Sex Scene
Schaefer, Eric

Published by Duke University Press

Schaefer, Eric.
Sex Scene: Media and the Sexual Revolution.

For additional information about this book
https://muse.jhu.edu/book/69056
Our technological civilization, far from being disrupted by the practice of public sex, is engendering the phenomenon. As technology increasingly depersonalizes and dehumanizes our lives, it is spawning in us a need to reassert that which is most basic and vital in us, our instincts. Moreover, technology is sweeping us into an epoch when privacy is becoming quite literally impossible, on one hand because of sheer population density, and, on the other, because of rapidly advancing technical means of surveillance in a civilization whose societies obviously intend to keep all individuals under constant watch.


The quote above could come from an op-ed piece or a blog today, perhaps commenting on a new trend in social media, the latest scandal involving a politician “sexting” a constituent, or a fresh celebrity sex tape. It was, in fact, written in 1970 by Frank Trippett, a senior editor at *Look* magazine. He reflected, “Our times surely must become known as the Age of the Great Disrobing. Public sex pops up everywhere. Across an ever-expanding vista we behold natural rites hitherto closed off by an ancient rule of privacy. Now we witness it all—at the movies, in published stills, in the cool brave cavortings of the young at play.” The article, titled “What’s Happening to Sexual Privacy?” was penned at the apex of the era we have come to refer to as the sexual revolution. As we have entered the twenty-first century, it has become a given that the concept of privacy has undergone a fundamental change, much of it fueled by technological advances. But has, as the headline in one Canadian paper asserted, “The Net Killed Sexual Privacy”? The Trippett quote reminds us that current debates about privacy, policy, sexuality, and technology have their origins decades ago in the sexual revolution.

*Sex Scene: Media and the Sexual Revolution* was prompted by the curious lack of attention paid to the role that media played in the history of the sexual revolution in the United States. Historians, sociologists, crit-
ics, and casual observers single out a roster of causal factors that led to that change in manners, morals, and behaviors: urbanization; women’s suffrage; the automobile; penicillin; the work of Freud, Marcuse, and Kinsey among others; secularism; the Pill; sex education in schools; and coed college dorms, to name only a few. To say that the sexual revolution was overdetermined would be an understatement. Virtually all accounts of the sexual revolution mention mediated expressions of sex in print, rock-and-roll music, comics, and especially movies. Most routinely cite the same handful of well-known examples: books such as *The Tropic of Cancer*, *Fear of Flying*, and *The Joy of Sex*; magazines such as *Playboy* and *Penthouse*; and movies that usually begin with *I am Curious (Yellow)* and *Midnight Cowboy* and end with *Last Tango in Paris* and *Deep Throat*. But these instances of public sexual expression are typically referred to only in passing, as symptoms of the experimentation or the freedom permitted by the sexual revolution. Yet for those in committed monogamous relationships, for the celibate, for those who were too young or too old to participate in it—and even for those who participated daily, in word or deed—the mass media served as the most important and visible battleground on which the sexual revolution took place. The media’s artifacts linger as the primary means of accessing this unique moment in history and for developing a clearer understanding of the origins of our contemporary scene.

**Defining the Sexual Revolution**

Arguments about whether there was a sexual revolution or not, and if so, when it started (after World War I? during World War II? in the 1960s?), are myriad and may never be answered to everyone’s full satisfaction. As David Allyn, author of *Make Love, Not War: The Sexual Revolution. An Unfettered History*, concedes, “Part of the reason that there is still so much confusion surrounding the sexual revolution of the sixties and seventies is that the term ‘revolution’ has two meanings: It can denote a calculated contest against the status quo (as in the ‘French Revolution’); or a sudden, unexpected period of social transformation (as in the ‘Industrial Revolution’).” Tom W. Smith summarizes,

As commonly used, the term “sexual revolution” indicates a revolutionary uprooting of traditional sexual morality. It is associated with a plethora of attitudinal and behavioral changes: the new morality and the *Playboy* Philosophy, communes and cohabitation, free love and easy sex, wife swapping and swinging, coming out of the closet and living out of
wedlock, x-rated movies and full-frontal foldouts. It has prompted the avant garde to celebrate the overthrow of a repressive Puritanism and traditionalists to lament the triumph of libertine hedonism.6

If there is one thing that most people agree on today, it is that when we refer to the “Sexual Revolution” in the United States it marks a relatively discrete period in the 1960s and 1970s.

Radical changes in sexual behavior and ways of thinking about sex have often been seen at the heart of the revolution of the 1960s. And yet even at the time, research indicated that a slow, steady shift in attitudes had been taking place since roughly the start of World War II.7 Recent reevaluation has tended to confirm this. Historian Alan Petigny notes, “Bifurcations between titillation and consummation, or between sexual suggestion and sexual license, have enabled historians to depict the sixties as a morally tumultuous decade, while viewing the 1950s as a largely conservative time with regard to sexual behavior.” He goes on to point out, “Contrary to popular belief, the sexual revolution (on a behavioral level) did not start in the 1960s, it was not ignited by the introduction of the birth control pill, it was not significantly fanned by the baby boomers’ coming of age, and, most important of all, the sexualization of the popular culture did not anticipate the liberalization of mass behavior.”8 Using vital statistics, notably those on “illegitimate” births, Petigny offers empirical evidence that premarital sex, as a social indicator of liberalized sexual attitudes, increased markedly during World War II and continued throughout the 1950s.

