite frankly, we harass the hell out of them.”¹³⁵

In February of 1973, the *Detroit Free Press* surveyed the landscape of pornography in Detroit in a two-part series by staff writer Louis Heldman. The articles gave another forum for the advocates and foes of the ordinances to square off in debate. In the second of the two articles, Rick Lawson, who had helped shape the city’s anti-porn platform through his role as safety engineering supervisor for the Department of Buildings and Safety Engineering, emphasized that the ordinances were born out of the notion that adult businesses have a “blighting influence on nearby businesses and residential neighborhoods.” He further claimed that homeowners’ groups had threatened the city with lawsuits due to their claims that adult businesses had lowered property values in their neighborhoods.¹³⁶

Stephen Taylor, attorney for a number of the area’s adult businesses, refuted Lawson’s claims in the article, saying, “I think that rationale is ridiculous. There’s been absolutely no evidence introduced by anyone that an adult-type bookstore or theater has any effect on the property values or business in the surrounding area.” He went on to tell the *Free Press*, “I find it interesting to note that what people are saying now in regard to property values and adult-type bookstores and theaters is very similar to what they were saying when blacks began moving into an area, and just as untrue. They used the excuse to hide basic racism in the first case and they’re using the excuse again to hide their basic, unfounded prejudice.” Taylor’s argument here neatly mirrors my own regarding the way in which the rhetoric used against pornography during this

¹³⁵ Michael Wendland and James Graham, “5 Detroit Area Art Studios Offer Sex for Sale,” *Detroit News*, December 10, 1972, 20.

¹³⁶ Louis Heldman, “Ban Helps Smut Peddlers Thrive,” *Detroit Free Press*, February 12, 1973, 3.

era drew heavily on white racial politics. In fact, to my knowledge it stands as the sole occasion (until this dissertation) that someone pointed out the similarities between the rhetoric used in battles over both racial integration and pornography during this era. Seemingly no one else wanted to make this connection at the time, nor engage with the implications of Taylor's argument, and his charge went unanswered in the article.¹³⁷

This *Free Press* series also examined the state of the adult entertainment industry in Detroit, with Heldman reporting, "The pornography trade has never been healthier in Detroit." In part this was because of an unintended consequence of the city's three-month-old anti-porn ordinances. As Heldman explained, "The new ordinances actually benefit bookstores and theaters that opened before November because there are no new sources of competition."¹³⁸ In other words, by preventing new adult businesses from opening, those already in operation stood to benefit. Crucial too though was the way in which *Deep Throat* (1972) had helped spur the growth of the industry, with the film having "given the whole adult picture business a shot in the arm." In particular, *Deep Throat* was credited with bringing in new types of audiences, with Stuart Gorelick, operator of three adult theaters in Detroit, saying, "We're getting a tremendous amount of white collar workers coming in to see it – a Birmingham—Grosse Pointe type of crowd. This picture has opened the door to a certain respectability (for people) going to an X-rated theater."¹³⁹ At that time, *Deep Throat* was busy setting records for an adult film in the United States, becoming one of the highest-grossing movies of the year, while inaugurating the "porno chic" era. Across the country, the film's success was often attributed to its ability to attract young couples, with their patronage seen as an emblem of newfound respectability for the

¹³⁷ Heldman, 8.

¹³⁸ Heldman, 3.

¹³⁹ Heldman, "Pornography Trade Thrives in Detroit," 3, 6.

adult film industry. Reflecting the way in which race and the relationship between city and suburb tended to dominate discussion in Detroit though, rather than focusing on couples and the presence of (accompanied) women at *Deep Throat*, Gorelick's statement instead emphasized the patronage of middle class suburban whites as bringing with them a degree of respectability.

In April of 1973, the Detroit Police Department's Obscenity Detail unit submitted a memorandum to Assistant Corporation Counsel Maureen Reilly listing every adult movie theater, adult bookstore, and nude photo studio in the city. This memo eventually found its way into court documents, and provides an ideal snapshot for mapping the landscape of pornography in Detroit in early 1973, months after its slate of anti-porn ordinances had passed. At that time, the police estimated that there were thirty-five adult bookstores in Detroit, twenty-five adult movie theaters, and seven nude modeling studios.¹⁴⁰ Notably though, the memo did not list topless bars, despite the fact that they were among those businesses regulated by the new zoning law. This no doubt was reflective of the fact that topless bars were often seen as operating in a separate category from adult theaters and bookstores in the mind of the public, if not necessarily in the legal realm.

¹⁴⁰ "Appendix," *Young v. American Mini Theatres*, No. 75-312 (United States Supreme Court), June 24, 1976, exhibit 2.

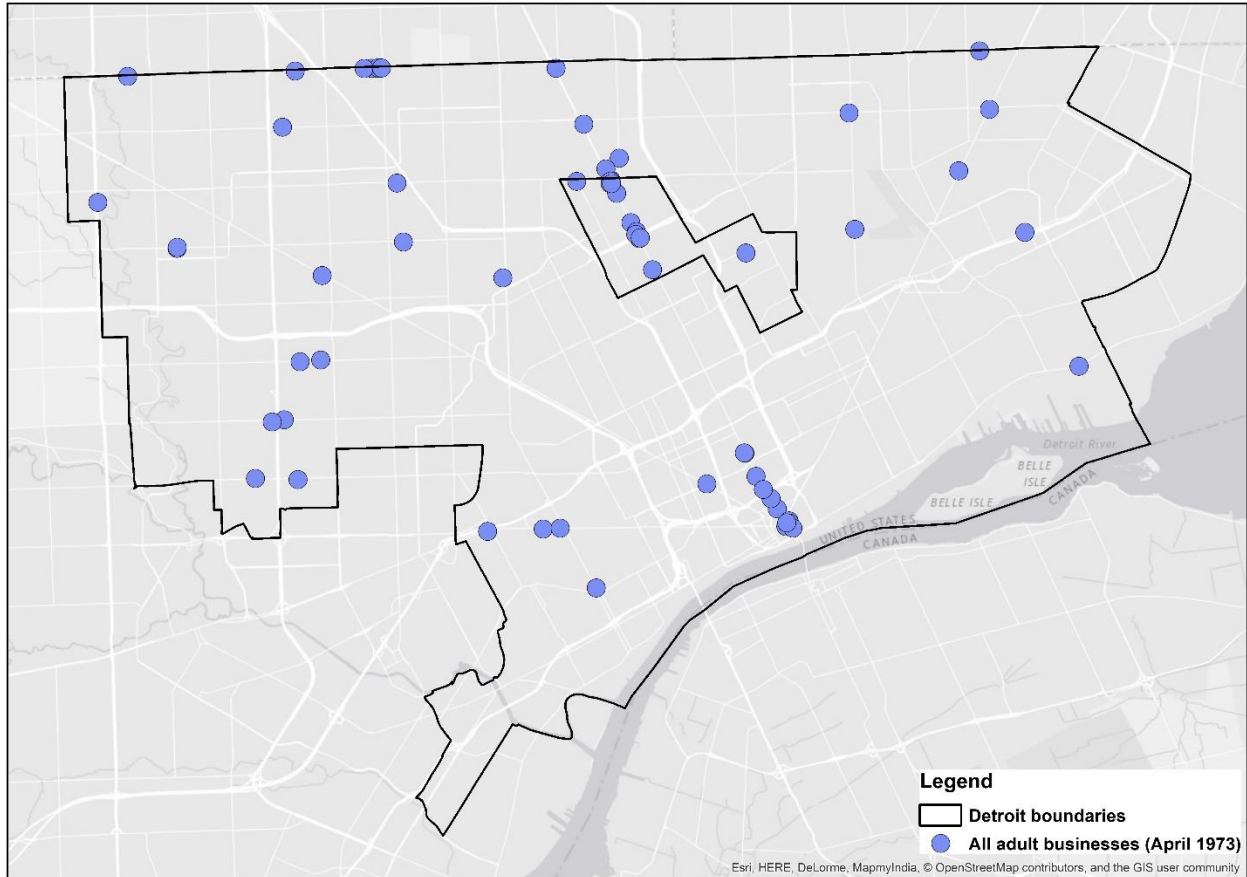


Figure 29. Map of adult businesses in Detroit in April of 1973.

Looking at the map of adult businesses in Detroit at this time, it is clear that there was a congregating of pornographic outlets in three key areas of the city (see figure 29).

Unsurprisingly, downtown was a hub of pornography, boasting a total of eight adult businesses in early 1973, many of them being older movie theaters that had recently converted to showing adult material. The Woodward corridor, sometimes called “porno row,” also saw a flourishing of adult entertainment, particularly in Highland Park, which had, by the time, developed a reputation as a haven of pornography. Most of the adult businesses in Highland Park congregated either around its center, where Davison Freeway intersected with Woodward, or else at the northern end of Highland Park at the cross section of Woodward and McNichols. Each of these locations could provide easy automobile access to both the suburbs and other parts of the city.

Finally, a number of adult businesses also congregated along the Detroit side of West Eight Mile, the northern edge of the city. One area near the intersection of Eight Mile and Schaefer was particularly a hub for adult entertainment, boasting six adult businesses, eventually coming to be known as the city's "sex strip." Once again, the location of these businesses would have given easy access to customers traveling from other locales, particularly those coming from suburbs to the north of the city. There were also adult businesses located in a number of residential neighborhoods in the city, many of which had opened over the course of 1972 in the months preceding the zoning law's adoption, as was the case with the Adult World Bookstore examined in chapter four. On the whole, this map of the landscape of adult entertainment in Detroit at this time lends credence to the notion that adult businesses were drawing a substantial portion of their customer base from the suburbs.

All in all, months after the much-heralded anti-porn ordinances had taken effect, there was little indication that the industry in Detroit was suffering. Of course, the nature of the ordinance was such that, as discussed above, in certain ways existing adult businesses stood to gain from the new law. In April, it was estimated that just two of the city's adult bookstores had closed down since the law's passing, a particularly low number given that adult businesses often only survived for a few months at a time.¹⁴¹ The real effect of the law then was felt in the way in which the industry was unable to continue to expand through the opening of new adult businesses. While it is impossible to determine exactly how many more adult businesses would have opened in this time had it not been for the law, given the rapid growth of the industry in

¹⁴¹ Don Lenhausen, "Irate Citizens Storm Council Protesting Porno Movies," *Detroit Free Press*, April 3, 1973, sec. D, 8.

previous years, undoubtedly it stands to reason that the number of adult businesses in Detroit would have expanded further had it not been for the city's new anti-porn legislation in late 1972.

Still, while little immediately changed in Detroit as a result of the series of anti-porn ordinances passed in October of 1972, the new approach to regulating pornography in Detroit drew the attention of certain key actors around the country. Anti-porn groups, for one, took immediate notice of the new law, in part because the mayor's office had been in contact with them for months as the ordinances were being crafted. Just days after Gribbs entered the anti-porn political fray in March of 1972, his office replied to a letter that had been sent over a month earlier by Morality in Media of Michigan, the local chapter of a major national anti-porn group. In his letter, Gribbs detailed the actions his administration would now be taking to try to stem the spreading tide of pornography in the city.¹⁴² He sent a similar letter later that month to Citizens Against Pornography and Smut, a local organization based in the suburb of Allen Park.¹⁴³ These letters served to connect the mayor's office with local activists, currying their favor by demonstrating the work being done by the city on this issue.

