

A Perfectly British Business

STAGNATION, CONTINUITIES, AND CHANGE ON THE TOP SHELF



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It used to be complaints about scantily clad ladies in provocative poses, but now opponents of girlie magazines are applauding the accumulation of dust on British newsagents' top shelves as sales of soft-core plummet. In defiance of the claims of antiporn campaigners that pornography can only proliferate if allowed high street outlets, this branch of sexually explicit production seems to have had its day. All the major UK publishers have felt the effects of waning sales and diminishing profits as "top-shelf lovelies" have been replaced by more profitable sandwiches in high street newsagents. The decline of the girlie magazine could simply be ascribed to competition from new media formats, but the picture is more complex than a linear movement of consumer preference from page to screen. Research and debate about "pornography" have tended to favor exploration of content and effects, ignoring investigation of the market and the political and institutional frameworks that determine the professional production of top-shelf magazines: the economics of the trade are generally judged to be exploitative and therefore to be condemned, not investigated. Thus, very little reliable empirical and statistical evidence exists.

In the twilight zone, regulated and curtailed by a legal system that grudgingly acknowledges profitability but not probity, soft-core pornography has rarely been considered as a business. The details of who owns what; the production contexts of girlie magazine publishing; and the costs of staffing a magazine, commissioning articles and photography, and preparing layout, print, and distribution are discussed only in the context of scandalized exposés of the possible harms of smut for profit. Traditionally, discussions of pornography have failed to engage directly with either the producers of pornography, except as the vilified and shadowy figure of the "pornographer," or readers of such material except where those readers "confess" to the ways in which pornography has contributed to their corruption.¹ Where women's voices have featured in accounts of the pornography industry, it has generally been as victims either of its production processes or of its

use in social or personal situations.² These accounts, with their attendant focus on the “harms” of pornography, have also tended to sediment the gender divisions of “male perpetrator” and “female victim” so that pornography has achieved dubious status as *the* subordinating representational regime underpinning patriarchy. The central characters in the pornography drama have not, of course, gone unchallenged, but, where authors have raised important questions about porn’s monolithic status within academic, legal, and social discussion, their interventions are not problem free. They tend to valorize certain “transgressive” practices of producing and using pornography, thereby contributing to a further hierarchizing of desire with “radical” or politicized porn at the top and the more mundane and widespread use of mass-market porn at the bottom. The recuperation of some producers as “sex radicals” does not illuminate the more mundane activities of the “pornocrats”—those publishers whose intentions are not taboo busting for political ends but, rather, for economic rewards.

Beyond being an object of concern, pornography is a continuously expanding phenomenon, constantly able to “reinvent” itself (although the extent to which its favorite representational tropes are reinvented is the subject of some dispute), utilizing new technologies such as CD-ROM, video, and the Internet in order to reach ever more consumers. The exploitation of new technology is matched by an ability to cater to increasingly specialized markets: for example, the rise of materials addressed to gay and lesbian consumers and the growth of sadomasochism (S-M) materials. These expansions have seen pornography move from a very narrow availability to what at times seems like very mainstream acceptability.³ Although its expansion is a fascinating area for exploration and investigation, I focus here on stories of stagnation and contraction: one high-profile publisher has recently proclaimed the death of the UK’s traditional soft-core business.⁴

This essay focuses on one sexually explicit media form: British soft-core publications available at high street newsagents.⁵ The UK pornographic publishing market can be divided into two spheres: material that does not violate current laws in force (i.e., legal material) and everything else. My concern here is the legally available material easily accessible through the network of newsagents throughout the United Kingdom. In the past two years the soft-core scene in Britain has changed substantially with the decision by the British Board of Film Certification (BBFC) to pass seven explicit videos for R18 certification on appeal.⁶ This has meant that sex shops are finally able to sell explicit and close-up shots of actual penetration; in line with this relaxation of the BBFC guidelines has been a major increase in the number of hard-core magazine titles on sex shop shelves. These magazines are excluded from my discussion here as they are primarily confined to licensed premises rather than the high street newsagents.⁷ Material available on the top shelf in Britain is still the softest soft-core in Europe, and my focus here is limited to the traditional adult magazines featuring glamour pictures of women (usually alone but sometimes with a female partner) in various states of undress.

In delineating my area of study, I take an industry classification rather than a definition derived from moral or aesthetic discourses. By focusing on one narrow

(and peculiarly British) section of the adult trade, I am attempting an analysis that recognizes the specificities of individual pornographic forms and their commercial determinants.⁸ This position can be defended by noting Linda Williams's comments on the scarcity of writing about "actual texts" that has led to the polarization of the debates such that pornography is either totally divisible from or entirely continuous with other forms of cultural production.⁹ Williams observes that "pornography may not be special, but it does have a specificity distinct from other genres."¹⁰ That specificity lies in its representational intention to arouse its viewers/readers sexually, and it is this quality that sets porn as a genre apart even as it might share some of the representational tropes of more "mainstream" or "respectable" forms. Studies of sexually explicit material often flatten out the medium-specific qualities of, for example, video or photography in order to make the generalizable case about pornography. This categorization has produced an essentialist tendency that finds continuities and uniformity of content in material ranging, for example, from photographic images of children to depictions of sexual activities between consenting adults in videos marketed to gay men. The concentration or distillation of the "essence of pornography" distorts the ways in which we could understand the production and uses of individual forms of sexually explicit materials,¹¹ leading to claims such as Simon Hardy's that "the appearance of colourful diversity belies uniformity of content and quality and the fact that, like brands of washing powder, 'top-shelf' magazines are almost all owned by the same two or three parties."¹² Like washing powder and many other mass-produced commodities, pornography suffers from a surfeit of contempt that manifests itself in characterizations of the category's homogeneity and, following from that, the uniformity of possible responses to, or expectations of, its subsets. However much the products may appear alike on the shelves, this cannot be an indication of the ways they are used once removed from there. Although issues relating to content and consumption are not for discussion here, the accusations of banality are precisely symptoms of the tendency, found in theory as well as "commonsense" discourse, to produce pornography as genre and form without boundaries, thereby avoiding the material elements of its production and reception in favor of its social role as the repository for all things abhorrent. Accusations of misogyny and the corrosive influence of big business are often deemed sufficient analysis of material production.