If a revolution in attitudes toward sex and sexual behavior was already well underway in the 1940s and 1950s, then what was it that occurred in the 1960s that observers of the time, as well as historians and casual commentators today, refer to as the sexual revolution? What I want to suggest in this introduction, and what the essays in this collection will make clear, is that beyond behavior and attitudes there was another key element of the sexual revolution: a rapidly and radically sexualized media accounts for what we now think of as the sexual revolution of the late 1960s and early 1970s. What constituted the sexual revolution was not only a change in manners and morals; that had already been occurring discreetly in minds and bedrooms across the nation. It was the fact that sex was no longer a private matter that took place behind closed doors. Before the 1960s sex had largely been something that was known only through personal experience. It was, for the most part, practiced in private by oneself, or between oneself and one’s partner: in the marriage bed, in the back seat of a Ford, in a crib in a brothel, or
through an anonymous encounter in a park. In the 1960s sex was no
longer something to be concealed; it was on display in a way that was
unprecedented in American history. People were not suddenly leaving
their bedrooms and backseats to have sex in the streets. Nevertheless,
it might have seemed that way as the mass media—film and television,
recorded sound and radio, publishing—served as the vehicle that drove
sex from the private realm into the public sphere.

There had been public displays of sexuality—in song, in the burlesque
shows, and with the advent of mass media in spicy pulps and digest-
size photo magazines such as *Wink* and *Titter* that crowded newsstands,
and even in exploitation films such as *Slaves in Bondage* (1937) and *Child
Bride* (1942). But these forms of popular culture trafficked in titillation;
they suggested rather than showed. Changes in the public display and
experience of sex became increasingly evident in the years following
World War II with the popularization of publications such as *Playboy*
and racy novels ranging from seedy paperbacks such as *Man-Hungry*
by Mitchell Coleman (1953) to bestsellers such as Grace Metalious’s *Peyton
Place* (1956).

For decades the restrictive Comstock Act (1873) forbade the use of
the U.S. mail for sending any obscene, lewd, and/or lascivious material,
including information about birth control and abortion. Further, the
“Hicklin test” (1868), borrowed from Great Britain, was used to deter-
mine whether material was, in fact, obscene, defined by its “tendency
to deprave and corrupt those whose minds are open to such immoral
influences.” Even an “isolated passage” could be sufficient to condemn a
work. The Supreme Court’s *Roth* decision (1957) upended the Comstock
Act and threw out the Hicklin test. Although still holding that the First
Amendment did not protect obscenity (something “utterly without re-
deeing social importance”), *Roth* averred that obscenity and sex were
not synonymous. In *Roth* the court posited that obscenity could only be
determined when “the average person, applying contemporary commu-
nity standards, [found] the dominant theme of the material taken as a
whole appeals to the prurient interest.”

Following *Roth*, restrictions on the printed word fell rapidly. Key
court rulings freed previously banned erotic “classics,” such as D. H.
Lawrence’s *Lady Chatterley’s Lover*, John Cleland’s *Fanny Hill*, and Henry
Miller’s *Tropic of Cancer*. Bestsellers by Jacqueline Suzanne, Harold Rob-
bins, and others were soon read less for careful plotting and literary
style than for the “hot parts.” Outfits such as Midwood and Bee-Line
churned out cheap paperbacks that crowded wire racks in bus stations
and “adult” bookstores, pulsing with lurid cover art and titles like *Pit Stop Nympho* and *Jazzman in Nudetown*. And if *Playboy* continued to reign as the leading sex magazine for sophisticates, it had to fight for space on newsstands with stacks of down-market men’s magazines such as *Nugget* and *Dude*, which focused on topless photo layouts and sexy stories in contrast to *Playboy*’s literary fiction, in-depth interviews, and reviews of upscale hi-fit equipment.