The Gribbs administration's contact with anti-porn activists though was not limited to local groups. On August 8, 1972, just over two months before the ordinances came up for a vote in the City Council, the mayor sent drafts of the proposals to Morality in Media of Western New York at the group's request. In the letter to them, the mayor also noted that the legislation had been sent to the legal staff at Citizens for Decent Literature, the most prominent anti-porn group at the national level during the era, further stating that "we expect to hear from them shortly with

¹⁴² Roman S. Gribbs to S.H. Murphy, March 9, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

¹⁴³ Roman S. Gribbs to Mrs. John E. McNeal II, March 23, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

their recommendations and evaluation.”¹⁴⁴ This was not the only way in which the city leaned on Citizens for Decent Literature, as in November an internal memo revealed that the Police Department was doing an anti-porn training program “in collaboration with the Cleveland Office of the Citizens for Decent Literature, which will be extremely helpful in preparing evidence for our civil nuisance actions.”¹⁴⁵

Meanwhile, as the city was reaching out to and getting help from anti-porn groups, it was also interfacing with other cities who were similarly struggling with how to regulate pornography. Around the time that they were debated, passed, and signed into law, copies of the licensing and zoning ordinances were sent out to numerous cities requesting them, including Michigan cities like Warren and River Rouge,¹⁴⁶ but also to Perry, Georgia and finally Portland, Oregon after a city official there saw a news story on the ordinances on a national television network.¹⁴⁷ No doubt numerous other cities also studied Detroit’s new anti-porn law at this time while leaving no archival paper trail.

The Legal Challenges

Still, any rush to copy Detroit’s ordinances would depend first on their legality being affirmed by the courts. Over the course of 1973, numerous legal challenges were filed against the

¹⁴⁴ Roman S. Gribbs to Morality in Media of Western New York, August 8, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

¹⁴⁵ Reilly to Common Council, November 17, 1972.

¹⁴⁶ David Eberhard to George L. Dimas, September 28, 1972, David Eberhard papers, Box 1, Folder 3, Burton Historical Collection, Detroit Public Library; David Eberhard to George L. Dimas, October 4, 1972, David Eberhard papers, Box 1, Folder 3, Burton Historical Collection, Detroit Public Library; David Eberhard to George L. Dimas, November 13, 1972, David Eberhard papers, Box 1, Folder 3, Burton Historical Collection, Detroit Public Library; David Eberhard to John McEwan, November 13, 1972, David Eberhard papers, Box 1, Folder 3, Burton Historical Collection, Detroit Public Library; Clyde Cox to David Eberhard, December 7, 1972, David Eberhard papers, Box 1, Folder 3, Burton Historical Collection, Detroit Public Library.

¹⁴⁷ “Untitled List of Incoming Phone Calls,” October 30, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library; Francis J. Ivancie to Roman S. Gribbs, November 30, 1972, Roman Gribbs papers, Box 333, Folder 6, Burton Historical Collection, Detroit Public Library.

law. The first of these was from American Mini Theatres and Pussy Cat Theatres of Michigan, which had hoped to open a new adult movie theater in northwest Detroit before the ordinance went into effect. The two firms acquired the necessary building permit in May of 1972 to convert a gas station into a movie theater, and in the months ahead went about making the necessary alterations. Come October, the renovations were not yet done, but with the city getting set to adopt new anti-porn ordinances, the theater's owners applied to the Department of Buildings and Safety Engineering for a license to operate the theater. They were denied at that time after the Health Department refused to give its approval with the renovations still unfinished. By the time that all city departments had signed off on the theater in late December, the new anti-porn ordinance was in effect requiring the theater to get approval from at least 51 percent of residents within a 500-foot radius. The Pussy Cat Theater opened soon after without the necessary signatures, quickly resulting in a court fight.¹⁴⁸

The case landed in Circuit Court, with the plaintiffs arguing that they had a "vested interest" in their theater prior to the law's enactment and thus should be exempt from the new law's requirements. On May 16, 1973, Judge Thomas Roumell issued his decision, ruling in favor of the city. His decision was purposefully limited in scope, finding only that the theater did not have a vested interest prior to the law given that they had not yet acquired all the necessary permits. As to the law itself, the judge wrote that "[t]he reasonableness or propriety of the new ordinance... is not in issue."¹⁴⁹ Despite the narrowness of the decision, it was nevertheless seen as an important first victory for the city and its mayor. Gibbs had his aides write a letter on his

¹⁴⁸ American Mini Theatres vs. Detroit, No. 72 225-448 AW (Circuit Court for the County of Wayne May 16, 1973); "Detroit," *Boxoffice*, February 5, 1973, sec. ME, 2.

¹⁴⁹ American Mini Theatres vs. Detroit at 8.

behalf thanking Rick Lawson, a member of the Department of Buildings and Safety Engineering, and Maureen Reilly, who had argued the case as an attorney in the city's Corporation Counsel.¹⁵⁰

Reilly was given little time to rest on her laurels though, as one week after Judge Roumell's decision, she had to appear before Judge Lawrence Silverman of the Detroit Recorder's Court to give oral arguments on another case against the ordinances. This one was brought by the owners of the Nortown Theater in northeast Detroit, which had been ticketed by the city after it began showing adult movies in March of 1973 without first gaining the approval of 51 percent of nearby residents. This lawsuit focused squarely on the constitutionality of the law itself, with the theater's attorney, Stephen Taylor, arguing that the ordinance violated the First Amendment's guarantee of freedom of speech and the Fourteenth Amendment's equal protection clause. Judge Silverman rejected this argument, siding in favor of the city on all counts. As he wrote:

A 'skid row' condition in any one area can be caused by a numerical existence of several 'adult' establishments or uses... To protect property values of surrounding businesses and residences and to maintain the public's confidence in the stability of neighborhoods is a sufficiently important, compelling, and substantial interest of government to justify regulations of First Amendment freedoms.¹⁵¹

This line of reasoning drew directly on the rhetoric used by those who had crafted the law and the attorneys now defending it regarding the economic impact of adult businesses on surrounding areas and the need to guard against neighborhood decay. Unsurprisingly, the ruling was

¹⁵⁰ Roman S. Gibbs to Maureen P. Reilly, May 30, 1973, Roman Gibbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library; Roman S. Gibbs to Richard E. Lawson, May 30, 1973, Roman Gibbs papers, Box 457, Folder 4, Burton Historical Collection, Detroit Public Library.

¹⁵¹ Stephen Cain, "U.S. Courts to Test Detroit's Smut Ban," *Detroit Free Press*, June 16, 1973, 5.

celebrated by Gribbs, who publicly said, “I am delighted by this decision because the ordinances have proved most effective in controlling the spread of so-called adult theaters in Detroit.”¹⁵²

The Nortown and its attorney, Stephen Taylor, pressed on though, indicating that they would separately go to trial in August over the specific ticket issued by the city against the theater. Meanwhile, Taylor and Nortown also took their fight to federal court, and just a week after Judge Silverman’s ruling they were appearing before Judge Lawrence Gubow. Said Taylor, “[T]he Federal Court has a duty to proceed. We intend to stay open, and we will take our appeals all the way (to the Supreme Court) if necessary.”¹⁵³ As it turned out, it would indeed prove necessary.

In the short-term though, the number of cases against the city’s anti-porn ordinances multiplied. At that time, a separate case brought by the adult-oriented Variety Book Store was also on the docket before Judge Gubow. Meanwhile, the owners of the Pussy Cat Theater continued their legal battle with the city even after Judge Roumell’s ruling, and in mid-June their challenge to the ordinance was set to appear before Judge Cornelia Kennedy. Finally, adult businesses in Southfield and East Detroit were also busy fighting ordinances patterned after Detroit’s that had been passed in those two suburbs, with the case pending at that time before Judge Robert E. DeMascio. All this legal action had also drawn the attention of the American Civil Liberties Union, which was lending aid in some of the cases against the city.¹⁵⁴

In the midst of this mass of legal maneuverings against the city’s ordinance, the United States Supreme Court intervened with a ruling that seemed to instantly reshape battles over pornography across the country. On June 21, 1973, the Court issued a decision in the case of

¹⁵² Louis Heldman, “City Wins 1st Smut Battle,” *Detroit Free Press*, June 12, 1973, sec. B, 5.

¹⁵³ Cain, “U.S. Courts to Test Detroit’s Smut Ban,” 5.

¹⁵⁴ Cain, 5.

Miller v. California which significantly broadened the scope of obscenity law. Replacing the old standard that obscene material must be “utterly without redeeming social value” was a new test asking “whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.” This effectively meant that adult media could no longer justify its legality based on a mere morsel of social value. Just as significantly, the decision replaced the previous test of obscenity which relied on national standards for a test based in “contemporary community standards,” leaving the door open for localities to set their own, more stringent, definitions of obscenity.¹⁵⁵

The decision was immediately seen as a landmark that would set off a nationwide crackdown on hard-core pornography, with Charles Keating, head of Citizens for Decent Literature, writing that the decision was a “green light to combat smut.”¹⁵⁶ Among anti-porn forces in Detroit, the belief was that the Court’s ruling had ushered in a new era, with the city once again able to use obscenity to target adult businesses. Upon hearing the news of the decision, Maureen Reilly, the city’s lead attorney on these matters, reportedly “literally screamed with delight,” later saying, “I feel like somebody gave me a present.” Meanwhile, Wayne County Prosecutor William L. Cahalan quickly said his office would reopen its obscenity division, while Oakland County Prosecutor L. Brooks Pattern called the court’s decision “a breath of fresh air.”¹⁵⁷

Needless to say, adult business owners were disappointed by the court’s decision and anxious over the anticipated wave of prosecutions in the city. Brothers Burton and Stuart Gorelick—the men behind American Mini Theatres—decided to immediately close their three

¹⁵⁵ *Miller v. California*, No. 70–73 (United States Supreme Court June 21, 1973).

¹⁵⁶ Charles Keating, “Green Light to Combat Smut,” *Reader’s Digest*, January 1974, 147–50.

¹⁵⁷ “Smut Ruling Worries Detroit Adult Theaters,” *Detroit News*, June 22, 1973, 15; Louis Heldman, “Sex Movies, Smut Shops Put on Spot,” *Detroit Free Press*, June 22, 1973, 3; “3 Porno Theaters Close Down in City,” *Detroit Free Press*, June 23, 1973, 3.

adult theaters, the Pussy Cat, Penthouse, and Lido. The Follies also closed after the decision was announced before tentatively re-opening its doors a few days later. Joseph Busik, owner of the Six Mile Theatre, said, “I’m dropping X-rated movies. I’m going to show PG’s and R’s. I stayed in it as long as it was legal. When it’s no longer legal, I’m getting out of it.” One local attorney, Bruce Randall, offered the pessimistic view when he said of the adult theaters and bookstores he represented, “There’s a good possibility that they will not be able to exist any longer in the sense we know them now.” Still, attorney Stephen Taylor urged patience and caution, saying, “No one knows what the law is in Michigan today... We don’t know what the courts are going to do, what the Legislature is going to do or what the police are going to do.”¹⁵⁸

Less than a week after the court’s decision was announced, it became clear what the Detroit Police Department was intending to do when they began visiting every one of the city’s 29 adult bookstores and 14 adult movie theaters, issuing warnings that would lay the groundwork for arrests.¹⁵⁹ At this point, it appeared that the city finally had the ability to shutter existing adult businesses. Attention thus turned away from the battles over the city’s licensing and zoning anti-porn ordinances, which were, after all, only half-measures that could not close existing adult businesses. Obscenity law had seemingly made a grand comeback, with pornography in Detroit and across the country on the ropes as a result.

