

October 2, 2003

President George W. Bush
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Re: PRESIDENTIAL PROCLAMATION IN SUPPORT OF VIGOROUS ENFORCEMENT OF FEDERAL OBSCENITY LAWS THROUGHOUT THE U.S., to be issued in conjunction with Pornography Awareness Week, October 26 to November 2

Dear President Bush:

From 1987 to 1993, major progress was made in enforcing federal obscenity laws against commercial distributors of illegal obscenity (or “hard-core” pornography). Federal obscenity laws were also strengthened by the enactment of the Child Protection and Enforcement Act of 1988. In 1996 Congress clarified that use of an interactive computer service to transport obscene materials is prohibited.

We are encouraged that the United States Justice Department is once again targeting commercial distributors of hardcore pornography, but truly the war against obscenity has just begun.

It is time for all Americans to renew our commitment to enforcing obscenity laws.

Those harmed by the proliferation of “adult” obscenity (i.e., hardcore pornography that does not depict minors) include the “performers” (many in their teens), the children and adults who become addicted to obscenity, the spouses of obscenity addicts, the women raped by obscenity addicts, and the children sexually abused by adults who use obscenity to arouse themselves and to desensitize their child victims. Commercialized obscenity also erodes the right of every American to live and work in a decent society and is a source of income for organized crime.

Vigorous enforcement of federal obscenity laws will reduce the number of such tragedies and the need for programs that deal with them at great cost to taxpayers. Enforcement will also send a message that the U.S. understands the difference between cherished liberty and ruinous license.

In 1986, the Attorney General’s Commission on Pornography (Final Report) found that, increasingly, the most prevalent forms of pornography fit the description of “sexually violent material” and that “an enormous amount of the most sexually explicit material available” can be categorized as “degrading” to people, “most often women.” The Commission also found that “sexually violent” pornography and “degrading” pornography were linked to sexual violence.

That was in 1986. Today, hardcore pornography once available only in “adult bookstores” (if at all) is now readily accessible through the Internet in most American homes. Children can easily access much of it (inadvertently or intentionally), free of charge, from a computer at home, a friend, relative or neighbor’s house, a job or library, or with a lap top computer.

In *Miller v. California*, 413 U.S. 15, at 34, the Supreme Court stated that “to equate the free and robust exchange of ideas and political debate with commercial exploitation of obscene material demeans the grand conception of the First Amendment and its high purposes in the historic struggle for freedom.”

In *Paris Adult Theatre I v. Slaton*, 413 U.S. 49, at 57, the Court recognized that there are “legitimate governmental interests at stake in stemming the tide of commercialized obscenity, *even assuming it is feasible to enforce effective safeguards against exposure to juveniles....*” [It ought to go without saying that we have failed miserably in enforcing “effective safeguards.”]

These interests include the “right of the Nation and States to maintain a decent society” (413 U.S. at 59-60) and protecting the “quality of life and total community environment” (at 58), “public safety” (at 58), “social interest in order and morality” (at 61), and “family life” (at 63).

Clearly, we need to do a better job of protecting children, their families, and their communities from obscenity, especially on the Internet; and this requires vigorous enforcement of federal obscenity laws throughout the United States.

That is more likely to happen if you issue a Proclamation in conjunction with Pornography Awareness Week and speak frequently about the proliferation of illegal “adult” obscenity and in support of obscenity law enforcement. A proposed Proclamation in support of enforcement of federal obscenity laws is enclosed for your consideration.

We appreciate the danger that terrorism continues to pose.

But there is a second battle that must also be fought. It is a battle for our children and families and for a safe and decent society. In World War II, the United States won because we were capable of waging war on two major battlefronts, Europe and the Pacific.

If we are to preserve Western Civilization in the 21st Century, we must fight not only for our national security but also for our most cherished values and a decent society.

Sincerely,

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