The postwar motion picture industry faced a multitude of challenges: the fallout from the *Paramount* decision of 1948, declining output, steadily decreasing admissions, and the threat of television. *The Man with the Golden Arm* (1955), *Tea and Sympathy* (1956), *Blue Denim* (1959), and other Hollywood movies took on more mature themes in an effort to differentiate them from the family fare of network television, and in the process tested existing censorship and audience tolerance. As the Production Code lost its teeth, it was periodically amended to loosen restrictions on some subjects. The studios cautiously edged into franker sexual material in melodramas such as *Butterfield 8* (1960), potboilers such as *The Chapman Report* (1962), and leering comedies such as *Kiss Me, Stupid* (1964). Some theaters turned to “art cinema,” movies that usually had a foreign pedigree, more adult subject matter, and glimpses of nudity, for example, . . . *And God Created Woman* (1956) and *Les Amants* (1958, *The Lovers*). Low-budget sexploitation filmmakers peddled theatrical films for “adults only” that went even further in their display of nudity, and stories of lust and sexual desire, as well as a growing list of “perversions” ranging from flagellation, to oral sex, to lesbianism. Even if one never set foot in a sexploitation theater, it was hard for urban dwellers to miss marquees that screamed with titles of the likes of *The Pink Pussy* (1964) or to avoid ads for films such as *The Promiscuous Sex* (1967; see figure I.1) in the entertainment sections of their daily newspapers. And as the ads for theatrical films flaunted suggestive titles and sexy art, an array of “dirty movies” became available to the throngs of hobbyists on 8 mm at adult bookstores or through the mail.

And everywhere there was commentary. Newspapers and magazines covered the Pill and promiscuity, rising hemlines and venereal disease rates, coed dorms and sex on campus, and singles bars and open marriage, with a mix of distanced reportage and tongue-wagging prurience. Some writers welcomed these changes and the new openness to discuss them as the shedding of repressive Puritanism and hypocrisy; others thundered about an erosion of morality that could only lead to a decline of civilization itself. A few were cognizant of the fact that the sexual
revolution was a media revolution. *Time*’s 1964 cover story “The Second Sexual Revolution” likened America to Wilhelm Reich’s “Orgone Box” (see chapter 6), stating

the big machine works on its subjects continuously, day and night. From innumerable screens and stages, posters and pages, it flashes larger-than-life images of sex. From countless racks and shelves, it pushes books that which a few years ago were considered pornography. From myriad loudspeakers, it broadcasts the words and rhythms of pop-music erotica. And constantly, over the intellectual Muzak, comes the message that sex will save you and libido makes you free.

While claiming that the United States “seems to be undergoing a revolution of mores and an erosion of morals,” *Time*’s writers acknowledged, “Publicly and dramatically, the change is evident in Spectator Sex—what may be seen and read.”12 Two years later Richard Schechner, writing on “Pornography and the New Expression” in *Atlantic Monthly*, stated, “The submerged material now available falls in to two classes: stuff that uses words once thought obscene; works that now show scenes that were once taboo.”13
1968 and the Eruption of Public Sex

If 1967 was the “Summer of Love,” then 1968 was the summer, in fact the whole year, of sex. Throughout a year in which bodies were convulsed by violence—in war, in protest, as victims of police actions, and assassination—they were also convulsed in passion. The year began when President Lyndon Johnson named the members to the Commission on Obscenity and Pornography, indicating that a sufficient change was under way to warrant investigation by a group of academics, psychologists, criminologists, religious figures, and representatives of the publishing and film industries. The literary world saw publication of John Updike’s Couples, about a group of promiscuous marrieds in a small Massachusetts town, and Gore Vidal’s Myra Breckinridge, a gender-bending camp assault on pop culture; both were bestsellers. At the other end of the spectrum, Al Goldstein’s sex tabloid-cum-consumer's guide, Screw, made its debut. Its raunchy combination of articles, reviews, political commentary, and pictures was emulated by other underground publications such as San Francisco Ball, Pleasure, and Kiss. Starting out as local publications, some grew to have a nationwide readership. Collector’s Publications of California published a “photo illustrated marriage manual” titled Intercourse, which sold a half-million copies and was followed by The Photographic Manual of Sexual Intercourse (1969) and The Picture Book of Sexual Love (1969). All brought hardcore photography (although no focus on genital shots) to the masses in the guise of education. Indeed, Denmark had become the porn capitol of the world, producing magazines such as Color Climax—all pictures and no text—that were soon available in the United States. The mailing of brochures pitching sexually oriented books, magazines, movies, and devices reached such a high level, along with the accompanying complaints, that on April 14, 1968, the so-called Anti-Pandering Act went into effect, giving greater recourse to the addressee through the issuance of “Prohibitionary Orders.” Despite the Anti-Pandering Act, the Technical Report of the Commission on Obscenity and Pornography described a substantial increase in the mailing of unsolicited sexual ads through 1968 and 1969 before numbers started to drop in 1970.

On Broadway Hair opened in April 1968, shocking audiences with its onstage nudity. Within the year it was followed by Oh! Calcutta!, Che!, and other stage productions featuring nudity and simulated sex. The
Boys in the Band, Mart Crowley’s unambiguous play about a group of gay men gathering to celebrate a birthday, opened off Broadway to a long run. Television programs such as Rowan and Martin’s Laugh-In debuted, scandalizing some with its bawdy jokes and bikini-clad go-go dancers, while The Dating Game and The Newlywed Game laced their programs with sexual innuendo. Records and tapes provided in-home sex instruction and rock music, and radio featured suggestive lyrics such as The Rolling Stones’ “Let’s Spend the Night Together,” “Young Girl” by Gary Puckett and the Union Gap, and “Who’s Making Love?” from Johnnie Taylor. Led Zeppelin made its debut in October 1968, and within the year Robert Plant was engaged in full-throttle orgasmic moaning on the song “Whole Lotta Love.”