The actual results of *Miller v. California* though ended up being somewhat less exciting than had been imagined by anti-porn advocates. Adult business owners in Detroit, unwilling to wait around to be arrested, sought and were granted a temporary restraining order preventing the

¹⁵⁸ “3 Porno Theaters Close Down in City,” 3; Paul M. Branzburg, “Police Set for Smut Arrests,” *Detroit Free Press*, June 27, 1973, 17; Heldman, “Sex Movies, Smut Shops Put on Spot,” 3.

¹⁵⁹ Branzburg, “Police Set for Smut Arrests,” 3.

city from raiding businesses or making arrests.¹⁶⁰ Meanwhile, the question that soon took center stage was whether the state's existing obscenity ordinances were still valid in light of the Supreme Court's ruling. Maureen Reilly advised the police to hold off on arrests while that question hung in the air, suggesting that the law should be rewritten.¹⁶¹ After Wayne County Prosecutor William L. Cahalan proceeded anyways by filing charges against ten theaters, a three-judge Recorder's Court panel ruled that the existing state law had to be rewritten, giving adult businesses a stay of execution.¹⁶²

As this legal wrangling was proceeding, adult entertainment in Detroit began to return to normal. The theaters that had closed after the ruling soon reopened, and before long pornography was as available as ever throughout the city. Said attorney Stephen Taylor in September, "At this point, the air is clearing somewhat. They (owners) now have the general idea the ruling is not as restrictive as they originally thought."¹⁶³ This was largely the case across the country, as while immediately after the *Miller* decision pornography's days were thought to be numbered, the reality turned out to be less decisive, and obscenity law continued to be a legal tangle throughout the United States. The Supreme Court even scaled back the breadth of the *Miller* ruling a year later in overturning the conviction of a Georgia man who had been found guilty of distributing obscene material for screening the film *Carnal Knowledge* (1971).¹⁶⁴ In 1977, a *New York University Law Review* article summed up popular opinion in saying that the court's decision in

¹⁶⁰ "Judge Delays Action on Adult Movies," *Detroit Free Press*, June 30, 1973, 3.

¹⁶¹ Paul M. Branzburg, "High Court Obscenity Ruling Puts Prosecution in Limbo," *Detroit Free Press*, July 1, 1973, 3, 7.

¹⁶² "Good Ruling on Censors," *Detroit Free Press*, September 14, 1973, 8.

¹⁶³ Betty DeRamus, "Pornography Curbs Are a Legal Jungle," *Detroit Free Press*, September 16, 1973, 12.

¹⁶⁴ See Whitney Strub, *Perversion for Profit: The Politics of Pornography and the Rise of the New Right* (New York: Columbia University Press, 2011), 171–72.

Miller v. California had in fact had “little effect on the day-to-day regulation of obscene materials.”¹⁶⁵

This made the court battles over Detroit’s anti-porn licensing and zoning ordinances all the more important. In October of 1973, the city won another skirmish in the battle over its anti-porn zoning law when Judge Lawrence Silverman ordered the maximum possible sentence—a \$500 fine and ninety days in jail—against the owner of the Nortown Theatre for operating an adult movie house without a city license. His opinion made clear that he would not be a friend to adult businesses in this or any other case, with the judge warning that the “panderers and purveyors of hard-core pornography” would be punished to the fullest extent of the law in his court. He further wrote, “Those who reap financial benefits should be punished for not only contributing to the destruction of a favorable environment in which to rear children, but for corrupting the community itself to the detriment of its citizens.”¹⁶⁶ The actual sentence was put on hold while the theater appealed the decision, but even so Judge Silverman’s ruling was taken as a major victory for the city. Said building department official Rick Lawson, “We will run out of problems with the so-called adult stores and theaters if we can get this kind of sentencing from all the judges.” Still, attorney Maureen Reilly, who argued the case on behalf of the city, cautioned that the constitutionality of the ordinance itself would remain something of an open question until a higher court ruled on the matter.¹⁶⁷

In March of 1974, the city finally got a ruling on the constitutionality of its anti-porn licensing and zoning ordinances from the United States District Court of Michigan, though it

¹⁶⁵ Obscenity Law Project, “An Empirical Inquiry into the Effects of *Miller v. California* on the Control of Obscenity,” *New York University Law Review* 52 (1977): 810.

¹⁶⁶ Don Lenhausen, “Sex Films Bring Term of 90 Days,” *Detroit Free Press*, October 17, 1973, 3, 12.

¹⁶⁷ Stephen Cain and Robert S. Wisler, “Officials Praise Sentences of Adult Movie Operators,” *Detroit News*, October 17, 1973, sec. B Metro-Detroit, 1.

proved something of a mixed bag. The bad news for the city was that the provision requiring that all adult businesses gain the signature of at least 51 percent of nearby residents to open was struck down. On this point, Judge Cornelia G. Kennedy and Judge Lawrence Gubow gave as their reasoning that “no arguments are advanced by Defendants as to how the prohibition of the regulated uses within 500 feet of a single dwelling or rooming unit furthers the legitimate interest the City has in preserving a residential area or neighborhood.” This “imperceptible benefit” was weighed against the “severe impact imposed” by that provision of the ordinance, which, in the plaintiffs’ view, had made it nearly impossible for new adult businesses to open in the city.¹⁶⁸

However, the city did get a victory in the District Court’s decision with the ruling that the provision mandating that no new adult business could locate itself within 1,000 feet of an existing adult business was constitutional. Here, the court found that the city did have a “compelling State interest” for this regulatory approach given the importance of the “preservation of neighborhoods, upon which adult establishments have been found to have a destructive impact.”¹⁶⁹ On this point, the court cited none other than Mel Ravitz, who had submitted two documents to the court on the matter; one an April 1973 affidavit from Ravitz regarding the anti-porn ordinance, the other a letter from him to the Corporation Counsel from October of 1962.

The latter document laid out the reasoning behind the city’s 1962 Anti-Skid Row Ordinance, which was the progenitor of the 1972 zoning ordinance by acting to disperse bars, pawnshops, and other businesses that were seen as having an adverse effect on neighborhoods. In his 1962 letter—originally written to aid in legal challenges to the city’s Anti-Skid Row

¹⁶⁸ *Nortown Theatre, et al., v. Gibbs*, No. 39796, 40168, 40198 (United States District Court for the Eastern District of Michigan, Southern Division March 22, 1974).

¹⁶⁹ *Nortown Theatre, et al., v. Gibbs*.

Ordinance—Ravitz stressed that many people held the view that the concentration of the businesses regulated under the ordinance were undesirable and bad for neighborhoods. Here, Ravitz made a key distinction by drawing on his background as a sociologist (he had gotten his Ph.D. in sociology from the University of Michigan in 1955, soon after getting a faculty position at Wayne State University), and it is worth quoting him at length:

Here a basic sociological axiom is relevant: if people believe something is true, even if it is not originally, they will tend to act as if it were true, and in so doing help produce the condition that was originally only believed. If residents of any neighborhood believe that the concentration of the proscribed uses damage the neighborhood, they will act as if it were true and will seek to move away and allow in people with different standards; they will allow their property to decline; they will not engage in the full range of conservation attitudes and activities so necessary to the maintenance of a healthful residential neighborhood...

A residential neighborhood is a very fragile thing. It can be ruined very easily. And ruin comes usually not by dramatic physical events, such as sheer age or the sudden invasion of barbarians to an area. Ruin comes to a neighborhood because its residents somehow begin to have their confidence in their area shaken. It matters not what the cause of this shaken confidence, whether it be a legitimate or phony cause.¹⁷⁰

This stands as perhaps the single best encapsulation of Ravitz's views on the anti-porn zoning law he engineered, even as he was not talking about that law in particular here, but rather its anti-skid row ordinance predecessor. In Ravitz's opinion, whether or not bars and pawnshops (in the 1962 ordinance) or adult businesses (in the 1972 one) actually directly caused neighborhood decay was irrelevant to the issue; rather, the mere idea that such businesses caused blight would be enough for that feared scenario to become reality. It was the self-fulfilling prophecy of residents' beliefs that caused neighborhood decline then rather than it being the result of the direct impact of the types of businesses regulated under this ordinance. Regardless of the

¹⁷⁰ "Appendix," *Young v. American Mini Theatres*, No. 75-312 (United States Supreme Court), June 24, 1976, exhibit 1.

veracity of the underlying notion, if a sufficient number of people believed it to be true, residents would take actions such as putting their homes up for sale en masse which would drive down property values. In Ravitz's reasoning then, the notion that adult businesses caused the economic decline of neighborhoods held just as much truth value as if a sufficient number of people believed that painting one's house orange or placing garden gnomes on one's lawn caused neighborhood decay.

Notably, in the affidavit Ravitz gave in April of 1973 specifically on the anti-porn ordinance, he repeated almost verbatim this argument from his 1962 letter.¹⁷¹ The decision of the city to submit the 1962 letter from Ravitz on the anti-skid row ordinance and a nearly identical 1973 affidavit on the anti-porn ordinance seems a calculated effort to draw connections between the two. That the anti-porn zoning provision in question built upon an older law which had nothing to do with pornography seemed to lend credence in the eyes of the court to the city's argument that the ordinance was concerned only with the economics of neighborhood decay rather than morality. This no doubt helped shape the court's decision, wherein the court ruled that the provision requiring the approval of 51 percent of residents within 500-foot was unconstitutional—a provision spearheaded by Gibbs and emblematic of his preferred emphasis on licensing law—while the Ravitz-backed 1,000-foot zoning-based dispersal provision was affirmed as lawful. For the latter, the judges gave as their justification that “[t]he affidavit of Dr. Mel Ravitz clearly established that the prohibition of more than one regulated use within 1000 feet is necessary to promote the interest” of the city regarding the “preservation of neighborhoods.”¹⁷²

¹⁷¹ “Appendix,” *Young v. American Mini Theatres*, exhibit 1.

¹⁷² *Nortown Theatre, et al., v. Gibbs*.

Press coverage of the Circuit Court’s ruling focused on the city’s loss when it came to the 500-foot provision rather than its victory on the 1,000-foot part of the ordinance, with the *Detroit News* headline blaring, “Court Eases Curb on ‘Adult’ Stores,” while the *Free Press* declared, “Court Relaxes Sex Shop Curbs.”¹⁷³ This was perhaps little surprise; after all, up until that point, almost all news coverage of the 1972 anti-porn ordinance had focused on the licensing provision granting residents the power to nix the opening of adult businesses in their neighborhoods, with little attention paid by contrast to the provision regarding the use of zoning to disperse adult businesses. The 500-foot provision was no doubt an easier sell to the general public who could readily understand that it promised greater power for residents to control the entrance of adult businesses into their neighborhoods. By contrast, the 1,000-foot provision was opaque and bureaucratic, with residents never getting to see the work of the unseen city officials using maps and charts to determine whether an adult business could open in their community.