The magazines on the top shelf in the United Kingdom are, and have been, predominately aimed at a heterosexual, male market, but there have been brief forays into publishing for heterosexual women and, more successfully, gay men. British porn is produced by big businesses responsible for most of the titles on the shelves: the top producers rank amongst the United Kingdom's top 150 publishers and between them account for more than 85 percent of magazine production.¹³ Apparently, for many commentators this is all we need to know. Little is understood about the organizational and institutional priorities of these companies, nor is there much understanding of the role of smaller, independent publishing operations that contributed to a buck-the-trend growth of the market during the 1990s, but who needs to know about the activities of pornographers?

Yet the dimensions of production are vitally important to comprehending the cultural significance of sexually explicit media. Like any other media business, top-shelf magazines are organized around what Joel Best has called the “standard industrial processes of production, distribution and consumption,” and in each of these areas a range of regulating agencies supervises the business.¹⁴ Porn publishers, their products, and their customers must negotiate with the discourses that circulate, both to limit and to produce pornography as texts, because pornography has no existence outside of the cultural sphere in which it is produced, circulated, and consumed. It is this focus that I attempt to bring to the fore in this essay by examining the circumstances of top-shelf publishing, its legal and social pressures, and its profits. That pornography makes a profit is indisputable (although the levels of profit are hotly disputed) and is “frequently used as condemnation of it.”¹⁵ As a manufactured item exchanged for cash, pornography’s profitability is often seen as a measure of its offensiveness.¹⁶ Thus, the current crisis in publishing will seem a matter for celebration by many commentators and academics, but, as they cheer, we are still no closer to understanding the particular structures, imperatives, and regulation of the industry.

The UK Porn Markets

Currently, the United Kingdom’s pornography industry is primarily regulated under the provisions of five laws: the 1876 Customs Consolidation Act prohibits the importation of “indecent” materials; the 1953 Post Office Act forbids the distribution of indecent or obscene materials via the post; the 1959 Obscene Publications Act (OPA) prohibits the depiction of actual sexual activity and any other images deemed obscene; the 1978 Child Protection Act makes it an offense to produce or possess any material featuring any sexual depiction of a child; and the 1984 Video Recordings Act ensures all video films are subject to the classification procedures of the British Board of Film Certification—an 18R certificate can be given for depictions of sex to be sold only in sex shops. The definitions underpinning these laws are notoriously slippery: what constitutes the obscene and indecent are largely left to the discretion of the officials who oversee the enforcement of the statutes’ provisions.¹⁷ This legislation in large part designates and/or creates the category “pornography,” however, and helps to formulate the boundaries that restrain producers’ activities and their products.

It is difficult to obtain information, exact or otherwise, on circulation figures, costs, and trends, but commentators on UK porn agree that the production of soft-core publications expanded during the late 1960s and early 1970s.¹⁸ This expansion was encouraged by the success of the American magazines *Playboy* and *Penthouse*, increasingly liberal attitudes to sexual representation, and an economic climate that favored free market entrepreneurs. In 1976 top-selling titles could expect circulation figures in excess of 400,000. In the past decade the market has been estimated at perhaps 10 to 15 percent of all magazine revenue, with a value of £100–150 million. Despite the high revenue, it is also estimated that regular readers account for no more than 6 to 8 percent of the UK male population.¹⁹

Although soft-core/adult magazines for men performed well during the 1980s, unit sales for individual titles have plummeted since their 1970s' heyday: in 1971 *Playboy* sold 90,000 copies per month in the United Kingdom; it now barely manages a quarter of that, and, if some insiders are to be believed, its sales are as low as 5,000 copies per month. The fall in circulation could be a result of *Playboy's* increasingly outmoded personality and its American style, but homegrown publications have also had to contend with falling circulation figures. Sales of *Fiesta*, for example, dropped from 238,000 in 1991 to 162,000 in 1996.²⁰ While the total number of magazines may have increased—an estimated one hundred titles are now produced—individual titles are no longer the cash cows they once were.²¹

Everybody's at It!

In his excavation of the 1990s nostalgic return to the 1970s, Leon Hunt examines the “permissive populism” of British “low culture” of the period, arguing that “permissive populism” offered a “parody” of 1960s liberationist discourses on sex.²² There are significant problems, as Hunt points out, in delineating particular periods as culturally, politically, and economically self-contained—the 1970s are often described as a time of crisis, while popular culture of the period displayed “an optimism at odds with this impending chaos.”²³ Linking the two, according to Hunt, are the expectations of the baby boomers, “the belief that the ‘permissive’ legacy of the 1960s would manifest itself in a more democratically distributed form. This vulgar hedonism could be found in tabloid populism, not least in its appropriation of pornography and ‘sex education’ guides, television light entertainment, widely distributed sexploitation films, all testifying to a mythology of lowbrow (male) sexual ‘liberation.’”²⁴ The latter half of the 1970s saw the expansion of Britain's porn industries within Soho and into the provinces: Soho had “54 sex shops; 39 sex cinemas and cinema clubs; 16 strip and peep shows; 11 sex-orientated clubs; and 12 licensed massage parlours.”²⁵ David Sullivan opened the first of his Private Shops in 1978 with plans to expand throughout the British Isles. Sexually explicit materials also became more commonplace and mainstream.²⁶ The expansion of such materials during this time seems at odds with the facts of British censorship laws, which are generally held to be the most restrictive in Europe.²⁷ Hunt suggests that the industry's success was due to “the Pornocrats work[ing] with capitalism” and that the law was on the side of the publishers in that its inconsistencies and loopholes meant prosecution was difficult and its results uncertain.²⁸ Yet prosecutions, at least the most high-profile ones, were not aimed at porn publishers per se; in fact, many of the cause célèbres of the 1960s and 1970s featured works of literary merit, or at least that was the defense offered in court. The novels *Lady Chatterley's Lover* and *Last Exit to Brooklyn* were both prosecuted, for example, as were *Oz* and *Suck* magazines. None of these belonged to the low culture brand of top-shelf publications; rather, these were high art or revolutionary publications prosecuted precisely because their emphasis was not on sexual arousal but on “unsettling” themes.²⁹ There is no space to catalog the period's landmark cases here; it is important to recognize, however, that these