At the movies, limitations seemed to be thrown aside like so many articles of clothing. From mainstream movies, to exploitation, to the art house and eventually the porn theater, changes in the presentation of sex were rapid and profound. In movies characters no longer got married. Now they got laid. Movies no longer had a big love scene; they now had a sex scene. Moreover, that sex scene was not avoided or elided by cutting away to crashing waves or fireworks in the night sky. It was visible, unencumbered by metaphor, uncut by the censor, often with only a carefully placed leg or sheet corner to cover unions of flesh. Whether softcore and simulated, or soon hardcore and unsimulated, 1968 marked the year in which media representations of sex were finally seen by large numbers of men and women in a public setting, the year it moved from “under the counter” to “over the top” (see figure I.2).

At the beginning of the year Vincent Canby wrote in the New York Times about efforts on the part of law enforcement in the Bronx and Brooklyn and in Nassau and Suffolk Counties to “slow the expansion of the sex violence film market from its 42nd Street milieu.” He observed, “Not only is a picture such as I, a Woman finding its way into conventional theaters with increasing frequency, but there is also a growing number of theaters in respectable, middle-class neighborhoods that are screening the cruder examples of the genre on a full-time basis.” Canby claimed that the number of theaters showing exploitation on a full-time basis had more than doubled in the preceding ten months. Although Hollywood was loath to admit it, exploitation movies were capturing a growing segment of the market and moving out of their traditional grindhouse venues, precisely what the law enforcement officials Canby wrote of were so concerned about. Sexual entertainment was no longer contained to seedy theaters in rundown, marginal urban neighborhoods. It was becoming unrestricted and reaching the masses. By end of the 1960s
roughly 5 percent of all U.S. theaters were regularly exhibiting sexploitation films each week of the year, and another 1,500 played at least one or more exploitation films in 1968 and 1969. Canby described the movies as going further in living up to their titles than ever before. He credited Radley Metzger’s Audubon Films with eroding the barriers between sexploitation and conventional films and getting play in mainstream theaters. In fact, on the same day that Canby’s article appeared, Metzger’s latest softcore opus, *Carmen, Baby* (1967), opened wide in twenty-four theaters in the greater New York City area. Meanwhile, there were in 1968 even more explicit “beaver” films spread from San Francisco to 16 mm storefront theaters in cities across the country.

The increase in sex on screen, and to a lesser extent violence, led the Motion Picture Association of America (MPAA) to unveil its new ratings system. Designed to replace the anachronistic Production Code, the system went into effect on November 1. The most notorious letter in America became the X. Films were rated X “because of treatment of sex, violence, crime or profanity,” and for which persons under sixteen would not be admitted under any circumstance. Writing in *Variety*, Stuart Byron concluded, “The ‘X’ classification is the cost ‘paid’ to achieve any rating plan at all. It’s an open secret in the trade that not until this category was in-

**Fig. I.2** The year 1968 marked a turning point for representations of sex in theatrical films. This montage still from Russ Meyer’s *Vixen!*, starring Erica Gavin, attempted to convey some of the many sexual encounters the title character has through the course of the movie.
vented and named was the cooperation of the independent distributors assured. And it’s no accident that it was called ‘X’—itself an intriguing letter and one which, in Britain, has already proved a selling point.”¹⁹ The head of the MPAA, Jack Valenti, protested that the X was no indication of moral or aesthetic quality while simultaneously assailing independent companies for using the X rating for economic gain. Within months the X was associated in the minds of ticket buyers with sex (see figure I.3). Many newspapers barred ads for X-rated movies, police raided theaters exhibiting them, and legislators proposed laws to penalize theaters that showed them.²⁰ Savvy sexploitation producers tacked additional Xs onto their films—XX and XXX—to suggest that their movies went even further than those accorded a single X.

Sexploitation movies were playing everywhere: downtown grind houses, neighborhood theaters, exclusive suburban showcases, drive-ins. Their rising profile saw a parallel uptick in censorship bills introduced in state legislatures, as well as municipal efforts to control the films through taxation, zoning ordinances, and so on. Police and zealous prosecutors busted theaters in big cities and small towns alike, confiscating prints and arresting managers, ticket sellers, and projectionists. The increased threat of prosecution prompted Dallas-based exhibitor and distributor Sam Chernoff to issue a call for the adult film industry