Still, there were those who recognized that the city’s legal victory when it came to the 1,000-foot dispersal section of the city’s ordinances might prove, in the words of Carl Levin, “more significant” in the long-run than its loss on the 500-foot provision. In his public comments following the decision, Levin, who by this time was the City Council President, focused on the importance of the victory on the zoning provision, perhaps unsurprisingly so given that he had been Ravitz’s closest ally in the 1972 battles over pornography in the City Council.¹⁷⁴ No doubt in large part because of Levin’s statements, two days after the *Detroit News* first ran its story on the judge’s decision with the headline “Court Eases Curb on ‘Adult’ Stores,” it published an

¹⁷³ “Court Eases Curb on ‘Adult’ Stores,” *Detroit News*, March 23, 1974, 2; Louis Heldman, “Court Relaxes Sex Shop Curbs,” *Detroit Free Press*, March 23, 1974, 3, 9.

¹⁷⁴ “Court Eases Curb on ‘Adult’ Stores,” 2.

article that, while nearly identical in content, featured a new headline reading, “Ruling May Aid Detroit’s Control of Porno Shops.”¹⁷⁵

City attorney Maureen Reilly also spoke positively of the ruling in her public comments, calling the decision “a victory for the city, as far as I’m concerned.” As she noted when appearing before the City Council soon after, “The decision basically upheld our contention that the city could zone deleterious businesses.” Moreover, she pointed out that the court ruling indicated that “First Amendment rights could be incidentally regulated.” These were crucial legal points, and even as the overturning of a major part of the ordinance was a blow, the decision had given the city’s attorneys much to build on. She therefore urged the city not to appeal the ruling.¹⁷⁶

The adult businesses behind the case did decide to appeal though, and so the case wound up before the Sixth U.S. Circuit Court of Appeals. On June 16, 1975, in a two to one decision the court ruled against the city, overturning the entirety of the city’s anti-porn zoning ordinances as unconstitutional. The court did buy the city’s argument that the presence of adult businesses in residential areas led to the decay of neighborhoods, meaning that in the court’s view Detroit did have a “compelling public interest” to regulate the location of adult businesses. However, the majority opinion found that the city failed to clear the higher bar of “showing that the method which it chose to deal with the problem at hand was necessary and that its effect on protected rights was only incidental.” This greater burden of proof was made necessary due to the way in which the ordinance classified certain types of movie theaters and bookstores as requiring further regulation based on the “content of the constitutionally protected materials which they purvey to

¹⁷⁵ Michael Wowk, “Ruling May Aid Detroit’s Control of Porno Shops,” *Detroit News*, March 25, 1974, 4.

¹⁷⁶ Beverly Eckman, “Council Will Bar New ‘Adult’ Outlets,” *Detroit News*, March 30, 1974, 3; Dave Anderson, “City Council Explodes at Sex Shop Hearing,” *Detroit Free Press*, March 30, 1974, 3.

the public.” Therefore, the majority found that the city’s ordinances were in violation of the equal protection clause of the Fourteenth Amendment, declaring them invalid.¹⁷⁷

Even as it ruled against the city, the majority opinion also expressed sympathy for Detroit’s position. As Judge Lively wrote for the majority, “This court is keenly aware of the serious problems created in the major cities of the country by the deterioration of established neighborhoods. We are particularly sensitive to the problems of Detroit, the largest city within this Circuit.” There was seemingly no question among the judges as to the validity of the notion that adult businesses cause neighborhood decay, nor did the majority engage with the charge that the city’s anti-porn zoning ordinances were merely a way of bypassing obscenity law. Indeed, even as the majority opinion struck down the ordinances themselves as unconstitutional, it pointedly suggested that the city might come up with alternative different solutions to the problem that could prove valid, saying, “In holding that the two ordinances under review are unconstitutional we do not suggest that the City of Detroit is powerless to deal with its urban problems.”¹⁷⁸

The dissenting opinion, delivered by Judge Anthony Celebrezze, the former mayor of Cleveland, drew on similar rhetoric in declaring his view that “I believe that the Detroit ordinance before us is a legitimate exercise of the City’s police power. The plight of our cities requires that public officials have tools adequate to prevent their decline and collapse as centers of life and work.” Judge Celebrezze repeatedly quoted from Ravitz’s earlier affidavits to back the idea that the ordinances were only concerned with economic effects, not content control. He rejected free speech arguments, contending that the First Amendment “was not intended to be the

¹⁷⁷ *American Mini Theatres v. Gribbs*, No. 74–2129, 74–2303 (United States Court of Appeals for the Sixth Circuit June 16, 1975).

¹⁷⁸ *American Mini Theatres v. Gribbs*.

death-knell of cities,” and that “preserving neighborhoods is not a subterfuge for censorship.” As he concluded, “It seems to me that if we are to prevent our cities from becoming uninhabitable jungles, we must, within constitutional safeguards, restore to our cities the right of self-government.”¹⁷⁹

The city quickly appealed the ruling, and in October of 1975, the United States Supreme Court agreed to review the decision of the Sixth U.S. Circuit Court of Appeals. The news was immediately recognized as a potentially momentous event in anti-porn politics. On November 28, 1975, the *New York Times* published an article titled “Foes of Pornography Winning a Few Skirmishes, but Not the Major Battles.” The article found that obscenity prosecutions across the country were being stymied by the courts even after the *Miller* Supreme Court decision. Given this, as the *Times* reported, several cities were awaiting the Supreme Court’s decision on the Detroit case to see if they might adopt their own similar anti-porn zoning ordinances.¹⁸⁰ Beyond those cities looking to possibly emulate Detroit’s specific law though, this would also be the first time the Supreme Court would rule on the use of zoning to regulate adult entertainment altogether. This meant that the case was seen as potentially opening up a host of new potential zoning-based solutions to the problem of pornography. As news magazine *Time* wrote in the months leading up to the court’s decision, “Though Detroit’s policy is to disperse rather than cluster its porn shops, the court’s decision, due in June, will presumably settle a community’s right to use zoning against porn.”¹⁸¹

¹⁷⁹ American Mini Theatres v. Gibbs.

¹⁸⁰ Seth S. King, “Foes of Pornography Winning a Few Skirmishes, but Not the Major Battles,” *New York Times*, November 28, 1975, 52.

¹⁸¹ “The Porno Plague,” *Time*, April 5, 1976, 63.

In March of 1976, Maureen Reilly and her fellow lawyers for the city squared off against Nortown Theatre attorney Stephen Taylor and American Mini Theatres attorney John H. Weston before the United States Supreme Court. Afterward, the legal team for the city expressed confidence that the court would rule in their favor, noting that the justices had mostly grilled the opposing attorneys.¹⁸² Three months later the court handed down its decision in the case that had come to be known as *Young v. American Mini Theatres*: in a narrow five-to-four decision, Detroit's anti-porn zoning ordinance was declared constitutional.

Though the case was large and unwieldy, touching on a number of legal points, the questions surrounding the ordinance's impact on the First Amendment were of primary importance to the Supreme Court. Justice John Paul Stevens, who had joined the court only a year prior, wrote for the majority, and said regarding this question of free speech, "[T]here is surely a less vital interest in the uninhibited exhibition of material that is on the borderline between pornography and artistic expression than in the free dissemination of ideas of social and political significance." When it came to pornography that was not legally obscene then, even though such speech held First Amendment rights, "[S]ociety's interest in protecting this type of expression is of a wholly different, and lesser, magnitude than the interest in untrammelled political debate." Reasoned Justice Stevens, "Whether political oratory or philosophical discussion moves us to applaud or to despise what is said, every schoolchild can understand why our duty to defend the right to speak remains the same. But few of us would march our sons and daughters off to war to preserve the citizen's right to see 'Specified Sexual Activities' exhibited in the theaters of our choice."¹⁸³ Whereas the Court had upheld content-based restrictions when it

¹⁸² Dave Anderson, "High Court Case Is an Experience," *Detroit Free Press*, March 29, 1976, 3, 13.

¹⁸³ *Young v. American Mini Theatres*, No. 75-312 (United States Supreme Court June 24, 1976).

came to protecting minors or unconsenting adults, this marked the first time that, in the words of scholar Richard F. Hixson, the Supreme Court had upheld “the *general* regulation of otherwise protected speech on the basis of content.” This decision then was a landmark in introducing what would come to be known as the “sliding-scale approach to First Amendment jurisprudence.”¹⁸⁴

Justice Lewis F. Powell, while siding with the majority, nevertheless wrote a concurring opinion that disagreed with Justice Stevens on this notion that sexually-explicit non-obscene speech should be granted lesser constitutional protections. Instead, he found that the ordinance was more an example of an “innovate land-use regulation,” one that would not have a major impact on the availability of pornography in the city. As he wrote, “[T]here is no indication that the application of the Anti-Skid Row Ordinance to adult theaters has the effect of suppressing production of or, to any significant degree, restricting access to adult movies.” He therefore sided with the majority opinion in finding the city’s ordinances constitutional based on their mere “incidental and minimal” impact on free speech.¹⁸⁵

Justice Potter Stewart—who had once famously written that when it came to defining pornography, “I know it when I see it”—wrote a blistering dissent in which he called the majority opinion a “drastic departure from established principles of First Amendment law,” further saying that the decision “rides roughshod over cardinal principles of First Amendment law.” While granting that Detroit’s ordinances were “well-intentioned efforts” by the city to “‘clean up’ its streets and prevent the proliferation of ‘skid rows,’” Justice Stewart stressed that “it is in those instances where protected speech grates most unpleasantly against the sensibilities that judicial vigilance must be at its height.” His opinion went on to detail what he saw as the

¹⁸⁴ Richard F. Hixson, *Pornography and the Justices: The Supreme Court and the Intractable Obscenity Problem* (Carbondale: Southern Illinois University Press, 1996), 138, 141.

¹⁸⁵ *Young v. American Mini Theatres*.

very real impact that Detroit's zoning law, and in turn the court's decision, would have in limiting free speech.¹⁸⁶

Perhaps the most striking element of the court's decision was the way in which the majority of the justices saw the city's anti-porn zoning ordinance as having merely an incidental and negligible impact on free speech rather than intentional and significant. The notion that adult businesses cause the decay of neighborhoods was seemingly taken as a given, with Detroit's efforts to curtail pornography therefore stemming from the need to protect residential areas rather than an urge to censor sex media. Justice Powell, in his concurring opinion, indicated just this when he warned, "Although courts must be alert to the possibility of direct rather than incidental effect of zoning on expression, and especially to the possibility of using the power to zone as a pretext for suppressing expression, it is clear that this is not such a case."¹⁸⁷

In 1957, the U.S. Supreme Court struck down the obscenity law used by the city of Detroit to censor literature. The Court's decision was due to the fact that the stated goal of keeping indecent media out of the hands of children was not sufficient to justify a law effectively barring even consenting adults from purchasing such material. Even if the aim of the law was a justifiable one then, its application was too broad, with the obscenity ordinance casting too wide a net. Nineteen years later, the city was back before the highest court in the land, once again defending its censorial practices. The genius of the city's new zoning-based anti-porn regulatory approach though was the way in which it could mask the fact that it was censorship altogether, with seemingly morality-neutral arguments about the economics of neighborhood decay instead taking center stage. It mattered little that this new approach ultimately sought the same goals of

¹⁸⁶ Young v. American Mini Theatres.

