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# PORNOGRAPHY, A Political Weapon

*An alerted and determined public can fight obscenity and win*

by John Benedict

PORNOGRAPHY is being used as a political weapon by chicane forces so well protected from public view that barely a hint of their true identity is known by the consuming public. Christianity, specifically that aspect of it termed Christian action, provides the only effective counter-weapon in combatting the bestializing effects of nationwide acceptance of pornography.

An overwhelming flood of pornographic writings, motion pictures and other materials are being prepared for unlimited distribution throughout America. That people welcome this deluge of filth is inconceivable; enough opposition has developed to indicate the contrary to be true, even though the planners already have gauged the quality of

expected resistance and found it weak and lacking in temper.

Citizen resistance, except locally, has been almost useless, because it has developed from false premises. The average citizen sees the fight against obscenity as a contest between the local censor or community leaders and the salesmen of lewd books, films and periodicals. Such contests almost always revert to the legal arena; it is there that the promoters and propagators of pornography win their battles. The defender of the moral law seeks justice in the courts; the devotee of the cult of immorality seeks judicial sanction. On a sectional and national level the immoralist almost invariably wins in the courts.

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MERCURY discussed the ramifications of "The *Lady Chatterley's Lover* Case," paying specific attention to the forces promoting the sale of the unexpurgated version of the novel. A shallow dip under the surface of that case revealed that many of the individuals involved had given, some ten years earlier, direct support to Alger Hiss. Other under-surface connections were traced from the Chatterley case to Kuhn Loeb and Company and also into the Communist Party and its fronts. But under everything was the reek of Felix Frankfurter and his proteges.

FEDERAL COURT Justice Frederick VanPelt Bryan's decision on July 21, 1959, upsetting Postmaster General Arthur Summerfield's postal ban of *Lady Chatterley's Lover*, followed closely on the heels of the United States Supreme Court's decision of June 29, 1959, which allowed exhibition of the uncensored version of the motion picture of the same name. Kingsley International Pictures Corporation, the film's distributor, had carried its fight against New York's film licensing law up through the courts, on appeal from an earlier adverse ruling against the Chatterley film.

Justice Potter Stewart delivered the opinion of the Court, based "upon First Amendment liberties, protected by the Fourteenth Amendment from infringement by the States." The core of the opinion was

that New York had prevented the film, "*Lady Chatterley's Lover*," from being exhibited

because that picture advocates an idea—that adultery under certain circumstances may be proper behaviour. Yet the First Amendment's basic guarantee is of freedom to advocate ideas. The State, quite simply, has thus struck at the very heart of constitutionally protected liberty.

It is contended that the State's action was justified because the motion picture attractively portrays a relationship which is contrary to the moral standards, the religious precepts and the legal code of the citizenry. This argument misconceives what it is that the Constitution protects. . . . It protects advocacy of the opinion that adultery may sometimes be proper, no less than advocacy of socialism or the single tax.

Adulterers will no doubt be quite happy to learn that the U. S. Supreme Court, in all of its august majesty, has decreed that the Constitution's benign influence extends to advocacy of illicit *affaires d'amour*. Thus has been accomplished the first step in the establishment of a pornocracy. Justice Stewart's inclusion of the term "advocacy of socialism" is another pre-sage of things to come.

And what did Justice Felix Frankfurter, the dominant influence on the Supreme Court since 1941, have to say?

He opined that he was

more than surprised, after viewing the picture, that the New York authorities should have banned "Lady Chatterley's Lover." *To assume that this motion picture would have offended Victorian moral sensibilities is to rely only on the stuffiest of Victorian conventions.* (Our emphasis.)

Frankfurter continued at length developing his pet theories of law: the buttressing of his opinion by sociological references—in this case quotations from D. H. Lawrence's writings on obscenity—and citations from British law on obscene publications. This latter Frankfurter practice is particularly obnoxious to Justice William O. Douglas, who complained: "Reference is made to British law and British practice. But they have little relevance to our problem, since we live under a written Constitution."

JUSTICE HUGO BLACK bracketed Frankfurter from the other side, objecting to the circumstances of the ruling whereby "every member of the Court must exercise his own judgment as to how bad a picture is, a judgment which is ultimately based at least in large part on *his own standard of what is immoral.*" (Our emphasis.) This seems a direct slap at Frankfurter, who, with Whittaker, had concurred in Harlan's opinion. Harlan had decided that he could not "regard this film

as depicting anything more than a somewhat unusual, and rather pathetic 'love triangle.'"

A great deal more may be said concerning this ruling, which may be found in its entirety on pages 16141-45 of the *Congressional Record* of September 1, 1959. Buried in the text are the repeating threads of a pattern so vivid in its texture that it constitutes evidence of megalomania on the part of the Court.

Since pornography has been and is being used as a political weapon, as a psychological tool for mass corruption, an intelligent defense against its pernicious effects must be formulated. Comprehension of the true nature of the enemy must be obtained, the cobwebs of deceit swept away. A first step in the right direction is a clear understanding of the Supreme Court's role in the unleashing of the current pornographic onslaught.