**Fig. I.3** While defending the X rating, MPAA chief Jack Valenti also criticized its use, as he did in an interview with KPIX-TV in San Francisco in 1969 in which he “deplore[d]” its deployment by “one picture companies.” (Digital frame enlargement.)
to organize. In a letter written the same month that the ratings system
got into effect, Chernoff said, “If you are an average operator, you are
making more money than with studio product. Thus, what problems do
you have—basically none, except for possible harassment by local au-
torities.” Citing a double standard that saw large chains protected by
the National Association of Theater Owners (NATO) and leaving inde-
pendents vulnerable, Chernoff urged collective action to “put a stop
to this harassment right now!”21 In January 1969 representatives of the in-
dustry met at a hotel in Kansas City, Missouri to form an organization
that would come to be known as the Adult Film Association of America
(AF AA). The AF AA created a “legal kit” to help exhibitors defend them-
selves against prosecution, and over the next fifteen years defended the
industry, fought for the rights of adults to see adult movies, and created
the annual Erotic Film Awards.

It was against this backdrop that the Commission on Obscenity and
Pornography began its work in 1968. Charged with evaluating and rec-
ommending definitions of obscenity and pornography, determining the
volume of pornography produced and how it was distributed, the com-
mission was also to study the effects that porn had on the public, includ-
ing its relationship to antisocial behavior, and to recommend actions to
regulate its flow. All of this was to be completed by January 1970.22 When
one of the original commissioners resigned, newly inaugurated Presi-
dent Richard Nixon replaced him with Charles H. Keating Jr., founder
of Citizens for Decent Literature, later renamed Citizens for Decency
through Law (CDL). Long an antipornography crusader, Keating proved
to be a polarizing force, operating as a commission within the larger
commission. The larger group worked diligently for months, collecting
information, interviewing representatives of various constituencies,
and holding hearings.

An incomplete draft of the commission’s final report was leaked in
August 1970. Its conclusion—that exposure to pornography failed to
cause antisocial behavior in youth or adults—immediately came under
attack, as did some aspects of the commission’s research, such as expos-
ing twenty-three college men to stag films and erotic material.23 Keating
filed a complaint in federal court in September to block publication of
the report until a written dissent could be completed.24 Realizing that
the commission’s findings could prove an embarrassment to the Nixon
administration, presidential advisor John Ehrlichman assigned speech-
writer Patrick Buchanan to help write the dissent to the commission’s re-
port.25 The delay threatened to shelve the report entirely, but a compro-
mise was finally reached with Keating that gave the dissenting faction
until the end of the month to complete their rebuttal. The entire report was officially released on October 1, 1970, some nine months late.

The commission (voting 12 to 5, with one abstention) concluded that pornography “did not cause crime, delinquency, sexual deviancy or emotional disturbances.” It recommended, “federal, state and local legislation prohibiting the sale, exhibition or distribution of sexual materials to consenting adults should be repealed.” The appended dissent, led by Keating, contended that the recommendations were based on “scanty” or “manipulated” evidence, with concurring commissioner Father Morton Hill calling the majority report “a magna carta for the pornographer.” The report was issued just prior to midterm elections, and the Nixon administration immediately disavowed it. Vice President Spiro Agnew blamed the “erosion of decency” on a “political hedonism that permeates the philosophy of the radical liberals.” Despite the fact that senate leaders from both parties denounced the commission’s report, efforts were made to paint the Johnson administration, and Democrats in general, as smut lovers. By the end of October the Senate had voted 60 to 5 to reject the commission’s recommendations.

At the time the Commission on Obscenity and Pornography began its work in 1968 mediated sex was reaching a tipping point. In the parlance of the time, it had “made the scene.” Or, to use Linda Williams’s apt formulation, the “obscene” came “on/scene.” Writing in the New York Times Magazine in September, Richard Gilman asserted,

That we’re in a presence these days of an unprecedented and steadily increasing quantity, range and intensity of public sexual expression is an observable fact; that we’re being inundated by a “wave of pornography” is the most subjective of judgments. Nudity in the films and now on the stage; the employment as theme or as incidental reference in movies, plays and books of such conditions and practices as Lesbianism and homosexuality . . . , incest, sadism and masochism, group sex, oral sex, etc.; the dropping from serious literature (and some that is far from serious) of euphemisms for the four-letter words for sexual intercourse and for the male and female genitals; all this carries greatly significant social, psychological and even metaphysical implications that spread boundlessly past the confinements of a formula or the futile grasp of an exegation.

His research over several months was conducted by, as he put it, “simply keeping my eyes open.” What Gilman was observing was, of course, a media revolution, and the nature of that revolution was one that would lead to a place in which “all present distinctions are broken down, where,
let’s say, the public and the private in sexuality retain no walls between them, what is done and what is said or shown possessing an unbroken continuity.”

Lost in the avalanche of commentary on the sexual revolution (not to mention the wake of assassinations, protests, riots, the escalation of the Vietnam War, a disastrous Democratic national convention in Chicago), Gilman’s observation was significant—especially in light of our history since that time. It is instructive to reframe what we have called “the sexual revolution” of the late 1960s as a media revolution, one in which distinctions between the private and the public became radically destabilized. That destabilization opened the door to sexually explicit sounds and images and, over time, their gradual toleration as part of the media scene.