¹⁸⁷ Young v. American Mini Theatres.

curtailing the spread of pornography as did earlier obscenity-based efforts, as the validity of its underlying assumption, that adult businesses cause neighborhood decay, came to be accepted as fact. This in turn allowed for the majority of the Court to view Detroit's anti-porn zoning law as neither stifling free speech in its purpose or its effect, or if it did, then only to a minor and altogether insignificant degree. It was for this reason that Justice Powell could write of Detroit's latest anti-porn ordinances to come before the Supreme Court: "Detroit has silenced no message, has invoked no censorship, and has imposed no limitation upon those who wish to view [adult movies]."¹⁸⁸ Detroit then had finally figured out how to suppress sexually-oriented speech without the baggage that came with explicit censorship.

Conclusion: The Spread of the Detroit Model

It is difficult to estimate the direct impact of the Supreme Court's decision on the landscape of pornography in Detroit itself, as the ruling merely had the isolated effect of reinstating the zoning provision that the Circuit Court of Appeals had invalidated a year prior. As for the overall impact of the original law in Detroit, it is similarly hard to measure given that the ordinances were designed to prevent new adult businesses from opening, and so we are forced to try to compare the landscape of pornography in Detroit after the ordinance's enactment to a road not travelled wherein adult businesses had been able to open freely. Certainly though, in public statements following the Supreme Court's ruling, city officials boasted of the impact that the law had had on the city, with Maureen Reilly saying, "When we passed the zoning ordinance in 1972, there were 18 theaters, 21 adult bookstores and 70 go-go bars here. Since the ordinance passed, we have had only two new adult theaters open."¹⁸⁹ Though it may be unknowable exactly

¹⁸⁸ Young v. American Mini Theatres.

¹⁸⁹ Robert Lindsey, "Drive by Cities on Pornography Spurred by Detroit Zoning Case," *New York Times*, November 28, 1976, 34.

how many adult theaters would have opened during this period without the zoning ordinance, it seems safe to assume that the number would have been significantly higher than two. In 1977, Carl Rubin, attorney for a number of Detroit's adult businesses, conceded, "The ordinance has had its desired effect by substantially stopping new adult businesses from coming into the city. The sex business isn't what it used to be."¹⁹⁰ Regardless of the ordinance's overall effect in Detroit though, the Supreme Court's 1976 decision mainly allowed Detroit to continue what it had been doing for much of the past three and a half years.¹⁹¹

In reality, the Supreme Court's decision had a far more decisive impact on the rest of the United States than it did Detroit itself, and press coverage of the ruling tended to emphasize the effect it would have on other cities. In the *Atlanta Constitution* and *Los Angeles Times*, articles covering the Court's ruling just one day after it was announced mentioned that officials in both those cities were considering adopting ordinances similar to Detroit's.¹⁹² Meanwhile, the *New York Times* editorial board quickly interpreted the ruling as meaning that New York City "no longer has to sit by and watch the heart of Manhattan turn into a sexual slum."¹⁹³ Six months after the court's decision, Maureen Reilly reported that she had received calls from nearly 100 cities asking for copies of Detroit's ordinance.¹⁹⁴ By the end of the year, countless city officials

¹⁹⁰ Francis Ward, "Detroit's Zoning Law Helps Clean Up Sex Shop District," *Los Angeles Times*, July 18, 1977, 14.

¹⁹¹ It is worth mentioning that though every adult movie theater in Detroit would shut down in time—victims of competition from pornography available via home video and then the internet—the city's adult bookstores would prove to have greater staying power. In part this was because many of them began to specialize in sex toys and then starting in the 1980s in home video pornography, but this staying power was also a result of the way in which adult businesses operating at the time of the zoning law's adoption were grandfathered in. This has led to an impressive eight total adult bookstores having managed to survive in Detroit from the early 1970s to the present.

¹⁹² Robert Lamb, "Relief, Caution Expressed Here on Porno Ruling," *Atlanta Constitution*, June 25, 1976, 11; "Court Upholds Curbs on 'Adult' Movie Theaters," *Los Angeles Times*, June 25, 1976, sec. B, 1, 11.

¹⁹³ "Zoning 'Adult' Movies," *New York Times*, July 8, 1976, 30.

¹⁹⁴ Richard J. Cattani, "Cities Forced to Go It Alone in Pornography Struggle," *Christian Science Monitor*, December 14, 1976, 9.

across the country had introduced or adopted Detroit-style anti-porn zoning ordinances, including ones in Dallas, New York City, Des Moines, Kansas City, Portland, Indianapolis, Fairfax County, Pittsburgh, and San Jose.¹⁹⁵ Over the course of 1977, similar laws would be taken up in San Antonio, Philadelphia, Chicago, and dozens of other cities.¹⁹⁶ Many more would follow suit by decade's end, including nearly all of the country's largest metropolises.¹⁹⁷

City officials across the country tended to adopt the rhetoric that Detroit had used both when it first passed its anti-porn zoning law and subsequently in defending it in court. One aide to a Los Angeles City Councilwoman drew on morality-neutral discourse and the argument that adult businesses cause urban decay when she said of her city's proposed Detroit-style anti-porn zoning ordinance, "It's not really a moral question. The ordinance aims at breaking up the economic concentration that debilitates the area." Speaking of blighted areas of Hollywood, the same aide continued, "We see the Detroit ordinance as a way to break that up and allow an area to come back economically." A City Councilman in Kansas City similarly said, "Zoning is the most powerful tool in the city arsenal to control pornography, the only way we can, as a city, regulate activity that leads to deterioration of neighborhoods." City officials across the country also drew on the idea that Detroit's zoning approach did not amount to censorship at all, with a

¹⁹⁵ Philip Hager, "Zoning Laws New Weapon in Smut Fight," *Los Angeles Times*, September 4, 1976, 1, 15; Lindsey, "Drive by Cities on Pornography Spurred by Detroit Zoning Case," 1, 34; Phil Kerby, "Putting Pornography in Its Place," *Los Angeles Times*, December 2, 1976, sec. C, 1; Lenny Litman, "Peeps, Strips, Go-Go, Screen Sex in Pittsburgh on Detroit Plan?," *Variety*, December 1, 1976, 66; "Kansas City Adopts Ord 'Zoning' on Lines of Boston, Detroit," *Variety*, December 15, 1976, 36.

¹⁹⁶ "Philly Council Passes Antipornography Bill," *Boxoffice*, May 16, 1977, sec. E, 6-7; "Chicago 'Zoning' Versus Pomo Sites Is Taking Shape," *Variety*, July 13, 1977, 16; "San Antonio Latest to Keep Porn Away from Residences," *Variety*, September 28, 1977, 28.

¹⁹⁷ Remarkably enough, the rush to adopt similar laws was not just limited to cities in the United States, with Toronto's Executive Alderman calling for the city to adopt similar anti-porn zoning laws, saying just days after a U.S. Supreme Court ruling which had no legal bearing on the city he represented, "It's been tried in Detroit and it works there." David Miller, "Zoning Clout Urged to Curb Porn," *Toronto Star*, June 29, 1976, sec. B, 2.

spokesman for Fairfax County in Virginia saying, “Zoning seems to be the most legal, legitimate method of control. It’s the best tool, without getting into censorship.”¹⁹⁸

The Supreme Court’s decision thus facilitated for both the rhetorical and legal anti-porn strategies used in Detroit to be exported to the rest of the United States. Before long, Detroit’s approach to regulating pornography—meaning the use of zoning law to disperse adult businesses—had come to be known as the “Detroit Model.” This approach stood in contrast to the other major model for urban regulation of pornography, which was on display in Boston. Rather than trying to disperse adult businesses, Boston went in the opposite direction by attempting to quarantine them in an area that had come to be popularly-known as the “Combat Zone.” The city officially made the Combat Zone the exclusive home to adult entertainment in Boston in 1974, immediately receiving a tremendous amount of national attention.¹⁹⁹

Some news coverage of the Combat Zone noted the irony that of all cities it was Boston, with its famous history of banning indecent media, that was setting up an area in which pornography might be allowed to flourish. As one *Los Angeles Times* article said, “The city that once made ‘banned in Boston’ a household phrase is zoning a district that will be the exclusive domain of porno shops, sex films and girlie shows.”²⁰⁰ By contrast, there was no such similar discussion centered on Detroit’s own history of book banning when discussing the Detroit Model. The success of Herbert Case in keeping his operations secret was such that, in September

¹⁹⁸ Hager, “Zoning Laws New Weapon in Smut Fight,” 15; Lindsey, “Drive by Cities on Pornography Spurred by Detroit Zoning Case,” 1.

¹⁹⁹ See Eric Schaefer and Eithne Johnson, “Quarantined! A Case Study of Boston’s Combat Zone,” in *Hop on Pop: The Politics and Pleasures of Popular Culture*, ed. Henry Jenkins, Tara McPherson, and Jane Shattuc (Durham: Duke University Press, 2002), 430–53.

²⁰⁰ “Sex-Oriented Business Gets Own Zoned Area in Boston,” *Los Angeles Times*, June 7, 1974, 2.

of 1973, even the *Detroit Free Press* could legitimately write that “Detroit has never been a hotbed of rabid book-banners.”²⁰¹

Because the Supreme Court’s ruling in *Young v. American Mini Theatres* had marked the first time that the high court had weighed in on a zoning-based solution to regulating pornography, it also spurred interest from a number of cities regarding the possibility of using zoning law to mimic Boston’s Combat Zone. Most chose not to do so though, with the *New York Times* in November of 1976 writing, “Officials in a few cities, including Las Vegas and Oklahoma City, have proposed creation of special ‘adult business districts’ patterned after Boston’s so-called ‘combat zone’... But community resistance to the idea and reports of widespread prostitution, organized crime activities and muggings by prostitutes and others in the Boston district have so far kept it from spreading elsewhere.”²⁰² A member of the New York City Planning Commission in late 1976 summed up the popular view in saying, “The Boston experiment has not been successful. It has led to breeding additional crime.”²⁰³ This view resulted in the lack of imitation of Boston’s approach, and in 1984, ten years after Boston first formally set up the Combat Zone, city officials there admitted that it had remained the only city in the United States to try concentrating its adult businesses in one area.²⁰⁴ William Toner, who in 1977 published a report on different methods of regulating adult businesses, explained that the reason for the lack of enthusiasm for copying Boston’s anti-porn model when he said, “Nobody wants to be known as the councilman who helped set up Pornography City.”²⁰⁵

²⁰¹ DeRamus, “Pornography Curbs Are a Legal Jungle,” 12.

²⁰² Lindsey, “Drive by Cities on Pornography Spurred by Detroit Zoning Case,” 1, 34.