Part of that understanding can be derived from reading *Nine Men, A Political History of the Supreme Court from 1790 to 1955*, by Fred Rodell (Random House, 1955). Rodell's personal emphasis is one thing; but his marshalling of facts to prove "the Court is the sanctuary of sanctimonious political partisanship" is quite another. Murray A. Gordon of the New York Bar, in a review of this book, wrote one of the most vitriolic attacks against an author ever to be included in the pages of the communist-front *National Lawyers*

*Guild Review* (Winter, 1956, issue, page 160). He wrote that

Rodell tells us [that the] few renegades [on the Court never deterred it] from collectively yielding to the importunities of the monied interests or to the necessities of the political origins of the members of the Court; [that] the decisions of the Court are merely the expressions of individual political predilections, [therefore] the Court has no warrant to perform the high function of determining the constitutionality of government action. [Gordon complains that] Rodell strips the Court of its veneer of symbolism with the acid of his realism, and leaves only a Court as devoid of power, as it is, according to him, devoid of principle. . . . He cannot insist that the Court is simply the abode of a handful of men, each intent upon following his political and economic star, and then ask us to invest them with the final discretion to sustain or strike down legislation.

IT IS PRECISELY ON Rodell's points that public attention must be focused. Personal value judgments—held by the nine men on the Court—as to what does or what does not constitute pornography, obscenity, immorality and sacrilege should not be perpetrated upon 178,000,000 people; yet they are. The Court has no warrant from the Constitution to determine what is the "law of the land" as to the propagation of filth among the youth of the nation; yet it does.

An interesting sidelight to the Post Office's recent attack on pornography is the observation by Stanley Meisler in his article, "Hidden Censor," in *The Nation* for October 10, 1959. He states:

Under the guidance of a dynamic new general counsel, Herbert B. Warburton, the department is studying ways of revising its procedures to meet the objections of book publishers and civil-liberties groups. Warburton hopes to ask Congress for legislation that would put the power of judging obscenity increasingly in the hands of the courts.

Since we, as a nation, unwittingly have given to the Supreme Court the power to order and control our destinies, we must, as individuals, do everything we can to thwart the evil effects of the Court's rulings. Extralegal methods for seeking redress are out; what is left is simply this: we can refuse to fight the pornographers and their allies *on their terms*.

What methods of counterattack are left? Ruthless and unremitting *exposure* of every element of the conspiracy behind the pornography racket. *Suppression* of degrading literature, advertisements and films by boycott, ostracism, picketing, enforced cooperation, police pressure, legal harrassment, *any* method allowable in our society. *Investigation* of future intent of the pornographers so that preventive measures may be prepared.

How is pornography a political, or more correctly, a psychopolitical, weapon? The instant a person picks up a piece of pornographic or obscene literature in any of its forms, or attends a movie which has been advertised in a manner so as to awaken his prurient interest or continues to watch a TV show which is covertly lewd in its appeal, he begins to lose his self-respect and with it respect for his fellow human beings. The degree to which he succumbs to the lure of the lascivious, *within himself*, determines the completeness of his degradation. Passion is not unnatural, nor will any religious source so state; no, it is how that passion is directed—and into what channels—that is important to the spiritual and moral well-being of the individual, which ultimately is reflected in the state of the nation and of all mankind.

The first enemy to conquer is oneself; once that has been accomplished we can look to our fellow-men. If we do not, how can we point the finger at all the myriads of corruptive influences at work in our civilization with any degree of conviction or desire to ameliorate such conditions? Once man is animalized, de-Christianized, psychoanalyzed, debauched sexually, brainwashed into passive acceptance of immoral law as the *sine qua non* of his existence, he is fit only to wear shackles as a slave. *And that is exactly what the men*

*who have planned this expect to happen.*

THE FUND FOR THE REPUBLIC distributed 2,000 copies of *Banned Books* by Anne Lyon Haight (R. R. Bowker Company, New York, 2nd Edition, 1955) to libraries and library trustees. This book lists chronologically those books which fell under a ban because of heresy, treason or obscenity from 387 B.C. to 1954 A.D. It has an introduction by Morris Leopold Ernst. Ernst for years was the treasurer or board director of the American Fund for Public Service, "a major source for the financing of Communist Party enterprises" (Dies Committee Report, March, 1944, page 76, and Appendix IX, 1944); a member of or otherwise connected with the communist-fronts, the National Lawyers Guild, Sacco-Vanzetti National League, Non-Partisan Committee for the Reelection of Congressman Vito Marcantonio, counsel for the cited American Civil Liberties Union (ACLU); and co-author of *To The Pure*, published in 1928 by the Freethought Press Association, organ of the national atheistic organization, the Free-thinkers of America. This book was described by the Freethought Press as a "study of obscenity and the censor. A valuable contribution to the literature of man's struggle with his sex complex, and the efforts of organized religion in politics to stifle his attempts to acquire infor-

mation." Excerpts from the book, *American Stuff*, edited and sponsored by Ernst, read into the *Congressional Record* in November, 1938, "were so vile in part, they were unprintable." (Dies hearings, 1938, pages 2741-44.)

Ernst has exerted a great deal of effort for over 30 years towards the legitimization of obscenity, as an ACLU lawyer, as an author of several books on censorship and as a coordinator for others interested in the same objective (among them, D. H. Lawrence, author of *Lady Chatterley's Lover*).