Privates in Public

During the 1960s the issue of privacy took on an urgency in the United States. Vance Packard, the foremost chronicler of midcentury America, produced The Naked Society in 1964, an account of diminishing privacy in the face of Big Government, Big Business, and Big Education. Packard wrote,

In stable primitive societies the attitudes of the people in regard to what is proper and decent in personal relations—including respect for privacy—do not change much from century to century. In the Western world today, however, swirling forces are causing whole populations willy-nilly to change their attitudes, ideals, and behavior patterns within decades. This is nowhere more dramatic than in the United States.

Concerns over privacy in the United States led to the conceptualization of privacy as a constitutional right. In the Griswold decision of 1965 the Supreme Court overturned Connecticut’s antiquated law that prohibited contraception, even by married couples. Justice William O. Douglas wrote, “Zones of privacy are present as penumbras not only in the First Amendment but also in the Third, in the Fourth and the Fifth, and in the Ninth.” “The shadowy right to privacy,” as one legal scholar has written, “is thus spread through various Amendments and in each of them may have a peripheral function to play toward the rights there explicitly asserted.” However, even in a decade when the nation’s highest courts was affirming a right of privacy, Jerry M. Rosenberg announced “the death of privacy” in 1969 with the title of his book.

Political and social theorist Jeff Weintraub and others have referred
Introduction

to the public/private distinction as the “grand dichotomy,” and in his coedited collection, *Public and Private in Thought and Practice*, Weintraub delineates four ways in which public and private are used in social and political analysis. These four frameworks developed out of Greco-Roman politics and neoclassical economics, as well as thinkers as varied as Hannah Arendt, Jürgen Habermas, Philippe Ariès, and feminist scholars who have written about the public/private divide.

For our purposes, I want to start with Weintraub’s “two fundamental, and analytically quite distinct, kinds of imagery in terms of which ‘private’ can be contrasted with ‘public’”:

1. What is hidden or withdrawn versus what is open, revealed, or accessible.
2. What is individual, or pertains only to an individual, versus what is collective, or affects the interests of a collectivity of individuals. This individual/collective distinction can, by extension, take the form of a distinction between part and whole (of some social collectivity).  

More than anything, the sexual revolution of the 1960s and 1970s was a process by which that which was “hidden or withdrawn” became “open, revealed, or accessible” or, to use Weintraub’s other formulation, that which “pertains only to the individual”—in this case sexual activity—suddenly “affects the interests of a collectivity of individuals.” This ran the gamut from being able to see sexual activity on screen in public theaters to the growing visibility of sexual minorities, notably gays and lesbians in the wake of the Stonewall riots in the Greenwich Village neighborhood of New York City at the end of June of 1969.

The Supreme Court weighed in with two decisions during the period that attempted to delineate the boundaries between public and private regarding the newly explicit media. In the *Stanley v. Georgia* ruling of 1969, in which Robert Stanley was arrested for the possession of obscene films found during a search of his home on an unrelated warrant, Justice Thurgood Marshall wrote for an unusual unanimous majority, “If the First Amendment means anything, it means that a State has no business telling a man, sitting alone in his own home, what books he may read or what films he may watch. Our whole constitutional heritage rebels at the thought of giving government the power to control men’s minds.”  

Based on *Griswold* the court held that the mere private possession of pornography was not a crime. In 1973 in *Paris Adult Theater I v. Slaton*, handed down concurrently with the *Miller* decision, the Court determined, “the States have a legitimate interest in regulating commerce in obscene materials and in regulating exhibition of obscene
material in places of public accommodation, including so-called ‘adult’ theaters from which minors are excluded.”35 It was okay to read or watch private behavior in the privacy of one’s own home, but there could be restrictions on the display of representations of sexual behavior in public places—even if those places were restricted to consenting adults.

People had become accustomed to seeing titillation used to sell everything from soap to soda, but the commodification of sex—as entertainment that could be sold and bought—was part of a broader logic of postwar consumer capitalism that demanded that everything become a product with a price. The notion that sex was turning into just another commodity was new and deeply disturbing to many. If sex, as was often claimed, was the physical affirmation of love, and if love was the most sublime of emotions, then the commodification of sex appeared to be the ultimate sellout of human ideals. The expansion of sex, in its multiplicity of forms and practices, into the public realm was greeted with alarm by conservative and religious elements in American society. In February 1970 Oklahoma-based evangelist Billy James Hargis wrote to his followers, “America is going to be destroyed by this sexual revolution bred in the pits of hell.” He cited sex education and liberal colleges as culprits, but saved the bulk of his wrath for movies, television, and a record album, “which consists of the sounds of a couple engaged in sexual intercourse.” Hargis solicited funds to publish his manuscript *The Sexual Revolution in the United States*, one-third of which he said would deal with “the sex revolution in motion pictures and television.” “It names the motion picture companies and producers pushing pornography in movies. It gives you a VICTORY PLAN on how to organize local groups to combat this filth and rot being viewed in neighborhood theaters.”36 Keating’s CDL went on tour to the hinterlands with an antiporn message, where it fell on “receptive ears.”37 Their talks were often presented to sympathetic public officials and law enforcement agencies, where CDL officials showed off a 16 mm soundproof combination of camera and stopwatch that could be used to surreptitiously gather evidence for obscenity cases.