cases symbolized for many people the inconsistencies of convictions (juries' decisions were often overturned by the Court of Appeal), but they also galvanized a sense of grievance and opposition to the nanny state that porn publishers then used to justify their own publications. Moreover, these cases introduced the idea that artistic intention removed indecency and/or obscenity, further inscribing the cultural high/low split with a legal definition of merit and confirming for some that there was one law for the arty liberati and another for Joe Bloggs, who just liked looking at girls.³⁰

Thus, the permissive legislative moment confirmed the social experience of many that liberation, especially sexual liberation, was something experienced by those wealthy and educated enough to enjoy its highbrow manifestations. The joke that if you remember the 1960s you weren't there is part of a cultural history that celebrates experiences only ever shared by a small urban elite. The 1970s saw popular culture's "negotiation" of the 1960s (particularly sexual) revolution. As Hunt argues, "permissiveness left a lot of people behind, but 'trickled down' in the 1970s, albeit in a rather different form. . . . the real legacy of permissiveness was to be found in Soho, not the Royal Court Theatre."³¹ Nowhere was this trend more evident than in soft-core publishing; the 1960s had belonged to *Playboy*, the American import featuring beautiful women, "entertainment served up with humor, sophistication, and spice," and which encouraged the aspirations of its readers. This had been followed by *Penthouse*, an imitator of the successful *Playboy* format, launched in the United Kingdom without the philosophizing of the original and with a determined intent to better *Playboy* by exposing the parts its precursor dared not show. The following decade saw an explosion of sexual material in the United Kingdom; encouraged by the law's concentration on the radical press, sex entrepreneurs expanded their interests: "With the police busy battling against the radical press, with the liberalizing effect of the Obscene Publications Act, a less strict attitude to morals and the emergence of the permissive society, and with the law in a confused and uncertain state, the pornography trade was able to continue expanding at a steady rate relatively unhindered."³²

The activities of the Dirty Squad (the Metropolitan Police's Obscene Publications Squad) were instrumental in this development: bribery and protection rackets allowed sex shops, cinemas, and publishing to flourish in Soho and its immediate environs.³³ The expansion of the red-light area in Soho was also aided by the relaxation of laws in Denmark and Sweden, enabling a relatively easy supply of material from the Continent. Customs and excise figures are indications of the increasing importation of sexually explicit materials from Scandinavia: in 1960 they had impounded fifty-six hundred books and magazines; the figure was well over two million in 1969.³⁴ Imported goods have their market, but it was not long before the number of homegrown publications grew to meet demand. Copying formats tried and tested in the United States, Paul Raymond and David Sullivan became household names, and the magazines *Men Only*, *Club International*, and *Playbirds* had arrived. Each title offered its readers its own special brand of girls and sexual hedonism; critics may be keen to see homogeneity among the titles, but, in fact, purchasers and readers of top-shelf magazines do exercise discrimination

in their choice of individual titles. As with any other publication, distinctiveness is a marketing tool, thus content, type of models used, poses adopted, form and tenor of stories, brand of humor, and style of cartoons differentiate the various magazines on the top shelf. In Britain that distinctiveness is most determined by taste and by representational vocabularies of feminine sexuality ranging from ordinary women (readers' wives) to fantasy women (celebrity or glamour girls).

None of the homegrown titles featured what could be considered hard-core pornography, but, as the 1960s and 1970s progressed, there was a race to expose more and more flesh, then pubic hair, and finally gynecological detail. The most enthusiastic of the exposers was David Sullivan, whose two-fingered salute to moral campaigners in the naming of one of his titles *Whitehouse* signaled a determination to exceed the explicitness and daring of his rivals.³⁵ His titles have continued to operate at what many consider to be the lowest taste level of the top shelf featuring "ordinary" British girls in "strong" poses, thus, as Hunt suggests, the class connotations were very different: "Sullivan's magazines hinted at the upward mobility of the aspiring pornocrat, but solicited an impatient working class 'punter' who wanted the goods delivered at an aggressively lower price. The 'Readers' Wives'—Sullivan's invention—grew out of this ethos."³⁶ Sullivan has also been likened to Larry Flynt as a tireless champion of the right to publish soft-core and certainly has fought more than his fair share of battles against customs and the police. If *Playboy* and *Penthouse* represent the highbrow of porn publishing, Sullivan's titles have certainly been considered their low Other.

Developments in pornographic publishing have not only gone hand in hand with the attempts to censor or prevent them but have *produced* the very voices that would call for their closure. As Hunt notes, both Bill Thompson and Mary Whitehouse place 1976 as the turning point in porn's fortunes with the failure to prosecute *Inside Linda Lovelace*.³⁷ At the same time that the porn industry seemed to receive a green light, the "silent majority" received a wake-up call. As the floodgates appeared to be open for a sex shop on every street corner, the Festival of Light and other groups were rallied to oppose porn's march into the suburbs. Feminist arguments against porn were increasingly useful to the moral campaigners, as were the fears of "ordinary" members of the public who were upset at the proliferation of evidence throughout the United Kingdom of the industrialization of sex. As Laurence O'Toole comments, "With neon-lit porn shops setting up near to schools in the heart of middle England, it was only a matter of time before the law bit back."³⁸ Significantly, moralists had begun to change course on pornography: they had begun to understand that public standards had moved away from the condemnation of heterosexual activities between consenting adults. As Thompson notes:

they abandon[ed] their public morals rationale against commercial sex in favour of the highly emotive protection of children approach, and to abandon the attempt to utilize the 1959 Act in favour of gaining alternative legislation which outlawed material without the need to go to court. . . . Within a decade they had obtained the Indecent Displays (Control) Act

