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**Whitney Strub, *Obscenity Rules: Roth v. United States and the Long Struggle over Sexual Expression* (Lawrence: University Press of Kansas, 2013, \$34.95). Pp. 264. isbn 978 0 7006 1937 5.**

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Whitney Strub, *Obscenity Rules: Roth v. United States and the Long Struggle over Sexual Expression* (Lawrence: University Press of Kansas, 2013, \$34.95). Pp. 264. ISBN 978 0 7006 1937 5.

Most Americans are familiar with certain iconic figures – such as Hugh Hefner and Larry Flint – whose names are associated not only with smut or obscenity but with the legal fight for free expression. As Whitney Strub points out, few know the name of Samuel Roth, a man whose activities in the field of obscenity paved the way for the first real, if ultimately failed, American legal doctrine on the subject. For a century or more before the appearance of Roth and his Supreme Court case of 1957, American obscenity doctrine was inconsistent, haphazard, and ill-defined, essentially meaning that it was up to law enforcers themselves, in whatever location, to define what was obscene and liable for prosecution. That all changed with *Roth* wherein the Supreme Court separated sex from obscenity and attempted to place parameters around what actually constituted the “obscene” – material in its whole utterly lacking in socially redeeming value, that appealed to the “prurient interests.” In this book, Strub places Roth and American obscenity doctrine as a whole in historical context, looking at American conceptions of gender and sexuality over time, and examining Roth within the realms of legal, political, and cultural history. He succeeds.

Strub begins this fine book by taking the reader on a tour of the history of American obscenity regulation from its colonial origins to the rise of Anthony Comstock, then to the use of the British *Hicklin* standard (focussing on specific obscene parts of a work and how they may affect the most vulnerable in society) for measuring obscenity. He then surveys the history of free speech and the First Amendment in the early twentieth century before placing each within the context of contemporary notions of sexuality in American culture and the application of the *Hicklin* standard. With this necessary background in place, Strub then offers a biography-cum-cultural history of Samuel Roth and his times, covering the 1920s, 1930s, and 1940s, and Roth’s ceaseless efforts to produce smut and law enforcement’s equally ceaseless efforts in targeting him.

Strub then examines Roth and his activities during the 1950s, the era in which his legal battles would climax at the United States Supreme Court. The context of this decade was unique, seeing both the suppression of alleged communism and pornography while, Strub keenly points out, the enforcement of a strict heteronormativity proceeded with the suppression of the sexual other and a concurrent and strict regulation even of the “norm” of non-prurient heterosexuality. By the time Roth’s case made it to the Supreme Court, obscenity doctrine was badly in need of clarification but the one offered, largely by Justice William Brennan, failed to settle the issue once and for all. In the end, American obscenity doctrine became paradoxical, leading to an explosion of sex-related media but also the continued suppression of the obscene – as defined via heteronormative views – and a renewed drive among moral crusaders like Charles Keating and Richard Nixon.

Whitney Strub offers a valuable and insightful analysis of the *Roth* case and the evolution of American obscenity doctrine. It is thorough, written with his usual

flair, and thoughtful. Because it is part of a legal studies series published by the University Press of Kansas the book has no citations, which Strub regrets, as “an avowed footnote fetishist,” but he does offer a detailed and useful bibliographic essay (237). In sum, this is an impressive book that makes a significant contribution to the literature.

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