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A lone ship comes into port on a chill Fall evening breeze. (Courier Photo by Orville Andrews).

## Pornography... a Report and a Confrontation 'A Magna Carta,' For Pornographers

By JOHN MAHER

Washington—(NC) — Three blocks away from a downtown District of Columbia street where a number of "skin shops" purvey a plethora of sex-oriented books, magazines and movies, the President's Commission on Obscenity and Pornography published its recommendations for a nationwide sex education effort and for legislation on the sale of sexually explicit materials (Sept. 30).

The majority report, supported by 12 of the commission's 18 members, was severely criticized in a minority report by a Jesuit priest, a Catholic lawyer and a Methodist minister, all members of the commission.

Dean William B. Lockhart of the University of Minnesota Law School, chairman of the commission, made public an 882-page volume containing the 622-page majority report and 252 pages of separate statements by commission members.

Strongest dissent from the majority report came from Father Morton A. Hill, S.J., president of Morality in Media, Inc., of New York City; Dr. W. C. Link, a Methodist minister of Nashville, Tenn.; and Charles H. Keating Jr., a Cincinnati, Ohio, lawyer who is a Catholic layman and founder of the anti-pornographic Citizens for Decent Literature.

The three called the majority report "a Magna Carta for the pornographer" and charged that it was "slanted and biased in favor of protecting the business of obscenity and pornography which the commission was mandated by the Congress to regulate."

They maintained that the majority report "is a shoddy piece of scholarship that will be quoted ad nauseam by cultural polluters and their attorneys within society."

Their dissent included a critique of the commission's behavioral research and of its legal findings as well as a detailed analysis of obscenity case law. They recommended a new definition or test for obscenity and federal, state and local laws to control dissemination of pornography.

In other recommendations, the three urged the public to take private, organized, but constitutional action against obscenity by:

- Bringing official legal complaints whenever evidence of obscenity comes to their attention.

- Urging municipal, state and federal officials to prosecute obscenity cases.

Keating also published separately a dissent in which he charged that the "runaway commission" had produced a majority report whose recommendations were "shocking and anarchistic."

Father Hill said many studies had shown that there is a connection between exposure to sexually explicit materials and antisocial behavior, but that this had not been brought out in the majority report.

The dissent cited a critique of the commission's behavioral research by Dr. Victor B. Cline, University of Utah psychologist and specialist in social science research methodology and statistics.

By CARMEN VIGLUCCI

One of the recommendations of the minority report of the President's Commission on Obscenity and Pornography is for the public to take private, organized but constitutional action against pornography by:

- Bringing official legal complaints whenever evidence of obscenity comes to their attention.

This is precisely what the Citizens for a Decent Community did in Rochester in connection with the proposed showing of "Oh! Calcutta" which was to be shown Oct. 13.

Although the theater manager said the cancellation had nothing to do with the threat of an injunction, the play was called off only after CDC asked Dist. Atty. Jack Lazarus to take action.

Michael Macaluso, president of CDC, explained the procedure taken when the group objects to a play or movie on pornographic grounds.

"We make up a continuity (akin to a scenario) and turn it over to the district attorney, pointing out what we consider to be pornographic and we ask him, if and when the play is actually presented, to turn over our evidence for a grand jury hearing."

As in the case of "Oh! Calcutta", a theater manager, facing this kind of pressure, may decide against showing the controversial matter.

Macaluso pointed to this procedure as evidence that neither he nor CDC is a sort of public censor.

"We are aligned with the national group, Citizens for Decent Literature, and with their help are alerted to questionable plays in other big cities."

"If such entertainment is scheduled here we are merely exercising the right of members of a community to object. If the district attorney's office feels that it may be prosecutable it goes to a grand jury — and it makes the decision whether the material is pornographic and whether it should be shown. We don't."

Macaluso in discussing the criticism heard about CDC that it seems to be concerned with sexual aspects of films and disregards objectionable violence said:

"On the contrary, violent depictions also can constitute obscenity. But we feel that the distorted view of love, family life and sex contributes to every kind of social ill."

Asked why CDC concentrates on movie house shows, Macaluso said, "Movies generally have the greatest impact. They can make their influence more thoroughly, what with the darkened theater cutting down on distraction, and background music adding to the effect."

"However," he adds, "We are also going to be checking television and intend to exert

pressure on book stores."

Picketing as a persuasive means seems to be almost out.

"It served its purpose when we were beginning and had to do something dramatic to wake up public officials," Macaluso said. "But it is not effective as other means now."

"Let me point out here," Macaluso said, "that though we picketed different movies, we never attempted to bar anyone from entering and we acted in a very orderly and legal manner."

He said he feels that Dist. Atty. Lazarus is cooperative in the anti-pornography drive "because he is a family man concerned about his own kids."

But why so much concentration in the particular realm of pornography and obscenity when there are so many other evils in the world?

"Because it has to be done," Macaluso. "The primary standard for judging if something is pornographic is whether it violates contemporary community standards. If no one in the community objects then it will be assumed that it is passable."

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