1981, which curtailed sexual advertisement; the Cinematographic Acts 1982 and 1985, which eliminated sex cinemas; the Video Recordings Act 1984, which reintroduced the concept of pre-censorship into Britain. . . . The most important measure, however, was Clause 3 of the Local Government (Miscellaneous Provisions) Act 1982, which closed hundreds of sex shops and ensured that newsagents became the major suppliers.³⁹

The focus on the child as the innocent victim of pornographic publishing was a masterstroke for the campaigners and effectively put publishers on the defensive. In 1980s Britain popular fears about the proliferation of new broadcast media forms through satellite, digital, and online technologies were mobilized toward a new “morality.” Fears about new media forms were not, of course, new, and since the 1960s various moral campaign groups had been actively highlighting supposed links between increased levels of “sex and violence” on TV and actual levels of crime.⁴⁰ They had also been instrumental in drawing attention to the ways in which “permissiveness” generally was contributing to a decline in morals and the “British way of life.” Although the media forms that felt the full effects of moral censure were produced for adult consumption, at the heart of the calls for regulation and censorship were fears about effects on children and the breakdown of the “family”—fears underpinned by homophobia, racism, and the scapegoating of single mothers. A larger history of these fears and debates is not possible here, but successive Conservative governments of the 1980s and 1990s made attempts to revive the nation’s sexual morality. These attempts were not without their setbacks, most famously perhaps in the damage done to the “Back to Basics” crusade by evidence of successive Tory government ministers’ marital infidelities. More significant than the indiscretions of Tory MPs was the pragmatism of the Thatcherite administration, which often “sacrificed” moral concerns to the broader aims of deregulation and economic liberalism. The populist family values employed in Tory rhetoric were harnessed to that party’s general desire to reduce state intervention in both public and private spheres.⁴¹ These two imperatives were sometimes at odds: for example, the government, while welcoming the increased consumer choice and free market possibilities of digital and satellite broadcasting technologies, was unable to countenance the beaming in of the sexually explicit Red Hot Dutch from the Continent to British televisions. Censorship was achieved by banning the advertising and sale of the decoders necessary to receive the station’s programming in the United Kingdom.

Concerns over sexually explicit media were not limited to the Right. High-profile campaigns against “pornography and male violence” were also led by Labour MPs and Left-leaning women’s groups—for example, Claire Short’s 1980s campaign against Page 3,⁴² and the Location of Pornographic Materials Bill introduced to Parliament by Dawn Primarolo in 1990 as well as the feminist campaigns “Take Back the Night” and “Off the Shelf.” These campaigns used feminist analyses of heterosexuality to mount their critiques and did not limit their demands to banning or reducing availability of sexually explicit materials; they also questioned the moral sanctity of heterosexuality and men’s sexual access to women. As

Thompson and others have pointed out, in both the United States and the United Kingdom an uneasy alliance has been forged between the forces of the Right and feminist groups, although the latter would deny that there are formal links, and the former make every effort to distance themselves from the radical critique of heterosexuality. Where the two overlap is in their assertions of pornography's degradation and harm to women and children.⁴³

Although the successes of moral and feminist campaigners have been uneven, a number of legislative actions were taken against the production and distribution of sexual materials in Britain throughout the late 1970s and early 1980s. Action against sex shops may well have deflected attention away from the content of the magazines being sold in newsagents across the country. As O'Toole remarks, "British soft-core magazines have become an accepted, if neglected, part of the magazine landscape."⁴⁴ Central to this acceptance/neglect has been publishers' willingness to practice self-restraint—a custom O'Toole criticizes as a kind of pragmatic hypocrisy, drawing attention to the industry's claims to be part of a liberated sexual sphere at the same time as it accedes to the requirements of the law as protection from better porn produced in Europe and beyond.⁴⁵

What is commercial censorship has been masquerading for many years now as moral and legal censorship. The "angle of the dangle"—the notion that a free-standing penis in a photograph may not rise above a certain angle—is not written in law; it is agreed by four parties—the police, the distributors, the magazine publishers and various lawyers—all of whom seem happy for the arrangement to continue. When an editor at *For Women* says that she'd love to show erections but the law won't let her, this is not telling the whole story. It's ironic that mainstream soft-core porners in Britain have in effect taken to hiding behind the law. For so long, porn searched for alibis to excuse and justify itself before the courts. Nowadays, soft-core finds that its alibi for not evolving, for not delivering, actually resides within the law.⁴⁶

I have some sympathy with that analysis, at least in its pointing to the ways in which moral, legal, and commercial imperatives become conflated. But it is interesting that O'Toole should use *For Women* as his example because it is hard to see how *not* including erections actually benefited that publication in the manner he suggests.⁴⁷ Furthermore, O'Toole's critique involves a notion of "better" and less sexist porn—clearly, erections are not a guarantee of quality or of less sexism.

It also seems unfair to demand that porn producers should be fighting battles against censorship when they rarely command widespread support from the British public, academics, or politicians. Whereas producers in the States and Europe have been able to mobilize important and popular political sentiment behind their causes of "free speech" and "sexual liberation," British pornographers have fought their battles with the judiciary on their own.⁴⁸ The famous obscenity trials of the 1960s and 1970s were mainly concerned with works of literary origin, not those emerging from the offices of self-identified porn publishers, but they were important precisely because they delineated the territory of defense on the basis of

artistic merit or some form of social or therapeutic benefit. Magazines were rarely prosecuted under section 2 of the OPA, which entitles the accused to trial by jury. Instead, magazine publication has usually been dealt with under section 3, which allows for a process of “forfeiture” on the judgment of a magistrate: magazines are simply seized from a newsagents or distribution warehouse and placed before the magistrate, who determines whether or not they are obscene and what their fate should be. Under section 3 there are no criminal penalties for the publisher, distributor, or point of sale: the goods are merely destroyed or returned (if deemed not obscene). The fear of this form of prosecution, however, has successfully produced a decidedly cowardly spirit on the part of publishers, distributors, and stockists. The inconveniences of a seizure, the uncertainty of the outcome, and the loss of stock and profits are considerable. As the Williams Committee noted:

there is a lack of justice in a procedure which allows the large scale seizure of goods and their detention for some time pending the outcome of proceedings. Even if the defendant wins the case he may suffer an effective and substantial penalty. Mr. David Sullivan, a publisher, told us that it was grossly unfair that he should have been deprived of an entire magazine issue for four months only to have the copies returned to him after the magistrates had found they were not in fact obscene; they were then out of date and useless to him and he had suffered a loss of £19,000 despite a court finding in his favour. . . . On the other hand it was put to us that this summary procedure of dealing with bulk pornography provided a far more effective weapon against an illegal trade than any other and that its increasing use in recent times had been crucial in deterring publishers from flouting the law. The publication of potentially obscene magazines was now on such a massive scale that seizure and forfeiture was the only practical remedy, and was both justified and successful in protecting the public interest.⁴⁹

This practical remedy was and is applied unevenly: depending upon which constabulary covers a particular region of the United Kingdom, materials freely available in one city have been subject to seizure and forfeiture in another. Under the leadership of Chief Constable James Anderton, “God’s Policeman,” Manchester police operated a widespread and very successful seize and forfeiture campaign, which saw top-shelf magazines effectively eliminated from newsagents in the Greater Manchester area in the late 1970s. This strategy worked precisely because there is no real test of the evidence under section 3. Rather, magistrates decide whether on balance the item(s) constitute an infringement of the OPA. When an item has been seized, it is possible for the publisher to challenge the seizure by indicating that he intends to continue to publish the offending item; he can then be prosecuted in a jury trial. Experience has shown that the whole system of deciding on obscenity is flawed and that juries are much less likely to convict than magistrates, so it could be in the interests of publishers to push for a jury trial. Yet most publishers wish to avoid confrontation or an expensive court case and therefore simply accept the decision of the magistrate. Thus, juries have never tested

the nature of the offense in a girlie magazine; instead, publishers and distributors have tended to err on the side of caution, giving rise to a peculiarly British kind of product.⁵⁰

The development of a legitimate UK pornography industry has been significantly curtailed by legislation. Both the United States and Europe have seen massive expansions into new technologies from film and video production to Internet sites; in contrast, the UK market has remained largely reliant on top-shelf magazines, a few video spin-offs, and telephone chat lines. Precisely because the laws are so slippery and none of the agencies policing their provisions are willing or able to give precise guidelines to would-be producers of sexually explicit materials, a culture of self-censorship has emerged in the United Kingdom.

Effects on Content

Regulation is not simply a repressive tool: it does not just prevent certain activities; it also forms a set of production imperatives with significant effects on the *content* of magazines. Mainstream availability has been crucial to the success of titles such as *Escort*, *Fiesta*, *Men Only*, and *UK Penthouse*: nationwide distribution allows for high-volume sales. As companies operating on the right side of the law, porn publishers have had to be circumspect; breaking the law (or even being suspected of it) is an expensive business. According to David Sullivan:

The biggest constraint was the law. The biggest problem with the OPA [was] nobody knew what the law was. And nobody knowingly tried to break the law. The police wouldn't tell you what the law . . . what you could and couldn't put in a magazine. My biggest break in publishing, in the seventies, was the day I met the head of the OP Squad. He said, "Listen David, the D[irector of] P[ublic] P[rosecutions] is not too worried about strong shots of single girls, but don't put anything with bondage or that stuff." I said, "I don't do that, but are you saying to me that I can do American style single girl shots and they don't regard that as illegal anymore?" And he said, "That's what I'm saying." So then I published a whole pile of magazines with strong held open pussy shots, and everyone waited for me to get nicked. It gave me a tremendous edge; they didn't know it, but they'd given me a tremendous edge.

Even if they had had the insider information from the DPP, Sullivan's course of action was not open to every other publisher. Sullivan had his own distribution network through direct sales to newsagents and the Private sex shops. For publishers reliant on other companies for distribution and desirous of advertising revenues, a path of respectability had to be treaded. Acceptability and respectability have been two essential ingredients of soft-core publishing in the United Kingdom, although not equally necessary to all publishers. When opposition to soft-core imagery was at its height, publishers formed the British Adult Publications Association (BAPA) to attend government committee meetings and to respond to the various inquiries and lobbies that sought to institute further controls on the

industry. According to Sullivan, the BAPA “could never agree on anything”; the failure to agree indicates the ways in which soft-core publishing was never an undifferentiated field of production. A primary objective for the publishers in setting up the association was to convince critics that the industry was capable of self-regulation and able to recognize the boundaries of the respectable and the acceptable without the need for further outside interference. Yet the pressure to be acceptable was not felt equally by all publishers. For Paul Raymond, whose stock in trade was relatively sophisticated sexual imagery, respectability was an essential requirement for advertisers and readers alike. For Sullivan’s publications the controlling force of advertisers was much less evident, and readers seemed to enjoy the targeting of “respectability” and “sophistication” in the pages of *Whitehouse* and *Playbirds*. Across the spectrum of soft-core publishing, a system of self-regulation could not bring uniform benefits and indeed would operate to the detriment of publishers whose products thrived on the appearance (at least) of an intention to offend their critics.

Soft-core in Britain has yet to be “tested” by consumers: before it ever reaches the newsagents shelves, it has been through a number of filtering practices designed to mute “offensiveness.” Arguably, the role of John Menzies and W. H. Smith has been much more important than the 1959 act in limiting the widespread availability and content of explicit materials. These two companies account for more than 70 percent of wholesale trade in the United Kingdom. The reward to publishers for self-restraint has been a place on the top shelf of the nation’s newsagents, through wholesale and distribution deals with those market leaders. All publishers wishing to use the distribution networks of John Menzies or W. H. Smith must submit proofs for vetting by their respective head offices in advance of printing. The publications are therefore subject to those companies’ understanding and implementation of “community standards.” This does not simply mean the removal of erect penises or photos of couples (for many years the mainstay of “obscenity”): this vetting has very real consequences for the narrative and photographic motifs of British soft-core.