²⁰³ “Dispersal of Porno Is Sought,” *Atlanta Constitution*, December 2, 1976, 20.

²⁰⁴ Jonathan Kaufman, “From Scollay Sq. Tattoo Parlors to Combat Zone Porno Film,” *Boston Globe*, December 27, 1984, 25.

²⁰⁵ David Gumpert, “Problems in the Combat Zone,” *Wall Street Journal*, June 30, 1977, 12.

By contrast, the popular view of the Detroit Model was that, if it could not eliminate pornography entirely from the urban landscape, it could at least significantly curtail its growth. Press coverage of the Supreme Court decision and the ruling's subsequent impact often included stories that highlighted Detroit's success in preventing new adult businesses from opening, with these accounts in turn driving other cities to copy Detroit's approach. The Detroit Model was never a cure-all; by its nature it was designed to prevent new adult businesses from opening rather than working to close existing ones. Because of this, it could never accomplish what hardline anti-porn advocates had always wanted, which was the virtual elimination of all pornography from society. An article in the *National Decency Reporter*, the anti-porn journal published by Citizens for Decency Through Law (previously known as Citizens for Decent Literature), encapsulated the view of strident anti-porn voices on what it called the "Detroit Plan" in saying:

If you live in a city or state where obscenity nuisance abatement laws are weak or lacking or where criminal prosecutions are not vigorously pursued or are a losing battle because of liberal courts or prosecutors, then the zoning approach may be at least an alternative. Zoning will not eliminate pornography, but it can be effective in keeping porno theaters and stores out of the neighborhoods and away from churches and schools... Though not a total or acceptable victory, some relief is probably better than none.²⁰⁶

In truth, the Detroit Model was never going to fully please the Eberhards and Citizens for Decency Through Laws of the world, nor was it designed to do so. But for city officials writing laws across the country, the Detroit Model presented an alluring package: the promise of effective anti-porn legislation that would actually hold up in court. The combination of the two was something no other approach to regulating pornography during this era could offer, thus

²⁰⁶ Bruce Taylor, "Ask a CDL Attorney: Is 'Zoning' the Solution?," *National Decency Reporter* XV, no. 2 (April 1978): 8.

driving dozens, likely hundreds, of cities to follow Detroit's lead in adopting zoning laws to disperse adult businesses.

The convergence of urban politics with anti-porn politics would not last indefinitely. By the end of the decade, the prominence of the morality-neutral anti-porn rhetoric deployed by Redford's protesting residents—which had fueled the adoption of Detroit's zoning law—would begin to decline as the feminist anti-porn movement began to gain in stature. The centrality of anti-porn discourse focusing on property values and neighborhood decay was thus gradually replaced by rhetoric emphasizing pornography's alleged exploitation of women and contribution to rape culture. It would be a mistake though to say that the type of anti-porn politics I have catalogued in this dissertation wholly disappeared with the rise of the feminist anti-porn movement. Language similar to that used by Redford's letter writers would continue to be deployed in urban battles over pornography for decades to come, as was the case in the battle over pornography in New York City during the 1990s.²⁰⁷ Just as importantly though, feminist anti-porn activists often drew inspiration from the tactics and rhetoric of urban anti-porn politics of the early 1970s.

The anti-porn machinations of San Francisco in the late-1970s are a useful case study in this regard. As historian Josh Sides writes of this period, “[San Francisco Mayor] Dianne Feinstein was taken with the Detroit ordinance and began conducting research on the implementation of a similar ordinance in San Francisco, even before the Supreme Court upheld its constitutionality.” Immediately following the Court's ruling, Feinstein pushed through a four-

²⁰⁷ See Marilyn Adler Papayanis, “Sex and the Revanchist City: Zoning out Pornography in New York,” *Environment and Planning D: Society and Space* 18, no. 3 (2000): 341 – 353.

month moratorium on the issuance of permits for adult businesses. By January 1977 she was ready to reveal her proposed ordinance which was, in Sides' words, "virtually identical to that in Detroit." Despite facing some strong opposition from, among others, gay community leader Harvey Milk, the San Francisco chapter of the American Civil Liberties Union, and African American mothers of the Bayview Hunters Point Neighborhood Association (who feared that the ordinance would drive adult businesses into their neighborhood), the city ultimately enacted a version of Detroit's ordinance in September of 1978.²⁰⁸

As Sides writes, crucial to the construction and passing of this anti-porn zoning law in San Francisco was the "ideological and logistical support from Bay Area feminists and particularly those affiliated with Women Against Violence in Pornography and Media (WAVPM)." WAVPM had only recently been founded to fight against the depiction of violence against women in both mainstream cinema and pornography, though it tended to focus most of its attention on the latter category. The group's director and national coordinator at that time was Laura Lederer, and she regularly met and communicated with Feinstein regarding the mayor's efforts to enact a Detroit-style anti-porn zoning ordinance. In fact, as Sides explains, Lederer played an important and unique role in helping Feinstein pass San Francisco's version of the Detroit Model. As Sides writes, "Lederer traveled to Detroit, conducting interviews with city officials and collecting data on the effectiveness of the ordinance, which she then passed on to Feinstein."²⁰⁹

No doubt Lederer found it easy enough to gain access to Detroit city officials for this research; after all, she was a Detroit-native whose father was none other than Creighton Lederer,

²⁰⁸ Josh Sides, "Excavating the Postwar Sex District in San Francisco," *Journal of Urban History* 32, no. 3 (2006): 369–74.

²⁰⁹ Sides, 369–71.

who had been head of Detroit's Department of Buildings and Safety Engineering under Gribbs. The elder Lederer had played a crucial role in Mayor Roman Gribbs' campaign against pornography, working to drive adult theaters and bookstores out of business through his department's strategic deployment of licensing law. Behind the scenes, he also helped steer the city toward Ravitz's zoning-based anti-porn approach, writing a memo recommending its usage in early 1972. Meanwhile, as to the younger Lederer, after helping to get San Francisco to adopt a version of the ordinance her father had helped craft, she would go on to edit the 1980 book *Take Back the Night: Women on Pornography*, which historian Carolyn Bronstein would later call "the single most influential and widely read collection of feminist anti-pornography writings," thus cementing her status as one of the most important voices in the early feminist anti-porn movement.²¹⁰

The case of Laura Lederer and the path to San Francisco's adoption of a Detroit-style anti-porn zoning law points to the continuities between the era of anti-porn politics I focus on in this dissertation and the one that followed. These connections have been under-examined by scholars looking at the feminist anti-porn movement, who have tended to focus on the way in which the movement developed out of particular strands of feminism and the debate between anti-porn feminists and opposing anti-censorship feminists.²¹¹ This work has given little attention though to the way in which the feminist anti-porn movement also drew on existing strands of the broader anti-porn movement, including specifically the rhetorical strategies and regulatory approach pioneered in Detroit. Bringing in this broader historical perspective enables for an understanding that the feminist anti-porn movement did not simply emerge wholly out of

²¹⁰ Carolyn Bronstein, *Battling Pornography: The American Feminist Anti-Pornography Movement, 1976-1986* (Cambridge: Cambridge University Press, 2011), 190.

²¹¹ As one example, see Bronstein, *Battling Pornography*.

feminism with no real connections to the history of the anti-porn movement; rather, there were very real continuities with established anti-porn politics that require further consideration.

Moreover, as discussed in my introduction to this dissertation, the feminist anti-porn movement, and the debates surrounding it, have tended to dominate much of the scholarly discourse around pornography even up to today. This has been the case despite the reality that the feminist anti-porn movement had little lasting impact on the actual regulation of pornography, a phenomenon that is perhaps best illustrated through the example of the Antipornography Civil Rights Ordinance. In the early- to mid-1980s, Andrea Dworkin and Catharine MacKinnon, perhaps the two most prominent anti-porn feminists of that era, crafted a law defining pornography as a civil rights harm against women, thus allowing women to sue the producers, distributors, and exhibitors of adult material in civil court. The duo first sought to get the ordinance enacted in Minneapolis in 1983, but were twice stymied by the mayor vetoing the bills due to fears that the inevitable resulting legal case against the ordinance would prove highly costly for the city. Indianapolis adopted a slightly-altered version of the law a year later, a major milestone for the feminist anti-porn movement. However, the law was quickly challenged in the courts and ruled unconstitutional by the Seventh Circuit Court of Appeals. The Supreme Court subsequently refused to hear the appeal, thus letting the lower court's ruling stand. Undeterred, Dworkin and MacKinnon managed to get Bellingham, Washington (the state's eighth largest city) to approve the ordinance as a ballot initiative. That law was quickly challenged in the courts and again ruled unconstitutional.

All in all, the ordinance was enacted into law only in two mid-size cities, was struck down in court both times, resulted in exactly zero prosecutions, and seemingly had no tangible impact on the spread of pornography. Even so, the ordinance has generated a bounty of scholarly

attention,²¹² whereas Detroit's anti-porn zoning ordinance has yet to be studied in detail outside of legal histories and law journals. This is despite the fact that Detroit's anti-porn zoning ordinance was copied by nearly every major city across the United States, and many minor ones to boot. Indeed, it stands as likely the single most influential municipal anti-porn ordinance of the twentieth century.

²¹² Bronstein, 323–31; Donald Alexander Downs, *The New Politics of Pornography* (Chicago: University of Chicago Press, 1989); Lisa Duggan and Nan Hunter, *Sex Wars: Sexual Dissent and Political Culture* (New York: Routledge, 1995), 30–42, 64–67; Nadine Strossen, *Defending Pornography: Free Speech, Sex, and the Fight for Women's Rights* (New York ; London: NYU Press, 2000), 59–82; Carole S. Vance, "More Danger, More Pleasure: A Decade After the Barnard Sexuality Conference," *New York Law School Law Review* 38, no. 1–4 (1993): 289–317.

EPILOGUE

The Election of Coleman Young and the Politics of Pornography and Race

Practically all of the key politicians involved in the debate over the adoption of Detroit's new anti-porn zoning ordinances in 1972 had higher political aspirations. For figures like Roman Gribbs, Mel Ravitz, and David Eberhard, the groundswell of grassroots anti-porn protest in the city fueled each to, in their own ways, take on pornography as a central issue which would help them reach their respective goals. In the end though, the 1973 elections in the city would demonstrate the electoral limits of the politics of pornography in the face of the politics of race.

Through the first two years of Mayor Roman Gribbs's term, his administration had shown little interest in taking on the issue of pornography, instead following in the same vein as his predecessor, Jerome Cavanagh, by keeping clear of a public stance against pornography that might align him with the censorial-minded. In 1972 though, the mayor went full-bore on the issue, making it a top priority. We may never know whether this was done solely as a way of responding to grassroots anti-porn activism in the city, or perhaps due to Gribbs's intrinsic ideological beliefs on pornography, or if it was instead a calculated effort to gear up for a 1973 reelection campaign. Undoubtedly though, the evidence demonstrates that the mayor's office saw pornography as an issue it could leverage for political gain. Throughout 1972, his team carefully responded to every anti-porn letter it received to extol the mayor's action against pornography. And, after the City Council passed the anti-porn licensing and zoning ordinances in October of that year, his administration was quick to take credit for the legislation. After a

WXYZ Radio editorial lauded the City Council for its action, Gribbs's press secretary, Phill Jourdan, wrote the station's editorial director to say:

I received a copy of your October 25 editorial regarding the new obscenity ordinances. I agree that this new approach is laudable and I also agree that the Common Council deserves some credit for passing the ordinance.