In his introduction to *Banned Books*, he observed that the

church, maintaining power over masses of illiterate folk, gave evidence of its inner insecurity by endeavoring to maintain power by the suppression of criticism. . . . As the power of the church was diminished . . . censorship shifted from blasphemy into the area of sedition, and then after the democratic process had taken root . . . the power of the state over men's minds dwindled. . . . the next big shift [was] from sedition to obscenity. . . . Anthony Comstock . . . pushed through our first obscenity laws, promptly to be copied in most of the states of the Union. From 1870 to 1915, the practice of book publishers was to submit manuscripts to the Comstock Society. . . . after 1915 a line of cases were brought to court, narrowing to a substantial extent suppressible obscenity.

IT WAS ERNST who made the first major breach in the barriers which had been so carefully erected between the degenerate writers, publishers and distributors and the impressionable youth and nearly defenseless citizenry of this country, barriers long maintained by individuals who often had dedicated their lives to the task. Ernst defended in court James Joyce's *Ulysses*, which luridly reflected its author's predilections for scatological and immoral matters. This literary garbage had been burned, literally, by our postal authorities from its earliest appearance in this country in 1918 until 1933 when Secretary of the Treasury Henry Morgenthau, Jr., admitted it as a *classic*, under a Tariff Act provision which permitted entry of so-called classics for non-commercial purposes at the discretion of the Secretary of the Treasury. Ernst then defended Random House and the book in court, and Judge John M. Woolsey of the U. S. Southern New York District Court (founder of the *Columbia Law Review* and adviser to the Harvard Law school) raised the ban with the observation that it was a "sincere and honest book. . . . I do not detect anywhere the leer of the sensualist." He ruled that the book was not pornographic because even though

the meaning of the word "obscene" as legally defined by the Courts is:

tending to stir the sex impulses or to lead to sexually impure and lustful thoughts, . . . whether a particular book would [so] tend . . . must be tested by the Court's opinion as to its effect on a person with average sex instincts. [His] considered opinion, after long reflection [was that nowhere did the book] tend to be an aphrodisiac.

ON APPEAL of the U.S. vs. One Book Called *Ulysses* case in 1934, Judge Augustus N. Hand, of the New York Circuit Court of Appeals, wrote the opinion which sustained Woolsey's ruling. The (Gathings) House Select Committee on Current Pornographic Materials Report, issued on December 31, 1952, analyzed this universally cited ruling, which held that the pertinent theme of an allegedly obscene book was the controlling factor, particularly if the book has high "literary quality" and the obscene contents only delineate character. This, stated the committee,

is as elastic as rubber in its interpretative susceptibility and supplies the purveyors of obscenity with an excuse regardless of what is the degree of obscenity involved and requires each and every book to be judged separately, an almost impossible task.

Thus a long-existing principle of law dealing directly with obscenity in literature yielded in a revolutionary degree to adjust judicial decisions to the mores of the time. . . . [This established] a new legal philosophy in that field but one so elastic

that it serves as the basis for excuse to print and circulate the filthiest, most obscene literature . . . ever known in history. Referred to constantly by every publisher of obscene literature whenever approached on the subject, a layman finds it difficult to successfully counter the argument of the publishers citing the *Ulysses* case.

There is, however, a legal counter-argument, and the Gathings Committee supplied it by quoting from an opinion by Federal Judge Goodman of the Southern Division of the U.S. District Court for the Northern District of California. Judge Goodman, in U.S. vs. Two Obscene Books, referred directly to the *Ulysses* case among others:

There has been a tendency, as indicated in the decisions of the Court of Appeals of the Second Circuit [New York, Connecticut and Vermont] and the District of Columbia to "liberalize" the definition of obscenity as it has come to us from the English courts.

Referring to obscene passages in *Ulysses* and other books, he continued:

They are sought to be justified by the claim that the books as a whole have an artistic pattern, and to which the obscene and scatological portions fit as a part of a whole literary mosaic. But I must conclude that this is a mere sophistry. The filthy scatological portions are written in a bluntly different and distinct style from the [rest of *Ulysses*].

Judge Goodman then turned to *Tropic of Capricorn*, by Henry Miller, one of the two books before him in this case in 1950.

It may be the modern trend towards frankness in sexual matters has influenced the viewpoint of claimant and the critics who espouse the cause of Miller. . . . It is sufficient to say, however, that the many obscene passages in the books have such an evil stench that to include them here in footnotes *would make this opinion pornographic*. . . . If this be importable literature, *then the dignity of the human person and and the stability of the family unit, which are the cornerstones of our system of society, are lost to us.* (Our emphasis.)

Judge Goodman applied the Hicklin test of obscenity (see below) to the books, held them to be obscene, and continued:

It is contended . . . that *Tropic of Capricorn* must be treated differently because . . . these episodes or passages are stated to constitute [only] 13 per cent of the total number of pages in the book.

Judge Augustus Hand, in his opinion on *Ulysses*, considered "the established reputation of the work in the estimation of approved critics" as an important factor.

Judge Woolsey raised the ban on Marie C. Stopes' *Married Love* in 1931, saying, "I cannot imagine a normal mind to which this book would seem to be obscene or immoral." As a result, Stopes' book,

*Contraception*, also gained entry and this cleared the way for a flood of imported birth control literature. It was Ernst who successfully defended the study in perversion, *The Well of Loneliness*, by Radclyffe Hall, in 1939.

In Haight's *Banned Books*, a survey of the cases cited shows conclusively that 1930 marked the year in which the pornographer-agitators gained their first major victory; in that year the Collector of Customs raised the government ban on dozens of obscene books.

