

HOOSIER WOMEN AT WORK

STUDIES IN INDIANA WOMEN'S HISTORY

Session 1

April 2018

Awkward Alliances and the Indianapolis Anti-Pornography Ordinance of 1984

JONNIE FOX*

Pornography and obscenity have long been debated in the United States. From as early as the Comstock Act in 1873, the U.S. has been attempting to regulate material deemed obscene. By the end of the 1960s, America began to experience the “Golden Age of Porn.” The 1980s brought pornography to video tape, making it more accessible to the public than ever before. As it grew more accessible, so did its vocal opponents.

Pornography was considered obscene and immoral by many Conservative and religious groups, but the Religious Right joined forces with a surprising ally in the struggle against porn—feminists. Feminist concern arose out of pornography’s potential harms. Some feminists argued that pornography promoted sexual violence, and stood only to perpetuate the subjugation of women. In the city of Indianapolis, conservatives raged against so-called “adult” businesses. In Minneapolis, radical feminist theorists Catharine MacKinnon and Andrea Dworkin proposed an ordinance to outlaw pornography in 1983. While this latter measure did not pass, its existence caught the attention of Indianapolis Mayor William Hudnut and his council member Beulah Coughenour. In fact, Coughenour called upon the help of MacKinnon and spearheaded an anti-pornography ordinance for Indianapolis that was subsequently passed in 1984. Though later deemed unconstitutional by Supreme Court Judge Sarah Evans Barker, the law marked a unique moment in the city’s history.

Earlier Indianapolis anti-pornography ordinances—all implemented by men and stressing what they considered the moral implications of pornography—had failed. The 1984 Indianapolis ordinance took up part of the feminist argument of pornography’s potential violence, and momentarily succeeded. However, the Indianapolis law was not necessarily an expression of feminism. Coughenour had voted against the E.R.A., and in Indianapolis, many feminists chose not to support the ordinance. Indiana N.O.W. neither advocated nor opposed the matter. Though some members were not in favor of pornography, they were also not in favor of censorship. A key example of this more ambivalent position was taken up by Sheila Seuss Kennedy, an Indianapolis Republican who served as legal counsel to the plaintiff in the case to abolish the ordinance. Her experience with this case, the case law behind it, and the politics involved in its ultimate defeat broadens our understanding of the sides in the debate. Pitted against each other were two alliances. One was an awkward and ultimately failed alliance between the

Religious Right and radical feminists, the other an amalgam of women across the political divide and ideological spectrum who defeated the anti-pornography law.

* Jonnie Fox is a master's student in the Public History program at Indiana University-Purdue University, Indianapolis. This paper won the 2018 Hoosier Women at Work Award for Best Student Paper.