In a fascinating account of working and researching at three men’s soft-core magazines, Eleni Skordaki describes how letters sent to the magazines by readers are amended in order to ensure that they will not offend the wholesalers. Skordaki shows the effects on content of the informal and formal regulations that organize the production of porn magazines. Readers are encouraged to write to the magazines with their own sexual experiences: many of them “copycat,” replicating the narratives of previously published letters.⁵¹ Despite the copycatting, these letters often require substantial revision or refining in order not to break the rules set by distributors: “distributors’ policies can dictate what can or cannot appear in a men’s magazine in a way that the *Obscene Publications Act* could never do. Unlike the 1959 Act, distributors adopt concrete criteria of the unacceptable rather than the acceptable. They define what should not appear rather than what should, and can check every issue with that negative checklist in mind—if something is ticked as present, the magazine is penalised.”⁵²

Besides ensuring that the style of letter was interesting and well written,

members of the staff had to pay attention to the theme of the letter to excise any mention of blacklisted activities (e.g., incest, sodomy, and underage sex). Likewise, significant changes were made to letters containing references to alcohol or forms of persuasion in the pursuit of a woman's sexual favors.⁵³ The removal of any "questionable" justification for a woman's participation in sex was necessary in order to get past the distributors, but, as Skordaki indicates, this significantly changes the nature and motivation of the stories: "The nymphomaniac stereotype legitimates all sorts of sexual exploits which would otherwise be seen as assault and rape. Proclaiming that a woman enjoyed or asked for such experiences is enough to appease censors. From that point of view, censorship not only does not stop the distortion of female sexuality in pornographic imagery, but propagates *further* distortion."⁵⁴ Furthermore, distributors' "yardstick" censorship actually contributes to the depersonalized narratives featured in men's magazines. Skordaki gives an example of a letter in which the sexual action in the original is largely driven by the fact that the two protagonists are cousins attracted to each other but unaware of the other's feelings. Because the magazine's lawyer was afraid that this story might constitute an "incest" story for the distributors, that "feeling-generating" fact was removed. Thus, "censorship . . . is not only unable to curb the pornographic reduction of sex into mere body movements, noises and secretions, but instead, encourages it *further* by removing any references to feelings that there might be."⁵⁵ Most important, for Skordaki, "These letters, especially in their edited form, also illustrate that censorship which is based on technical criteria of what is an unacceptable act, must necessary [*sic*] ignore intentions and feelings. Mental and emotional conditions cannot be ticked as present or missing with the same ease that a censor can tick whether a feature contains, for example, 'bondage,' 'sodomy,' 'bestiality.'"⁵⁶

This highly suggestive account indicates the ways in which the content of pornography is subject not simply to authorial intentions but to a range of filtering practices.⁵⁷ These filtering practices, which are supposed to counteract "its distorted view of female sexuality, and its de-humanized account of sex as an act of mere physiological significance," actually intensify those "problem" elements.⁵⁸ In this sense it would seem that the fears of anticensorship campaigners are fully realized in the power of a group of unelected and unaccountable individuals whose interpretation of the law has significant impact upon the content and possibilities of published sexual fantasies. This dimension of production is missing from those accounts that ascribe certain kinds of "typical" behavior to "pornographers" and their readers. Moreover, it suggests that the claims about the inherent "meaning" of pornography that lay stress on the "form" of the material as powerful enough to override readers' moral, ethical, and human senses are at best flawed.

Nevertheless, the attempts to stay on the right side of the law have looked increasingly futile in recent years, not least because developments in other publishing and distribution sectors have changed the magazine landscape. Industry analysts have identified supermarkets as *the* retail sector crucial to the growth of the consumer magazine market: indeed, much of the success of the "new" men's magazines (e.g., *Loaded*, *FHM*, and *GQ*) is directly attributable to their accessi-

bility via supermarket shelves. According to industry analysts Seymour Monthly Monitor, supermarkets and high-street names such as Woolworth and W. H. Smith account for 59.7 percent of retail sales of magazines.⁵⁹ These retailers have no intention of carrying risqué titles; thus, the most dynamic sector of the trade is closed to the publishers of pornographic periodicals.⁶⁰ During 2000 sales of adult titles fell again by 7.6 percent. O'Toole suggests that the soft-core market is a "cartel," "a perfectly tight and cozy set-up for those inside the loop, suiting the police, distributors and publishers."⁶¹ This cartel apparently ensures that profits are maximized by keeping within the limits of the law. Over the past decade, however, it has become clear that all has not been as cozy as observers such as O'Toole would claim.

The changes and problems experienced by soft-core publishers are very similar to those that have beset the mainstream magazine market since the 1980s. For example, despite some spectacular successes, the magazine market has experienced damaging drops in overall circulation and advertising spending.⁶² Publishers have responded with "narrowcasting": the segmentation of the market into niche areas, with specialized titles targeting narrower groups of "lifestyle" consumers. Industry analysts have identified three factors responsible for the acceleration of this trend from the 1970s: "advertisers wish for more tightly targeted media; the reader's desire for more specialized information; and the publishers' instincts to expand."⁶³ In an analysis of the structural changes in women's magazine publishing, Stephen Driver and Andrew Gillespie note that "intense competition in women's consumer publishing . . . contribute[d] to an increase in the absolute size of the market."⁶⁴ This expansion was largely driven by a small number of publishing houses that expanded both vertically and horizontally in order to maximize audience share and profits and to minimize the effects of shrinking advertising revenue. Similar patterns can be observed in soft-core publishing and are probably best illustrated by focusing on the activities of an individual publisher.