HAIGHT'S BOOK also lists some of the judges who have contributed most to the cultural debacle in this country which has resulted from their rulings for the purveyors of obscenity. They were New Jersey Superior Judge Sidney Goldman, who, in 1953, ruled in favor of Bantam Books' *The Chinese Room*, by Vivian Connell; New York Magistrate Jonah J. Goldstein, who, in 1935, discharged a complaint against sale of Gustave Flaubert's *November*; New York City Magistrate Benjamin Green-span, who exonerated Erskine Caldwell's *God's Little Acre* of the charge of obscenity in 1933, a decision which "marked a milepost against censorship. It rested on the fact that the book must be considered in its entirety, not in isolated passages;" and New York City Magistrate Nathan D. Perlman, who dismissed the case against



Andre Gide's *If It Die* in 1936, and who acquitted Roy Larsen, formerly publisher of *Life* magazine, when he was arrested for selling a copy of his magazine containing a picture story from the film, "Birth of a Baby," previously ruled indecent and corruptive. [Larsen is now president of *Time*, Inc.]

The moral tone of literature sold and read in this country has been successively lowered, ruling by ruling, by judges in New York City. That an opinion by a city magistrate "marked a milepost against censorship," affecting the lives of every person in this country, as it ultimately has, is an absolute disgrace. When it is also realized that it has been a New York organization, the cited Communist-front ACLU (with which Felix Frankfurter and Morris L. Ernst have been intimately associated), which provided the "legal talent" in many cases for New York City publishers, supported by New York City literary "critics," it becomes clear where the focus of infection lies.

*Banned Books* provides other interesting and pertinent historical information. There was a *Chinese Index* in 1884 to suppress communistic and revolutionary writings; conversely there was originated and in operation by 1926 in Soviet Russia an *Index* of the *Soviet Inquisition* (its official title) which stated in its direction to libraries: "The section on religion must contain solely anti-religious books." It sup-

pressed all books "which confound science with religious inventions, speak of the wisdom of the Creator and the immorality of Darwinism." In 1953, in East Germany, the communist cultural advisers removed from the libraries, schools and bookshops at least 5,000,000 volumes by German, Nazi and foreign authors. In 1954 the same advisers banned Mickey Mouse as an anti-Red rebel.

PERHAPS the first major judicial sanction of obscenity in the United States was that made by Judge Learned Hand (again in New York City) of Harvard Law School. Judge Hand protested the Hicklin rule in 1913 in *U.S. vs. Kennerley* in which he called for "adequate portrayal of some of the most serious and beautiful sides of human nature."

Two Negro physicians, Dr. Edward C. Mazique, president-elect, National Medical Association, and Dr. Joseph L. Johnson, testified before the Granahan House Postal Subcommittee Investigating the Problem of Obscene Literature. They said,

They knew from their own observation that pornographic literature contributes directly to mental illness among young people who habitually read it.

Dr. Mazique . . . added that obscene literature is a special threat to people of his race. "By nature of the

fact that the great masses of Negroes are in the lower socio-economic group," he explained, "they are the most helpless in the face of the inundating force of lewd and obscene literature."—*The Tablet*, June 6, 1959.

**W**HAT is a projected result of the spreading rot of moral degeneracy now besetting America and the rest of the world, a rot which has been accelerated by the pornographer-agitators? Miss G. M. Godden's *Russia Under the Red Flag* (Burns Oates and Washbourne, Ltd., London, 1929) gives a clue. She realized that pornography always goes hand-in-hand with anti-Christian propaganda and agitation. As a result, her book was savagely suppressed here and abroad. She wrote (page 61):

Theatrical representations have been devised, throughout Russia, parodying the Gospels with a bestial obscenity impossible to describe in these pages. The actors, by whom all the relations of human life are openly carried out before the audience, may be boys and girls. . . . The organizer of the blasphemous and obscene theatrical propaganda of the Soviet Government is E. V. Meyerhold . . . the Director of the now famous Revolutionary Theatre in Moscow.

Miss Godden further wrote that:

In a special appeal Zinovieff [Ovse Gershon Radomilsky, some-

times called Apfelbaum] declared: "We will grapple with the Lord God in due season. We shall vanquish him in his highest Heaven and wherever he seeks refuge, and we shall subdue him forever! . . . Month after month, for 11 years, the flood of obscenity and blasphemy has been poured over Russia, and has been directed down every channel by which the people could be reached.

Miss Godden exposed the horrible system of the *Proletcult* (Soviet Education):

Alexandra Kollontai . . . wrote in 1922: "Immorality in the schools is making satisfactory progress; many young girls of 15 are already pregnant. We may rejoice, for we shall have some new little communists." . . . One of the masters in a Moscow Academy describes the new *Proletcult* education quite frankly: "The boys and girls are herded together indiscriminately, and there is no semblance of morality. There is no pretence at discipline. No punishments are inflicted, no homework is set, and no marks are allowed."