Even in America’s liberal bastions, there was a growing weariness of public privates. *New York Times* columnist Russell Baker chastised pornographers for embarrassing citizens who, he claimed, now demanded “curtailment of the rampage” of adult material on newsstands and on screens: “It is the danger of seeing those genitals named or pictured that drives Americans wild with embarrassment when they are out with the family for the evening. Ah, if only humans were hatched from hard-shelled eggs, like chickens! Then we could take the wife and kids to Times Square or the drugstore and still feel clean.”38 Adult industry observer
Marv Lincoln expressed similar sentiment, concluding that the proliferation of 16 mm “loop” houses had taken their toll: “When business districts and residential sections in nearly every big city in the country became inundated with these sleazy storefront porn palaces, the foundations of a solid business began to crumble, even as the dollars came rolling in.”39 (See figure I.4.) Some cities such as Boston, responded by attempting to corral adult theaters, book stores, and strip clubs into tight districts, whereas others used zoning regulations to squeeze them out of existence.40

The public display of sexualized media resulted in the Supreme Court’s Miller decision (June 1973). The Court, still declining to define obscenity, created a three-part test to determine whether a work was obscene. To be considered obscene, a work had to meet all three criteria:

1. whether “the average person, applying contemporary community standards,” would find the work, taken as a whole, appeals to the prurient interest;
2. whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law;
3. whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

The Court rejected the notion of a national standard for obscenity, instead leaving it to states and municipalities to reckon with sexually oriented material. Yet the ruling only seemed to muddy the water. In some locales, hardcore films continued to unspool, but in Georgia the state supreme court upheld an obscenity conviction of the R-rated Carnal Knowledge (1971).41 It would be several years before the post-Miller legal landscape would begin to come into focus.

In 1973, the same year that Miller was handed down, a Gallup Poll determined that the sexual revolution was having a marked and measurable impact on American attitudes. A poll in 1969 had found that 73 percent of respondents objected to nudity in magazines and 81 percent objected to nudity on stage. The poll in 1973 saw those numbers drop to 55 percent and 65 percent respectively. The survey also showed that opposition to premarital sex had dropped from 68 percent to 48 percent. Among those under thirty, only 29 percent felt that premarital sex was “wrong.”42 The public’s willingness to accept the exposure of private acts in the public sphere appeared to be catching up with individuals’ own behavior in the bedroom.

Anthropologist and linguist Susan Gal has suggested “Public and private do not simply describe the social world in any direct way; they are
rather tools for arguments about and in that world." Not only were social commentators using the distinction between public and private to make arguments about perceived costs and benefits of mediated representations of sex in the United States at the height of the sexual revolution; the Supreme Court used the distinction to make determinations about the acceptability of such representations. Thus we might argue that what made the sexual revolution “the sexual revolution” was this
fairly fleeting, but highly volatile, period of destabilization of the public/private distinction. As those distinctions stabilized, and as “sex seen” became more commonplace—if not necessarily always accepted—the sexual revolution appeared to subside; or to use Gal’s terms, the public/private distinction was recalibrated and recategorized. This process of recalibration has continued in the ensuing decades, exhibiting what Gal refers to as a “fractal distinction” in which the local, historically specific content of the dichotomy is “reproduced repeatedly by projecting it onto narrower contexts or broader ones.”44 We have seen such recalibrations play out in parochial disputes about the zoning of a single adult business, as well as in the expansive public debates concerning Internet privacy.

Since 1968 and the height of the sexual revolution, the diffusion of home video and home computers, of the Internet, and of mobile devices has narrowed the divide between the public and private. Despite the fact that “sleazy storefront porn palaces” seldom assault pedestrians as they navigate city sidewalks, nude imagery and private sexual acts are more public and accessible than ever before. With the click of a mouse or tap of a screen, an unlimited stream of sexual material is accessible at any time and in any place. An even more radical change has been in the impulse for individuals to display their private selves in public “space” online. This extends beyond regularly updating one’s Facebook profile or posting videos of one’s cat. Anyone with a digital camera or smart phone can photograph him or herself or their partners in the nude or engaged in sexual activity and post the material on the web through innumerable porn sites, video sharing services, or blogs.45 Although names and places are seldom attached to these displays, the black bars across eyes or masks that were a staple of old stag films and “dirty pictures” have been cast off with little regard for potential embarrassment or negative consequence.

