

1999

## Review of The Repeal of Reticence: A History of America's Cultural and Legal Struggles Over Free Speech, Obscenity, Sexual Liberation, and Modern Art

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### Recommended Citation

Herzog, Donald J. Review of The Repeal of Reticence: A History of America's Cultural and Legal Struggles Over Free Speech, Obscenity, Sexual Liberation, and Modern Art, by R. Gurstein. *Comp. Stud. Soc'y & Hist.* 41, no. 1 (1999): 207.

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# CSSH NOTES

**Rochelle Gurstein, *The Repeal of Reticence. A History of America's Cultural and Legal Struggles over Free Speech, Obscenity, Sexual Liberation, and Modern Art.* New York: Hill and Wang.**

“Our public sphere, which should have displayed and preserved the grandeur and beauty of our civic ideals and moral excellences, is instead inane and vacuous when it is not utterly mean, ugly, or indecent” (p. 4). Troubled by the tawdry nonsense circulating in the public sphere—and she wrote before learned enquiries into whether the President’s genitals had any distinguishing characteristics—Rochelle Gurstein turns to history to understand how we arrived at such a sorry destination. Hers is a tale of decline: The Victorians “we moderns” so routinely deride for their Puritanical repressiveness understood full well that certain things have to remain private, even shameful, in order to retain their sacred value—and in order to protect a public sphere worth having.

Catholic or incoherent in her antiliberalism, Gurstein manages to appeal to Hannah Arendt, Alasdair MacIntyre, and C. B. Macpherson as though they were fully compatible. The history on offer ranges broadly from law to literature and more but is overwhelmingly intellectual history, so one misses any sense of concrete social practices: For instance, an elegant reconstruction of late-nineteenth-century worries about invasive journalism would be better if Gurstein offered a sustained exploration of just what newspapers were in fact beginning to publish and just how it did or did not depart from the past. Her commitment to decline is so strong that one wonders if she regrets the public availability of information about birth control, a crucial part of her story. And she is relentlessly repetitive in offering a defensive paratheory of how easy liberals will allegedly find it to dismiss her argument: One begins to feel that to demur is to brand oneself an idiot in the clutches of slogans.

What is to be done? This unreconstructed liberal by no means finds it easy to dismiss her concerns, but it is unclear at the end of the day what kind of remedy, if any, Gurstein would offer. Ironically, she closes by saluting the wisdom of Milan Kundera. But it is easy to imagine what the Victorians she so admires would have made of his titillating novels.

———Don Herzog