These nauseous facts are the outcome of a carefully devised section of the tactics of International Communism. The International Communist is perfectly aware that one of the most intractable of the obstacles to . . . communism . . . is the general recognition, by the peoples of the world, of certain primary moral obligations. Hence the indefatigable and organized replacement, in communist educa-

tion, of morality by lust, and the insistence on the educational formula of the *Proletcult*, as regards morality, which is expressed in the phrase *everything is allowed*. (Madame Smidovich, *Pravda*, March 24, 1925.) The application of this formula during 11 years to the communistic youth . . . has naturally resulted in wholesale debauchery; a debauchery, moreover, which is welcomed. . . . This systematic Soviet trampling of morality under foot has been carried out . . . with a thoroughness the facts of which cannot be transcribed into English print. . . . Communism, we are told, "deliberately banishes all moral law." . . . M. Yaroslavsky (Gubelmann) has said: "All that is favorable to the Party and the class, as a whole is moral; everything that is not, is immoral." (*Pravda*, October 9, 1924.)

MISS GODDEN describes in detail the terrible increase in child criminality which resulted from the foregoing policy. New York City calls it "juvenile delinquency." Whatever its label, it means this: what is happening in New York City today, to its youth, is a preview of that which is planned for the rest of the nation. A constant flood of insecurity propaganda, cultistic entertainment and lecherous writings is inundating youth. No wonder children have reacted violently; they are the products of the stupidities of their parents, who have relinquished discipline and moral militancy for the enjoyment

of sensual, materialistic pleasures.

*The Red War on the Family*, written and published by Samuel Saloman in 1922 in Washington, D. C., contains extensive quotations from Soviet Russia's Code of Marriage Laws, compiled by Alexander Hoichbarg, chief editor of the Law Bureau, and reprinted in *Contemporary Review* (March and April, 1920). The contents of the Code and the descriptions of what happened to women and children in Russia under the Bolsheviks beggar belief! A Bureau of Free Love was established. A girl, having reached her 18th year, was to be considered the property of the state and had to register with this Bureau which was a part of the Commissariat of Surveillance. "Men between the ages of 19 and 50 have the right to choose from among the registered women, even without the consent of the latter, in the interests of the state." Further details of this Bureau were given in the book, *The Red Conspiracy*, by Joseph J. Mereto (The National History Society, New York, 1920), in addition to explicit information concerning the advocacy of free love and the pursuits of "the lusts of the flesh" by American Socialists before World War I.

Pornography, obscenity and immorality are not only political weapons, they are necessary ingredients of a system of enslavement and are inextricably bound into the fabric of the anti-Christian conspiracy which requires the destruc-

tion of the family as a prerequisite to its success.

What one magazine started the current deluge of filth on the newsstands? Some might answer that it was *Esquire*, which was banned by the Postmaster General in 1946 and then allowed to be sent through the mails after a unanimous decision by the U. S. Supreme Court. Others say the real trend in salacious magazines for newsstand distribution started with the appearance, some nine years ago, of a monthly called *Good Times: A Review of the World of Pleasure*, published by Samuel Roth. In July, 1955, a federal grand jury indictment was brought in New York against Roth, naming as co-conspirators Chief Miller, G. I. Distributors, Inc., Morris Sorkin and Phillip S. Foner, Remainder Book Company and Abraham Lieberman, Book Sales, Inc. Roth was the only one actually indicted for sending lewd literature through the mails and was sent to prison for five years.

THE SENATE INTERNAL SECURITY Subcommittee (SISS) investigated this case. (See its hearings on Scope of Soviet Activity in the United States, May, 1956, Part 23, pages 1195-1206.) The subcommittee called one of the named co-conspirators for testimony, Philip S. Foner, co-owner of Citadel Press and the Remainder Book Company with Morris Sorkin. Foner had been

identified previously as a member of the Communist Party and took the Fifth Amendment when asked if he were a member then (in May, 1956). Foner and Sorkin and their firm had been named as co-conspirators with Alex M. Yudkin and his company in an indictment against two other New York publishing houses on the same offense, handed down by a district court grand jury. Foner is a specialist on Jews in American history and wrote a pamphlet by that name. The subcommittee listed the many titles issued by Citadel Press, "publisher of party-line works." They included *Casanova's Homecoming*, by Arthur Schnitzler (indicted as obscene in 1924); *Documentary History of the Jews in the United States*, by Morris U. Schappes (an identified Communist Party member); *Homosexuals*, by A. M. Kirch; *The Satanic Mass*, by H. T. Rhodes; and dozens of others of like nature. Roth, "one of the nation's biggest dealers in obscenity," had been in operation 40 years!

According to the *Brooklyn Tablet* of February 4, 1956, story, Abraham Rubin, 60, was described by District Attorney Frank S. Hogan as "the kingpin of the pornographic industry in this country, doing a \$1,000,000-a-year business." Rubin, alias Al Stone, had been cited for contempt in May, 1955, by the Senate Subcommittee to Investigate Juvenile Delinquency, for refusing to answer questions during its hearings on the

relationship between pornography and delinquency. Hogan said that, on February 3, the police caught Rubin "with the goods." The rear and trunk of his car were loaded with "filthy material," including 24,000 "filthy comic books," 1,000 decks of pornographic cards and 100 reels of 8mm and 20 reels of 16mm film. He was charged with possession of indecent literature with intent to sell. He pleaded guilty on April 9, 1956; on May 15, 1956, he was sentenced to six months in jail and fined \$1,000.

Others cited for contempt of Congress before the Kefauver Subcommittee were "alleged pornographers who invoked the Fifth Amendment 35 times each. . . . Irving Klaw, self-styled king of the pinups, who assertedly does a \$1,500,000 business. . . . Edward Mishkin, asserted partner in three Broadway area bookshops." (*New York Daily News*, July 13, 1955, page 20.)