However, I think you should be aware that the genesis of these proposals is Mayor Gribbs and his Task Force on Licensing Procedures. If the Mayor had not acted so firmly and if the Task Force had not put in so many hours of research and hard work, this revolutionary new approach would not have been made. I have included copies of our press release and the Mayor's letter to council.

I don't mean this to be critical . . . but credit is important in the business of government and I think that credit should go where it is due.¹

This letter points to the rivalry between the mayor's office and the City Council, evidenced here in the question of who would get credit for the passing of these ordinances. This issue of credit was particularly important in light of the fact that the whole city was starting to prepare for the next mayoral election, which was now less than a year away.

On November 15, 1972, two days before Gribbs's press secretary wrote his letter to WXYZ Radio, *Detroit Free Press* columnist Frank Angelo sized up the state of the mayoral race. As he wrote, there was an ongoing search at that time for a "'unity' black candidate." Former Circuit Court Judge Edward Bell had already declared his intention to run, with some of the other potential major black candidates looming including Councilman Ernest Browne, State Senator Coleman Young, and lastly Michigan Secretary of State Richard Austin, who had narrowly lost to Gribbs in the 1969 election. As Angelo wrote though, "There may be others, but this group pretty well cuts across the major currents and undercurrents that exist in the black

¹ Phill Jourdan to Lowell Newton, November 17, 1972, Roman Gribbs papers, Box 333, Folder 7, Burton Historical Collection, Detroit Public Library.

community—and that’s the rub. Because, chances are, not one of the men is likely to muster the kind of all-out support from blacks and so-called liberal whites that would be needed to beat Mayor Gribbs next November.” No black candidate had yet emerged as the consensus choice, and in Angelo’s view it was unclear if there was anyone who could assume that mantle while still holding the requisite support of white liberals to challenge Gribbs in the mayoral election.²

Thus, the expectation was that Mel Ravitz would be the one to emerge as Gribbs’s chief rival, with Angelo writing of Ravitz, “There’s a feeling that he’s the one man who can really bring together the black community and the white liberal community for a challenge to Gribbs, the establishment heavy.”³ Ravitz had the requisite citywide name recognition, strong institutional support among unions, and was immensely popular amongst both left-leaning whites and the African American community. Despite being seen as the potential front-runner in the 1969 race, he passed up the opportunity to run then, and there was a widespread feeling that his time had now come. During the intervening years as the City Council President, Ravitz had modulated his strident liberalism with a moderate pragmatism that, he hoped, would help elect him mayor.⁴ The prominent role he played in the debate over pornography can be seen as one extension of these efforts to set himself up for a mayoral run. Indeed, the fact that Ravitz took on the issue of pornography whatsoever despite his seeming apathy when it came to the question of the morality of pornography and his decided aversion to censorship points to the way in which he saw anti-porn politics as another rung on the ladder which would lead him to the mayor’s office. All this led many prognosticators in late 1972 to predict that the city was headed for a showdown between Gribbs and Ravitz in the following year’s mayoral election.

² Frank Angelo, “Mayoralty Race Shaping Up for ’73,” *Detroit Free Press*, November 15, 1972, 9.

³ Angelo, 9.

⁴ Peter Benjaminson, “Ravitz Loses in Neighborhoods He Cultivated,” *Detroit Free Press*, September 12, 1973, 10.

Still, Gribbs had yet to actually announce that he would be running for reelection, though there were signs that he was preparing to run again. Staff shake-ups by the mayor in August of 1972 were popularly seen as an indication that Gribbs was gearing up for a re-election run.⁵ The letter from Gribbs's press secretary to WXYZ Radio can also be interpreted as an indication of an intention to run again, with the letter acting as a way for the mayor to take credit for the anti-porn ordinances while undercutting Ravitz, his chief rival. In Angelo's view, Gribbs was also actively working to boost his "good guy" liberal bona fides by touting the Police Department's inclusion of more African American officers and other city initiatives, the idea being to cut off the opening to Gribbs' left politically.⁶

Just over a month after Angelo's column, Gribbs shocked the city's political establishment by declaring that he would not seek re-election. The mayor's aides learned of the decision only an hour before it was announced, and it apparently caught his staff entirely by surprise. He had apparently been raising money for a reelection campaign just a week prior, but then decided to change course, declining to run so that he could spend more time with his family. Though his term as mayor had lacked the pizzazz of his predecessor (and, as it turned out, his successor), he was still fairly popular in the city, and Gribbs for one claimed that he made his decision despite private polls which he said indicated he would win reelection easily.⁷

After Gribbs' announcement, the *Free Press* instantly declared Ravitz "the man to beat for mayor of Detroit in 1973." Even as Ravitz had yet to formally declare his candidacy for the position, his public remarks at that time made evident that a mayoral run was in his future, with Ravitz saying, "Somebody has to be and is going to be the mayor. With 12 years of training I am

⁵ John Opendahl, "Gribbs' Moves Hint of Race For Re-Election," *Detroit Free Press*, August 27, 1972, sec. F, 13.

⁶ Angelo, "Mayoralty Race Shaping Up for '73," 9.

⁷ Billy Bowles, "Gribbs Picks Family Over a 2d Term," *Detroit Free Press*, December 29, 1972, 1, 11.

as knowledgeable and perhaps more so than most other candidates I can think of.” He went on to position himself as the unifying candidate, saying, “I believe this town can be put together again.”⁸

Still, alternatives to Ravitz quickly began to emerge, with a number of white politicians soon mentioned as possibilities who might appeal to the law and order vote. Among these was Police Commissioner John Nichols, who was seen as a candidate who might get some of the “law-and-order and homeowner support Gribbs enjoyed.” Nichols at that point denied any interest in the post though, saying, “I’m a policeman. That’s all I know. I don’t know anything about politics.”⁹ Meanwhile there was also David Eberhard, who, as discussed in chapter five, had previously announced his plan to run for mayor in June of 1972 after the obscenity law he championed was overturned by a court decision. Eberhard later that year reversed course and decided not to run on the belief that Gribbs would seek re-election, but after Gribbs’ announcement he expressed renewed interest in running, announcing his candidacy a week after Gribbs bowed out. Still, most gave him little chance of winning the race, expecting him to drop out before the primary to instead run again for City Council. Eberhard spoke confidently though of his chances, pledging in the announcement of his campaign that he would clean up “a dirty, filthy, junky city.”¹⁰ The *Free Press* would write of the approach taken by Eberhard in his mayoral run that he “was elected to the council as a liberal, but has said he will make a conservative campaign for mayor.”¹¹ In the months ahead, Eberhard would try to drum up

⁸ Ladd Neuman, “Mel Ravitz Front-Runner--As of Now,” *Detroit Free Press*, December 29, 1972, 1.

⁹ Neuman, 6.

¹⁰ Jim Neubacher, “Eberhard Eying Mayor’s Race Again,” *Detroit Free Press*, December 30, 1972, 3; Billy Bowles, “Eberhard Announces He’ll Run For Mayor,” *Detroit Free Press*, January 6, 1973, 3.

¹¹ Remer Tyson, “Young’s Entrance Sets Battle Lines in Mayoral Race,” *Detroit Free Press*, May 14, 1973, 5.

support by focusing on the drive to halt the spread of pornography in the city, with the *Detroit News* writing that he was “basing much of his mayor campaign on the obscenity issue.”¹²

When Mel Ravitz officially announced his candidacy in February of 1973, he did so by positioning himself as a candidate who could unite Detroit, saying, “I don’t want to be mayor of a divided city.” He indicated in his announcement that he saw himself as a middle-ground choice positioned between the supposed divisiveness of black mayoral candidates and conservative-leaning white ones, able to build a broad coalition across racial and ethnic lines while attracting business and labor interests. If Ravitz was not quite a shoo-in, he was undoubtedly seen as the front-runner at this point, the candidate that everyone else was trying to catch.¹³

Still, Ravitz was playing a tricky game by positioning himself in the center of opposing forces, and his candidacy soon took a hit when the Michigan Supreme Court in May of 1973 issued a ruling that the state’s constitution did not preclude Coleman Young from running for mayor despite him serving in the state legislature at that time. Young immediately kickstarted his campaign by attacking the Detroit Police Department and its commissioner, John Nichols—who was expected to announce his mayoral candidacy shortly—saying that Nichols was “following the old blackjack rule by terror.” The *Free Press* explained that Young’s strategy “is intended to make the primary campaign into a battle between himself and Nichols, hoping to cut the political middle ground away from Common Council President Mel Ravitz.” Indeed, Young positioned his candidacy as something of a critique of Ravitz and the legacy of white liberal leadership in an

¹² Stephen Cain, “Council Rallies to Aid of City’s Belly Dancers,” *Detroit News*, April 13, 1973, B-1-D.

¹³ Billy Bowles, “Ravitz Enters Mayoral Race, Seeks Unity,” *Detroit Free Press*, February 13, 1973, 3.

increasingly black city. As he said, “Detroit today is a racially polarized city, and now is the time we need to have a black mayor.”¹⁴

In the end, this strategy would work for Young, thus dooming Ravitz’s candidacy. With Nichols and Young in the race, to say nothing of a host of other white liberal-leaning candidates, Ravitz finished a distant third in the September primary. Ravitz’s path through the middle became no path at all, as he failed to win either white or black neighborhoods.¹⁵ Meanwhile, as the top two vote-getters, Nichols and Young advanced to the general election. Unlike in the 1969 election, when the white and black mayoral candidates had largely similar politics, Nichols and Young could agree on little and presented unambiguously different visions for the city. The liberal-leaning moderation embodied by Gribbs in the 1969 race had given way to the Nichols campaign’s full-on embrace of racial-tinged law and order politics. Meanwhile, Young’s brash style and full-throated embrace of black politics little resembled the mild-mannered moderate liberalism of Richard Austin’s mayoral run. Ultimately, after a hotly-contested campaign, Young would eke out a narrow win to become Detroit’s first black mayor.

The 1973 elections in Detroit demonstrated the limitations of anti-porn politics in the face of racial polarization. For all Gribbs’s work against adult entertainment throughout 1972, it had not transformed him into the type of popular mayor that could scare off potential competitors angling for his job. Ravitz’s pragmatic attempt to appropriate anti-porn politics as a means to boost his electoral chances in the end satisfied no one, and the white liberalism he represented was seemingly no longer satisfactory to either blacks or whites in the city. Finally, centering his

¹⁴ Remer Tyson, “Sen. Young Opens Race for Mayor,” *Detroit Free Press*, May 11, 1973, 3, 12; Tyson, “Young’s Entrance Sets Battle Lines in Mayoral Race,” 3.

