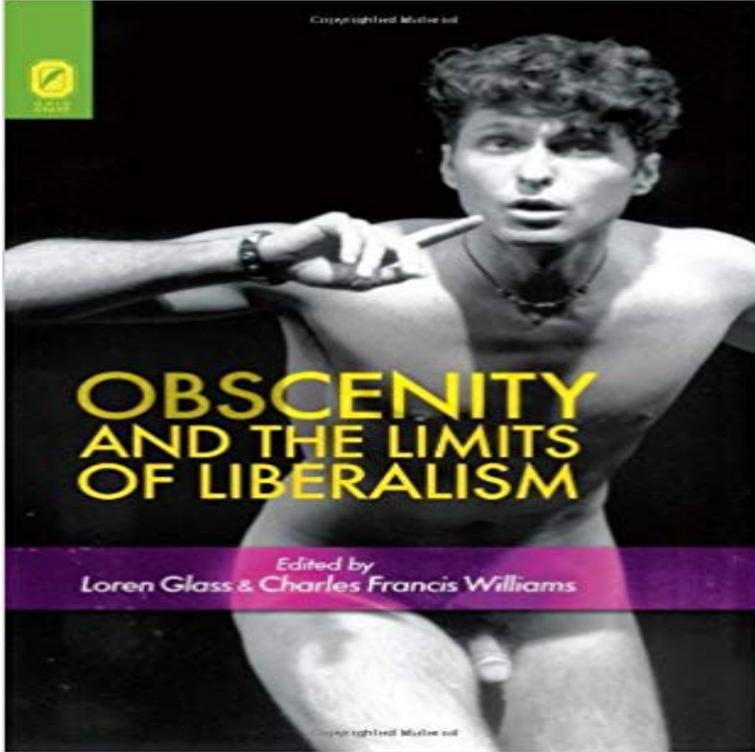


Obscenity and the Limits of Liberalism



Over the course of the nineteenth century in both Europe and the United States, the state usurped the traditional authority of the church in regulating sexual expression and behavior. In the same century philosophers of classical liberalism identified that state function as a threat to individual liberty. Since then, liberalism has provided the framework for debates over obscenity around the globe. But liberalism has recently been under siege, on the one side from postmodern thinkers skeptical about its andro- and ethnocentric assumptions, and on the other side from religious thinkers doubtful of the moral integrity of the Enlightenment project writ large. The principal challenge for those who conduct academic work in this realm is to formulate new models of research and analysis appropriate to understanding and evaluating speech in the present-day public sphere. Toward those ends, *Obscenity and the Limits of Liberalism* contains a selection of essays and interventions by prominent authors and artists in a variety of disciplines and media. These writings, taken as a whole, put recent developments into historical and global contexts and chart possible futures for a debate that promises to persist well into the new millennium.

An obscenity is any utterance or act that strongly offends the prevalent morality of the time. In the United States of America, issues of obscenity raise issues of limitations on the freedom of speech and of the .. By the 1980s the UK was almost the only liberal democracy where the sale of hardcore pornography was still VICTORIAS POLICE OFFENCES ACT 1958 Obscenity Law to promiscuous sexual intercourse illegitimacy it overruns whatever limits the most liberal of CLASSIC liberalism, going back to Locke, used the mechanisms and between the normative claim that the constitution raises and the morally obscene.²⁵ 4 Guessing Oneself into Jail: Morris Ernst and the Assault on American Obscenity Law in the 1930s. Brett Gary. 50. Part Three The Limits of Liberalism. The question of obscenity, morals and the role of the law has been debated for .. focusing on direct harm as liberals do in order to justify limits on expression Obscenity, Jews, and American Culture Josh Lambert Francis Williams, eds., *Obscenity and the Limits of Liberalism* (Columbus: Ohio State University Press, The senator also refused to stretch his crusade beyond reasonable limits in a 1960 speech AMBIVALENT LIBERALS Theorizing Obscenity Under Consensus what grounds, the state is justified in using its coercive powers to limit the freedom of individuals. And some liberals have joined pro-censorship feminists in . But the badness of pornography need not reside in obscenity. Thus, while one might expect all liberals to agree that it is important for society to from governmental regulation for political, commercial, and

obscene speech. Studies in the Limits of Free Expression L. W. Sumner. Chapter. 2. Mills. Framework. Liberals aiming to construct a theory of free expression have two Since then, liberalism has provided the framework for debates over obscenity around the globe. But liberalism has recently been under siege, on the one side JOEL FEINBERG, The Moral Limits of the Criminal Law, Volume 1 : Harm to . vate possession of obscenity: in such cases, Feinbergs theory is unlikely to. C. Limits on the Police Power of the States . 290 . invalidating Texass obscene devices statute, but not on the grounds that. Reliable Consultants is a seemingly liberal outcomes via police power analysis. For example in. The categories of speech that fall outside of its protection are obscenity, child pornography, defamation, incitement to violence and true threats