THE *New York Daily News* for April 9, 1957, carried an item concerning Hyman Greenspan's arrest with his partner, David Schoer, for selling indecent pictures. "Thousands of indecent photos and reams of pornographic literature were seized," according to the police, after they left the Co-Art Associates photo studios. Greenspan had been arrested on the same charge one year previously and the case was still pending! On Decem-

ber 12, 1957, both men pleaded guilty, on January 17, 1958, each received a \$500 fine and a 90-day suspended sentence.

"Three New York City dealers charged with being 'among the biggest operators on the East Coast' in the national \$300,000,000 obscene materials business" were indicted on April 7, 1959, by a federal grand jury. This announcement was made by Postmaster General Summerfield and the story was given in the *Tablet*, April 11, 1959.

Mr. Summerfield referred to raids on headquarters of three of the nation's "large, defiant and ruthless purveyors of mail-order filth" [after opening of the sealed indictments. He called the raids a] devastating and history-making blow [against this business.] Seized in the crackdown were Ben Himmel . . . indicted on 39 counts; William Glanzman . . . 70 counts; Sidney G. Poss . . . 20 counts. . . . Henry B. Montague, in charge of the Postal Inspection Service, said Himmel, Glanzman and Poss have records of using the mails to distribute pornography and that Glanzman has a 1958 New York State case pending against him. [The 1959 case against these three men is still pending.]

The arrest of the monster of Masapequa, Long Island, Russian-born Ivan Jerome, 60, who had changed his name from Emereff, came about because the police accidentally had uncovered motion pictures which he

had taken with hidden cameras in his home. The movies were of himself and at least 20 young girls ranging in age from 13 to 17. District Attorney Frank Gulotta, after viewing the films, said (*New York Herald Tribune*, June 29, 1955):

This incident serves as a horrible example. . . . We have here children . . . involved in a series of acts which stoop to the lowest depths of moral degradation and here is an individual, perhaps too low to be described in words, taking advantage of the weaknesses and perhaps naïvete and ignorance of these children. He led them into lives of crime and sexual depravity.

Subsequently, the very wealthy Jerome, out on bail, skipped the country and went to Mexico. At the present time his whereabouts are unknown.

**D**EFEATS SUFFERED in recent years by the forces of morality in the United States have been numerous. In November, 1957, the U.S. Supreme Court overruled the Court of Appeals ban of an indecent French film, "The Love Game." The high court declared the ban placed on the film by the Chicago Police Censor Board was unconstitutional as an infringement on the freedoms of speech and press. (*Tablet*, November 23, 1957.) In 1954, the high court had upset a ban on another French film, "La Ronde," by ruling that the term

"immoral" as used in the New York law, was too vague.

Ohio's governor, Michael DiSalle, vetoed a bill which would have repealed a section of the Ohio nuisance code which exempts publication with second class mail permits from prosecution for obscenity.—*The Tablet*, August 22, 1959.

The Pennsylvania State Supreme Court struck down as unconstitutional the section of the State Penal Code which prohibits exhibitions of a "lascivious, sacrilegious, obscene, indecent or immoral nature." The Court based its decision on a prior ruling of the U.S. Supreme Court that such language was too vague. The majority opinion was written by Judge Curtis Bok (of the Curtis Publishing Company family), who had struck down charges of pornography book sales made against five booksellers in Philadelphia back in 1949. Justice Michael Musmanno, who entered a dissent in the 1959 ruling, declared that as a result of the *Pennsylvania vs. Martin Blumenstein* decision, Pennsylvania "may well be on the way to a cinematic Gomorrah." In 1956, the same court had struck down the state censorship law. As a result of the 1956 ruling, Musmanno said there was no way of keeping "Baby Doll," a "monstrously ugly and degenerate film," from the theatres in Pennsylvania. He said that the 1959 majority opinion "which is written almost in telegraphic code, appar-

ently wants to say that the word 'obscene' is vague. . . . I can only say that the word 'obscene' today is about as vague as the word 'cat.'"

Bok also held in a related opinion that a lower court had erred in dismissing a suit by distributors of the film, "And God Created Woman," which had been banned in Philadelphia in 1957.

Maryland, in 1959, granted a license for exhibition of the uncut version of "Lady Chatterley's Lover," based on the U.S. Supreme Court decision regarding that film. C. Morton Goldstein, chairman of the state Board of Motion Picture Censors, issued the license, prior to a review of the censorship law by the attorney general. (*Tablet*, July 11, 1959, page 14.)

**R**UGOFF AND BECKER Theaters in New York City have advertised the following films in this manner:

"The Cousins" is described as "It is a deep cynicism, expressed in absolute hedonism—with shocking candor in the most powerful part of this film which represents a veritable orgy. . . ."—Bosley Crowther, *New York Times* movie critic, in an ad dated November 27, 1959, in the *New York Times*.

In the same paper the Rugoff and Becker Theaters' advertisement of their picture, "The Lovers," describes it as "one of the most important films of the year. It is very pure in its worship of sex itself as the incarnation of love. Unabashed,

truthful sensuality."—Arthur Winston, *New York Post* movie critic.

The victimized public does have one weapon left against that faction responsible for the stream of pornographic literature which is flooding newsstands all over the nation. That weapon is a simple yet ruthlessly effective action.