¹⁵ Benjaminson, “Ravitz Loses in Neighborhoods He Cultivated,” 10.

campaign around pornography drew little popular or institutional support for Eberhard's mayoral run, and he quietly bowed out of the race in July to instead run again for City Council.¹⁶

Meanwhile, the City Council race also proved the limited political capital wrought by anti-porn politics. Phillip Tannian, who had spearheaded Gribbs's campaign against pornography as head of the Mayor's Task Force on Licensing Procedures, ran for City Council that year, but finished just twentieth in the primary, with only the top eighteen advancing to the general election. Katherine Gribbs, the wife of the mayor, also ran for City Council and did fare better than Tannian in the primary, finishing seventh overall. However, come November she dropped to fourteenth, finishing far outside the top nine candidates who were elected to the City Council.¹⁷

Coleman Young, meanwhile, showed little interest in engaging in anti-porn politics. To my knowledge, during his twenty years as the mayor of Detroit, Young never spoke once on the issue of pornography nor signed any major pieces of anti-porn legislation into law. Young did, however, have his picture taken at Detroit's Playboy Club (see figure 30), beaming while standing next to two "bunnies," an image that one would be hard-pressed to imagine his predecessor posing for. Given all this, there is more than a bit of irony to the fact that, because of the timing of when the Supreme Court heard the appeal, the legal case on Detroit's anti-porn zoning law came to have Young's name rather than Gribbs' affixed to it. In reality, Young had nothing to do with *Young v. American Mini Theatres* or the law that prompted the case.

¹⁶ Peter Benjaminson, "Rogell, Eberhard Seek Council Re-Election," *Detroit Free Press*, July 21, 1973, 3.

¹⁷ "Results of Detroit Election," *Detroit Free Press*, September 13, 1973, 14; Julie Morris, "6 Stay on Council; 3 Newcomers Win," *Detroit Free Press*, November 7, 1973, 1.



Figure 30. Coleman Young pictured at Detroit’s Playboy Club during the 1970s.

Coleman Young ushered in an era of ascendance for black politics in Detroit, one in which there was far less interest in the battles over pornography and censorship that his white predecessors had partook in. Indeed, his apathetic stance toward pornography points to an essential component to the history of the anti-porn movement in Detroit that I have catalogued in this dissertation, which is the degree to which it was dominated at all levels by whites. The city’s grassroots anti-porn protesters, from Catholic postwar opposition to indecent literature to those protesting the Adult World Bookstore in Redford, were predominantly, almost exclusively, white. Likewise, from Herbert Case to Roman Gribbs, all the key figures who spearheaded media censorship efforts by the city government were white. Moreover, as I have argued, all these anti-porn advocates stretching from the grassroots level up to the mayor’s office drew on, in varying ways, white racial politics. In the end though, the all-consuming whiteness of the anti-porn movement meant that it had little political utility outside of white voters, as evidenced by

the 1973 city elections. For Gribbs, Ravitz, and Eberhard, anti-porn politics was no doubt seen as a unifying issue, one that could create solidarity among blacks and whites who were, in their imagination at least, equally opposed to pornography. In reality, anti-porn politics was always more compelling to whites in the city, whereas African Americans frustrated with the state of racial relations in Detroit had little interest in the “unifying” power of anti-porn politics. Throughout the twentieth century, during the time that Detroit was majority white in both its population and political leadership, anti-porn politics held a central place in the city; not coincidentally, once the city became majority African American and black political leadership took over, the era of preeminent anti-porn politics in Detroit came to an end.

All this is not to say that all African Americans in Detroit were apathetic when it came to the issue of pornography, as there were occasional grassroots anti-porn efforts in black communities in the city. In 1973, black parents organized the group Angry Residents Mobilized to protest the stretch of adult businesses along Eight Mile in northern Detroit.¹⁸ Meanwhile, the Michigan chapter of the Southern Christian Leadership Conference briefly dipped its toes in the anti-porn waters in 1974, though that quickly passed.¹⁹ All told, though there certainly was anti-porn sentiment among a certain portion of the African American population of Detroit, it never held the centrality that it did as a political issue to so many white residents of the city.

One reason for this is that the black community in the city was busy debating another form of “indecent” media which was, to some black residents, far more dangerous than pornography. Over the course of the early- to mid-1970s, the city’s most prominent black newspaper, the *Michigan Chronicle*, published just a few articles dealing with the issue of

¹⁸ Gary Baumgarten, “Black Parents Up in ARMS Against ‘Sex Strip,’” *Michigan Chronicle*, June 30, 1973, 11.

¹⁹ Douglas Glazier, “Neighbors Want a Jury Probe of ‘Sex Strip,’” *Detroit News*, March 28, 1974, 20.

pornography in the city. Over that same time frame, it published dozens, perhaps hundreds, of news stories and opinion pieces on the flourishing of blaxploitation cinema in Detroit and across the country. Blaxploitation cinema, the loosely-defined genre of 1970s films which tended to be stories of black male action heroes as set in poor urban communities, was immensely popular among a certain set of black residents in Detroit, who celebrated the genre for its stories of empowered black men fighting against racist forces in society. For many other black Detroiters though, blaxploitation reified negative stereotypes of African Americans and glorified criminality and drug use, thus representing a new nadir in representations of black people onscreen. In early 1974, the Detroit chapter of the NAACP began a drive against downtown theaters showing blaxploitation, with picketers holding signs like “Distorted Stories Corrupt Young Minds” and “Pollution in Detroit Theatres Inspires Crime.” As these signs make clear, protests against blaxploitation in Detroit often linked the popularity of blaxploitation films with problems of crime and drug use in the black community in the city.²⁰ After months of these protests, Joe Madison, executive secretary of the Detroit NAACP, claimed victory in getting downtown theaters to change the films they played, telling the press, “Now that people have worked to eliminate the images of pimps, prostitutes, and dope-dealers from the screens of downtown movie theaters, it’s only a matter of time before they want them off the streets as well.”²¹ This controversy was hardly unique to Detroit, with the popularity of blaxploitation lambasted by many black newspapers and Civil Rights organizations around the country like CORE and the NAACP.

²⁰ Nadine Brown, “New NAACP Secretary Vows More Picketing of Blaxploitation Films,” *Michigan Chronicle*, February 23, 1974, 4.

²¹ Fred Girard, “Downtown Flicks Getting Better,” *Detroit Free Press*, July 18, 1974, 14.

Much of this debate catalyzed around the film *Super Fly* (1972). Whereas blaxploitation pictures like *Cotton Comes to Harlem* (1970) and *Shaft* (1971) focused on cops and private detectives, *Super Fly* was the story of a cocaine dealer trying to sell thirty kilos so as to fund his exit from the drug trade as he simultaneously tries to evade corrupt white police officers. The film opened in Detroit in August 1972 at the Fox Theatre, where it posted the biggest opening day ever at the theater, and then proceeded to do about twelve times the theater's average business in the first week of its release.²² The film's success was fueled in part by its best-selling soundtrack album by Curtis Mayfield, and just weeks after its debut it was reported that the album was "without question Detroit's number one seller."²³

Beyond the success of the film itself and its soundtrack in Detroit, *Super Fly* also impacted fashion in the city, with the flashy and flamboyant look of the main character setting off something of a fashion craze among young African Americans. Long coats with fur and fedoras began appearing everywhere, with the *Free Press* reporting in February of 1973, "Walk down almost any street in Detroit and you'll see what men's clothiers have known since last September: Super Fly clothes are super hip."²⁴ Super Fly outfits were advertised in the pages of the city's newspapers (see figure 31), while stores had trouble keeping them on the shelves. A *Free Press* columnist even claimed that the Super Fly look was actually "started by Detroit pimps and was picked up quickly by the show business and sporting worlds."²⁵ It reportedly got to the point that Detroit's undercover police officers took to wearing Super Fly outfits so as to

²² "'Super Fly' 1,250 at Detroit Fox and 1,000 at Mercury In 1st Week," *Boxoffice*, September 25, 1972, sec. ME, 2.

²³ Steve Holsey, "Reflections," *Michigan Chronicle*, September 16, 1972, sec. B, 7.

²⁴ Susan Watson, "'Super Fly' Look: Film Sets Fashion," *Detroit Free Press*, February 20, 1973, 3.

²⁵ Bob Talbert, "Zany Stan Spreads into Social Scene," *Detroit Free Press*, August 24, 1974, 13.

blend into black Detroit, a fact that also points to the way in which the fashion of the film was often linked to black criminality.²⁶

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FASHION FOR MEN'S WEAR

Figure 31. *Detroit Free Press Magazine*, April 15, 1973, p. 21.

To some, *Super Fly* and the craze it set off in Detroit was a breath of fresh air emphasizing black liberation and independence; to others, the film glorified drugs and promoted negative stereotypes of African Americans. The debate was perhaps best encapsulated in the pages of the African American Detroit newspaper the *Michigan Chronicle*. On the one hand was an article by Bill Lane, in which he wrote of the film, “At last the screen has a story about the seamy side of Black life in the ghetto as manipulated by people who are white – and wearing the

²⁶ “Occupational Hazards for STRESS,” *Detroit Free Press*, June 3, 1973, sec. B, 1.

badge of law and order.”²⁷ On the other hand, three weeks later the paper published an article by Steve Holsey in which he wrote, “A number of concerned Black people feel that it’s time for Black-oriented movies to stop glorifying the criminal element of the Black community. *Superfly*, some say is the last straw.”²⁸

It was within this context of debate over blaxploitation in Detroit’s black community that Coleman Young gave his famous inauguration speech in early 1974 in which he said, “I issue an open warning now to all dope pushers, to all ripoff artists, to all muggers: It’s time to leave Detroit. Hit Eight Mile Road. And I don't give a damn if they are black or white, if they wear Super Fly suits or blue uniforms with silver badges: Hit the road!” This quote has been repeated ad nauseum in the decades since, most often by white suburbanites who interpreted it as Young telling the city’s criminals to move into the suburbs. Others have focused in on Young’s mention of those wearing “blue uniforms with silver badges,” or on his mention of “dope pushers.” Drawing far less attention though has been his invocation of “Super Fly suits,” with its allusions to the battle over blaxploitation in the city.

Young’s decrying of blacks in their Super Fly suits put him firmly on the side of those opposed to blaxploitation in the city, with fashion choices inspired by blaxploitation seemingly a sign of criminality. Just as importantly though, Young’s comments here are an indication of the way in which his politics engaged directly with longstanding debates over what media was considered “indecent” and thus out-of-bounds for respectable mainstream society. Whereas once this indecency had been defined by pornographic content though, now it was the depiction of race and blackness that was at issue. Remaining constant though was the belief that the

²⁷ Bill Lane, “‘Super Fly’ Is Super First Look at Dope Dealings,” *Michigan Chronicle*, August 26, 1972, sec. B, 8.

²⁸ Holsey, “Reflections,” 7.

consumption of indecent media could have harmful negative effects on the individual and on society. Though the media targeted had changed as had certain contours of the discourse, there were very real continuities between Herbert Case's belief that indecent literature could turn the young and impressionable into deviants and sex criminals, the view that adult businesses cause neighborhoods to decay and be overrun by blight, and the notion posited by Coleman Young and others that blaxploitation was linked to black urban criminality and drug use. Even as anti-porn politics waned in prominence during Young's tenure in Detroit then, the inauguration speech of the city's first black mayor points to the fact that the debate over what media was indecent, and what effects such indecent media might have, would retain its central importance in this new era.

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