The Northern and Shell Portfolio

Although the company's notoriety as the owners of Express Newspapers is of recent origin, Northern and Shell (N&S) is an established name in pornographic publishing. Founded by Richard Desmond, the company's publishing activities had included a number of music-oriented titles—*International Musician* and *Home Organist*—before winning the franchise for the UK version of *Penthouse* in 1982.⁶⁵ The nature of the publishing enterprises and their down-market, homey appeal—one of the most successful formats in the company's portfolio is *Real Wives*—has gained Desmond the nickname the "People's Pornographer," although he is famous for going after any journalist using the epithet "Porn Baron" to describe him. Despite the successes of the company's soft-core titles, Desmond has not been happy to remain on the fringes of publishing: in the early 1990s the company made efforts to widen its customer base with *OK!* (a rival to *Hello!* magazine), *Attitude* (a lifestyle magazine for gay men), *Sindy*, and *Action Man* comics. N&S has aggressively pursued more mainstream ventures and has been able to recognize

and respond to gaps in the existing markets that could be exploited without huge investment.⁶⁶ The success of *OK!* has been significant for the company, indicating that with the right format it is possible to break into the mainstream, no doubt making the acquisition of a daily newspaper more attractive. The move into more reputable publishing has been driven by Desmond's personal aspirations, which are believed to include a knighthood.

Until very recently, and like other publishers of "pornographic" materials, N&S was relatively invisible in the trade press: the company received little or no attention from industry publications such as *Campaign* or *Marketing*. This invisibility suggests that within the culture of professional advertising, marketing, and publishing the company was considered to have very little relevance. Certainly, most articles profiling the company focused on it as a "producer of pornography" despite its interests in music publishing. Its upstart pretensions were also emphasized in snide remarks about the Duke of Edinburgh opening the offices in Canary Wharf. This commentary has reached dizzying heights since December 2000, when the company successfully acquired the Express and Star Newspapers. In a culture of old publishers N&S has the wrong pedigree, and much scandalized copy details the links between Desmond's "legitimate" businesses and the outrageous activities of his other "filthy trade." Desmond seems rather unmoved by the commentary, remarking to one interviewer: "It's a private business. Wonderful, isn't it?"⁶⁷ With the expected doubling of his profits between 1999 and 2001, it would seem, as O'Connor observes, that Desmond has been "underestimated" as a businessman.

What is significant about Northern and Shell is that it has moved into other branches of activity in ways that mirror the practices of other larger and more mainstream media concerns in order to ensure growth and stability. As Driver and Gillespie have argued with respect to mainstream magazine publishing:

scale appears to confer, potentially at least, a number of advantages. These advantages include: the revenue benefits associated with maximizing audiences across titles; the cost advantages associated with bulk print buying; the power conferred by control over distribution channels; the command over resources necessary to launch, market and sustain new titles, or to acquire them; the spreading of risks through diversification and cross-media ownership; and the ability to reap the rewards of spreading successful publishing formulas across national markets. For those publishers able to exploit these advantages effectively, whilst at the same time managing to foster creativity and innovation at the level of individual magazine titles through organizational decentralization, the rewards have been, and are likely to continue to be, substantial.⁶⁸

Northern and Shell has always sought to operate within a broad field of publishing: although adult content might have been a significant proportion of the company's stock in trade, it has never been its sole *raison d'être*. As Jonathan Richards, one-time managing editor, put it in a letter to the *Guardian* newspaper, "the group ha[s] the intellectual elasticity to identify opportunities in new com-

mercial environments.”⁶⁹ In 1991, for example, the company was on the lookout for new areas to develop, and the women’s magazine market was one they were keen to enter. Other publishers were investigating the possibility of a sexually explicit magazine for women, and N&S was not about to let the opportunity go to its rivals. Originally conceived as a one-off *Penthouse for Women*, further discussions convinced the editorial team that the time was right to launch a dedicated women’s title rather than a supplement. In 1992 Northern and Shell launched a *Cosmo* style magazine with nude male photosets called *For Women*.

For Women’s founding editor, Jonathan Richards, claims a conversation at a dinner party had convinced him that women wanted more than *Cosmo*. “I look at *Cosmo* and it promises everything and then fails to deliver.”⁷⁰ The suggestion that the launch was based entirely on intuition would do N&S a disservice: its business is publishing and recognizing opportunities. The exploration of new areas of operation was a response to trends in publishing as a broad field but also to the particular problems faced by soft-core. The legitimate porn magazine market can be characterized by its relative stagnation, although falling sales of magazines yet rising profits for the major players are indications that producers have not stood idly by as sales drop. Northern and Shell embraced specialization: the company has become renowned for its niche publishing—titles targeted at particular tastes. The success of niche magazines such as *Big Ones*, *Asian Babes*, *Black and Blue*, *Big and Fat*, and *40+* indicates market dissatisfaction with the more conventional centerfold; they have the added bonus of being relatively cheap to produce. More important, they have been the publisher’s successful response to the pressures of increasing competition from other media. For N&S titles such as *Big Ones International*, *New Talent*, and *Real Wives* have benefited the company: circulation figures are significantly lower than the sustained highs achieved in the 1970s by the “flagship” publications, but, because these magazines run on shoestring budgets and have a longer shelf life, they are profitable.⁷¹ Produced by small editorial teams working on at least two other titles, these magazines also share copy, ideas, and photosets. Photographs are constantly recycled, and articles, interviews, and expensive editorial content are kept to an absolute minimum. Ironically, a public fracas has enveloped Richard Desmond just as he attempts to shrug off the porn king mantle. Former managing editor at N&S Deric Botham has accused Desmond of offering shoddy goods; in particular, Desmond stands accused of cheating punters by printing exactly the same photosets of one woman in two magazines under different names. Botham’s outraged concern for the innocent consumer belies the long-standing tradition of recycling images. It is precisely this recycling that has made soft-core pay.

Magazine sales have also suffered from the increasing availability of new media forms, such as Internet sites, CD-ROM, and video, but publishers have responded with increased specialization and diversification into those and other markets. Magazine income is now supplemented by revenue from other sex media, in particular, sex phone lines, which offer the kinds of “bizarre” sexual activities expressly forbidden graphic depiction or mention in magazines under UK obscenity laws (e.g., anal sex, waterplay, bondage).⁷² It is difficult to ascertain how far new

developments have been responsible for the drop in circulation of the traditional top-shelf magazines; as each new technology comes along, however, the major players in the United Kingdom have been at the forefront of the exploitation of the sexual potentials of such technology. This suggests that continuing profitability is dependent upon being able to recognize the opportunities offered by technological advance and to expand the production base rapidly in order to adopt it.