The determined crusader can obtain a pocket-book, such as *Pornography and the Law* (see "The Lady Chatterley's Lover Case," January, 1960, *AMERICAN MERCURY*), and have offset reproductions made of pages 132-133 of that book. (Or the text may be copied for mimeographing.) Then, he should distribute that reproduction with a covering letter addressed to the publisher of the book, to the local, state and federal judges, to all civic organizations, newspaper editors, veterans organizations, etc., in which the question is asked, "Do you consider this material obscene or pornographic?"

Letters from the publisher or any other source defending this book can then be reproduced along with the letters taking the opposite viewpoint, and copies of the entire correspondence can be redistributed. Silence from any correspondent can be construed as indicating indifference or tacit approval of the material and also can be made public.

This method of exposure is effective. It forces the "liberal" to defend the actual quoted material, rather than to expound on the "evils of censorship;" it confronts the unin-



formed citizen with the irrefutable evidence of the type of literature being sold in his community. Public support can be mobilized; militant action can then be planned and executed against the local merchants.

Richard Cardinal Cushing, in exploring the current widespread distribution of obscene literature, stated,

What is new and distressing is the effort which is being made in some quarters to minimize the dangers which arise in the prevalence of obscene literature, and to impede the application of existing laws by raising questions, concerning their precise meaning, and the definition of their terms. It is this dishonestly casualistical evasion of the problem which has emboldened distributors and retailers to offer for sale types of literature which only a quarter of a century ago would have fallen under universal condemnation.—*The Tablet*, June 6, 1959.

What organizations are fighting the forces of licentiousness today? The Citizens for Decent Literature, formed in Cincinnati, is one. It was founded and is headed by Charles H. Keating, Jr., and has been expanded into a national CDL. His group has prosecuted obscenity cases in Cincinnati courts. The CDL hopes to build up in the courts of this nation a recognition of pornography as a major crime against society as a mass and as individuals.

The Churchmen's Commission for Decent Publications, a national Protestant organization, has been

formed in Washington, D.C. Chairman of the commission's Legislative Committee is O. K. Armstrong, Springfield, Missouri, a former Congressman from that state.

The National Office for Decent Literature (NODL) was established by the Roman Catholic Church in 1938 and is coordinated from 33 East Congress Parkway, Chicago 5, Illinois. It issues lists of obscene books to its members and coordinates a myriad of activities against the publishers and "pushers" of such literature. The Catholic Legion of Decency, 433 Madison Avenue, New York 17, New York, rates motion pictures as to their objectionable content.

The National Council of the Churches of Christ (Protestant) maintains in Hollywood a West Coast Broadcasting and Film Commission, 5746 Sunset Boulevard, Hollywood, California, under the direction of George A. Heimrich. It contemplates making recommendations to Protestants to boycott objectionable films by staying away from all motion pictures.

WHAT CAN the individual do, other than participate in the activities and support the efforts of the organizations named? The following recommendations are made (asterisks refer to Postmaster General Summerfield's recommendations):

1. Do not attend theaters exhibiting films which you believe to be indecent or obscene. Tell the exhibitors



you are not going to see such pictures and why. Write the theater exhibitor or owner each time a new objectionable picture is booked, repeating the reason for your non-attendance.

2. Complain to any newspaper that advertises such films with letters to the editor, to the owner, to the stockholders, protesting that newspaper's acceptance of advertising from sources inimical to the public interest.

3. Combine your efforts with public-spirited businessmen who may decide to withdraw their own advertising, and thus revenue, from newspapers that ignore your complaint. If many advertisers divert their advertising, perhaps one local newspaper will decide not to carry the theater advertisements in exchange for the added revenue. Both the exhibitors and the offending newspapers are affected by this method of redress.

4. Find a lawful way to affect the pocketbooks of those who are poisoning the minds of our youth. Organized groups, such as the Catholic War Veterans, the American Legion, the Wage Earners Committee in Hollywood, have successfully picketed motion pictures and theater productions in the past.

5. At the present time obscenity and communism often go hand in hand. Secure documented information as to who the communists and communist-fronters—such as writers, authors, directors, producers, cast members, etc.—are in the enter-

tainment field.

a. Secure Senate Document No. 148, "A Summary Index of Congressional Investigations of Communism and Subversive Activities, 1918 to 1956," (dated July 23, 1956, 84th Congress, 2nd Session), from the Senate Documents Room, Washington, D. C., free, or from the Senate Committee on Government Operations, which compiled it, or the Superintendent of Documents, Government Printing Office (GPO), Washington, D. C. (catalog no. 84-2:S, doc. 48), \$1.25 a copy.

b. Check this Index for appropriate investigation of entertainment. Apply to committees indicated for desired report. Ask to be placed on the free mailing list of the SISS and the House Un-American Activities Committee (HUAC).

c. Subscribe to the American Legion *Firing Line*, National Americanism Commission, P.O. Box 1055, Indianapolis, Indiana.

d. Apply directly to Lee Pennington, American Legion, 1608 K Street, N.W., Washington, D.C., for specific information. Or, have your local American Legion Post do so.

e. Secure copies of Reports of the Joint Fact-Finding Committee on Un-American Activities in California (CUAC), Sacramento, California.

f. Ask your Congressman to secure detailed reports on individuals in the entertainment fields from HUAC.