We cannot forget that the type of privacy that characterized the time before the sexual revolution facilitated a number of evils, including draconian laws, sexual ignorance, spousal and child abuse, rape, and a host of neuroses. The dismantling of sexual privacy has had many positive effects for society, including greater access to information on sex, the crumbling of the double standard of sexual behavior for men and women, and increased acceptance of gays, lesbians, and transgendered persons. Yet the impact of today’s unhindered exhibitionism has yet to be measured. In 1970 Frank Trippett wrote, “One paramount need thus is dawning: the need to dwell, more or less as human beings, in a society in which privacy is out of the question. Our answer apparently is going
to be to adopt a mode of life in which privacy is no longer considered necessary. So I suspect that public sex should be seen as the wave of our future just as much as it must be seen as the tide of our innocent past."46

Sex Scene: Media and the Sexual Revolution examines the time when “the wave of our future” was set in motion. It is organized into five broad parts. The first part deals with the way mainstream film and television approached the sexual revolution. The second part considers the intersection of mediated sex and art. Essays in the third part deal with more “marginalized” forms, and the fourth part takes into account hardcore representations in both educational and entertainment contexts. The last part details ways in which some critics and institutions reacted to sexualized media.

The essays represent a range of topics and approaches. Some operate as surveys, whereas others serve as case studies. If some of the subjects may be generally familiar to readers, the level of detail is often new or enhanced. Other essays cover material that has been only fleetingly dealt with in prior accounts of the sexual revolution if not completely overlooked. Most of the essays focus on the period from 1968 to 1973. Some reach into earlier years to provide background, and others move into the late 1970s as a backlash against the most conspicuous—and some might argue, pernicious—aspects of the sexual revolution began to be mounted by some feminists and the religious Right. Although the focus is largely on film and electronic media—the battles for literary pornography had largely been waged and won by the mid-1960s—many essays touch on publishing and the press. A number of shared themes and concerns will become apparent to the reader: the public/private divide, issues of identity and politics, individual rights and civil liberties, and the separate, but frequently overlapping, roles of the consumer and therapeutic cultures in post–World War II America.

By the early 1980s the sexual revolution appeared to be waning, done in by its excesses, a changing political climate, and the specter of AIDS. In fact, the sexual revolution was merely becoming the norm. Today’s raunchy music lyrics might well make Mick Jagger blush. Theatrical films leave little to the imagination. The private lives of public figures are routinely dissected in the press or displayed in their own sex tapes. Television shows now far exceed the representation of sex in mainstream cinema of the 1960s and 1970s. Furthermore, the Internet is awash in graphic hardcore material. Although this volume focuses on a particular historical moment called the sexual revolution that occurred a half century ago, it should be clear that the sexual revolution has, in many respects, become the longest revolution.
Notes

3. This is not to say that there have not been many books and articles that deal with manifestations of sexualized media and pornography during the period covered in this volume; dozens are cited in the notes and bibliography of this book. What it does say is that there have been few efforts to look at media within the context of the sexual revolution. One collection that does do this to some extent is *Swinging Single: Representing Sexuality in the 1960s*, edited by Hilary Radner and Moya Luckett (Minneapolis: University of Minnesota Press, 1999), and some essays in that volume make useful companions to the chapters here. There are works from the period that, though lacking historical distance, provide a unique lived perspective, though many focus strictly on filmed pornography. These books include *The Sex Industry* by George Paul Cscsery (New York: Signet, 1973); William Rotsler’s *Contemporary Erotic Cinema* (New York: Ballantine Books, 1973); Carolyn See’s *Blue Money: Pornography and the Pornographers. An Intimate Look at the Two Billion Dollar Fantasy Industry* (New York: David McKay Company, 1974); *Sinema: American Pornographic Films and the People Who Make Them* by Kenneth Turn and Stephen F. Zito (New York: Praeger, 1974); and *The Sex People: The Erotic Performers and Their Bold New Worlds* by Drs. Phyllis and Eberhard Kronhausen (Chicago: Playboy Press, 1975). The nine volumes of the *Technical Report of the Commission on Obscenity and Pornography* from 1971 (Washington, DC: U.S. Government Printing Office) are invaluable documents.


35. Mackey, *Pornography on Trial*, 74.
41. Based on Miller, the Georgia conviction was overturned by the U.S. Supreme Court in the *Jenkins v. Georgia* decision (1974).
44. Susan Gal, “A Semiotics of the Public/Private Distinction,” 81.
45. Websites come and go. Suffice to say that a Google searches for combinations of words such as “amateur nudes,” “nude ex-girlfriend pictures,” “naked amateur men,” and “amateur sex videos” in 2012 yielded between three and fifteen million results, ranging from small free sites to expensive pay sites. The material cuts across racial and ethnic groups and across sexual orientations, and it is international. Although the majority of subjects are younger, there is no shortage of middle-aged and elderly people, and just about any fetish shy of child pornography can easily be found.
46. Trippett, “What’s Happening to Sexual Privacy?,” 50.