6. As pornography and communism often go hand-in-hand, hundreds of authors and other indi-

viduals connected with the press (literary critics particularly) and the publishing field have communist or communist-front records. Secure and use the following cumulative indexes as initial guides to information concerning such subversives:

a. Indexes to *Counterattack*, 42 Broadway, New York, New York.

b. Cumulative Index, SISS, 1951-55; free from the Committee. (See also the SISS Report for 1958, issued August 27, 1959, for all available SISS publications.)

c. Cumulative Index to Publications of the HUAC, 1938-1954; supplement, 1955 and 1956; free from HUAC.

d. Composite Index to hearings on Tax-Exempt Foundations, 1954. Secure from Congressman Carroll Reece or from the GPO.

e. Composite Index to Hearings of Senate Permanent Subcommittee on Investigations for 1953, from that committee or GPO.

f. Tenth Report of CUAC, 1955, from CUAC, Sacramento, California. (Ask for price.)

g. 13th Report, California Senate Investigating Committee on Education, Sacramento, California. (Ask for all other available reports.)

h. List of publications on communism from GPO and its latest *Political Science* list, which has complete listing.

i. Yearly cumulative index to *Firing Line*.

7. With knowledge of the subversive records of many of the authors of pornographic literature and persons connected with ob-

scene motion pictures, draw up lists of individuals, works, films and other material that should be banned.

8. Make your lists available to libraries, the Chamber of Commerce, various veterans' posts, newspapers, bookstores, women's organizations, etc. Resist all pleas for "freedom of speech" and "freedom of the press" as applying to filth, subversion and propaganda as dialectical nonsense; garbage should be burnt, not left out to pollute the atmosphere.

9. Seek advertising outlets, in all communication media, for your lists and specific attacks on books, magazines, films, records, radio and TV programs.

10. Police all communication and entertainment fields. "Stag-party" records are now being sold openly, with semi-nude pictures of women on the record sleeves.

\*11. Mobilized efforts are best: parents can join with other parents, teachers, local law enforcement officers and civic groups in drawing attention to the menace of this traffic in filth, forming plans to combat it locally, and mobilizing community support for their representatives in Congress considering legislation to help the Post Office stop the mail-order obscenity racket and to help support the proposed Eastland constitutional amendment against indecency, obscenity and immorality.

12. Make lists of worthwhile

books, magazines, films and other materials. Distribute them.

\*13. Engage the entire family in entertainment activities of your choosing.

\*14. Parents can work closely with teachers in their community to detect obscene materials in the possession of children and to determine the origin of such material.

\*15. Parents and teachers should make a special effort to impress on the community the fact that even children who are never exposed to the obscene material may be victimized by sex criminals whose minds have been debauched by it.

\*16. With reference to mail-order merchants of filth, alert parents should intercept such solicitations through the mail; save all the material, including the covering envelope; put it promptly in the hands of the local postmaster.

\*17. Individuals or civic groups can call on the local postmaster for his aid in combatting the mail order traffic in obscenity. He will provide them with samples of such literature, background material for discussion and inform them of the

specific problem represented in their community.

\*18. Civic groups can establish a militant decent literature and films committee which can attack all aspects of this problem.

19. Secure the latest *Index Librorum Prohibitorum*, a 508-page listing of books banned by the Vatican over the decades. Order from P. J. Kennedy and Sons, 12 Barclay Street, New York, New York, \$1.50 a copy. Also the ACLU *Annual Report*, 35th-39th, from 170 Fifth Avenue, New York 10, New York; House Report No. 2510, Select Committee on Current Pornographic Materials, December 31, 1952, from its chairman, Rep. E. C. Gathings, House Office Building, Washington, D. C.; The 1959 Hearings of the House Subcommittee on Postal Operations and the accompanying 61-page report, "Obscene Matter Sent through the Mail," from the chairman, Rep. Kathryn E. Granahan, House Office Building, Washington, D. C.; The Report of the Senate Subcommittee to Investigate Juvenile Delinquency from Sen. Estes Kefauver, Senate Office Building, Washington, D. C.

**THEODORE HERZL**, at a secret conference of the Zionist Congress at Basle, Switzerland, in 1897, made this statement:

"In countries known as progressive and enlightened we have created a senseless, filthy, abominable literature. For some time after our entrance to power we shall continue to encourage its existence."

# Who Was Lincoln's Great



## Teacher?

**"The aggregate of all his schooling did not amount to one year"**

**by Samuel B. Pettengill**

**O**NE HUNDRED AND FIFTY YEARS AGO a boy was born who grew to feel and express, better than any other man, the deepest dreams of what the American people have wanted themselves to be. Who and what were his teachers?

In 1858, Abraham Lincoln had lost his race for the United States Senate to Stephen A. Douglas. But two years later Lincoln was a candidate for President. He was nominated and in November elected.

In June of that year, 1860, his friends asked him to prepare a short biographical sketch which could be used as a campaign document. Lincoln did so, writing of himself in the third person, and insisted that it be used without material change.

In the course of the document he said:

The aggregate of all his schooling did not amount to one year.

He regrets his want of education and does what he can to supply that want.

After he was 23, he studied English grammar, imperfectly of course, but so as to speak and write as well as he now does.

He was never in a college or academy as a student, never even inside a college or academy building until after he had a license to practise law.

Lincoln felt, as so many do, that education comes from schools and books, and having had little of either, he felt he had little educa-