N&S is a perfect example of the “capitalist porn-broker”: the company is in the business because it is a business. As Nicholas Whittaker, former editor of *Fiesta* and *Razzle*, comments in his memoir, “The girlie-mag scene has changed over the years . . . sex has gone corporate. Northern & Shell have mags like *Penthouse*, *Forum*, *For Women*, but they’re just part of a broad portfolio which includes respectable titles such as *OK Weekly* and *The Green Magazine*. You’ll never see the bosses of N&S sashaying around Soho in fur coats, flashing gold rings. They aren’t porn barons. Sex sells, and that’s good enough reason for publishing sex magazines.”⁷³ A former N&S employee has also commented on the business ethic at N&S and suggested that the company’s working practices are reflected in a failure to produce “the sense of everybody’s-doing-it celebratory fun” that other publishers achieve in their adult magazines.⁷⁴ N&S is not interested in breaking taboos but in maximizing profits. The company is still actively pursuing other areas of interest in mainstream media: they have already made the break into digital television and online publishing, and rumors currently abound regarding their intentions in radio broadcasting. Only 10 percent of the company’s earnings now derive from pornography, although that is still a very significant one million pounds.⁷⁵ Significant or not, the adult titles are currently up for sale. With the recent purchase of Express Newspapers and the success of *OK!* Richard Desmond is now a serious newspaper and general interest magazine publisher keen to distance himself from the less respectable titles in his portfolio.

The Holy Grail of Respectability

Desmond’s move toward respectability highlights the ways in which “culture” and dimensions of production are inextricably linked in my analysis of the British soft-core market. Northern and Shell is not the only UK company that has sought, and continues to seek, to operate in other market sectors: each of the main protagonists has managed to forge businesses in the more legitimate areas such as real estate, football club ownership, newspaper publishing, and lingerie manufacturing and sales. These more respectable areas of operation have cushioned the publishers during their bad times (entirely pragmatic and shrewd given the frequency with which some of them have been subject to costly prosecution). They are, of course, also attempts to reconstruct soft-core production culture around more creditable operations. By so doing, porn publishers in the United Kingdom have attempted to divert criticism and accusations of sleaze to recognition of their business acumen. Whereas the boom decades favored the classification of the top shelf as a site of sexual abundance, novelty, and deliberate attempts to shock, since the mid-1990s the emphasis has been on a more uneasy sexual hedonism. The rea-

sons for this uneasiness lie in social and cultural changes, especially in attitudes towards women and sex. The real threat to top-shelf magazines has not come from the Internet, the law, or moral campaigners; these magazines have, in fact, been hit hardest by increasingly liberal attitudes to nudity. Ironically, the beneficiaries of liberalization in the 1990s have not been soft-core magazines but their rivals: the rug has really been pulled out from under publishers' feet by the arrival of respectable men's magazines. In the early 1970s, when *UK Penthouse* sold up to 300,000 issues per month, men's interests were inadequately catered to by the mainstream magazine industry. Hobby publications existed, but for those men who wanted "variety"—perhaps a mix of celebrity interviews, car reviews, and some sort of social/cultural commentary—there was little or no choice available. *Penthouse* and *Playboy*, with their mix of the "erotic" and "hard-hitting editorial," were able to appeal to a wide range of male readers and a whole host of mainstream advertisers. The advent in the late 1980s of men's magazines offering a very diverse mix of journalism, celebrity news and photographs, consumer goods, relationship discussions, and some sexual content without the attendant "dirty mac" label, has dealt the most decisive blow to the adult market. Soft-core titles no longer qualify for the title "men's magazine," having been "relegated" to the category "adult" or "pornographic." In 1995 they still accounted for a high proportion of the total sales of magazines aimed at a male readership (an estimated fifty-two million pounds of the total eighty-two million pounds in 1995, according to *KeyNote*).⁷⁶ But, given that magazines such as *FHM* and *Loaded* have broken the 500,000 sales barrier, those proportions are evidently changing. Industry insiders believe that there is little that can be done to reverse the downward trend in top-shelf sales:

The money is in big quantities—you're hoping things will pick up. . . . The lad's magazines . . . they sell in big, big quantities. They've affected our trade. They're acceptable. Not many newsagents stock them [soft-core] any more. They're not as acceptable as they were. God knows why, cos the country's more liberal. But your danger is if the accountants take over you end up with a two page magazine at £20 . . . they say if we knock four pages out and put the price up by a pound we'll make a profit but they don't realize that it does affect your sales . . . it's a downward spiral. But even at value for money, they're not selling like they used to. What's changed over the thirty years? I suppose they're not so new, everything was new and exciting . . . then, we published pictures nobody had ever seen in magazines. We were courageous in our own way. We used to sell 150,000 copies of *Playbirds* and we printed 150,000 copies, we sold every copy. Now if you sell half of a print run you're lucky. We should have printed 500,000 but we didn't have the courage to print 500,000. We missed a big opportunity to make a lot more money than we did. If I'd known then what I know now I'd have printed vast copies and put the price up. We used to sell it for 75p but if I'd put the price up to £1, it wouldn't have affected sales, it was all new and exciting. I used to work on a break even

of a third returns but now you work on 60–70% to break even. It's a different ball game.⁷⁷

Not only is the game different; the rules have changed. Popular culture conceptions of nudity and sexiness have shifted over the past three decades; Brian McNair has claimed that there is an increasing “pornification” of British culture employing the visual rhetorics of pornography.⁷⁸ Everyone, from Madonna to *Loaded*, is producing soft (sometimes hard) porn. As I have discussed, developments in soft-core magazine publishing have been limited by a range of regulatory practices, but other cultural industries such as mainstream magazines, production, and consumption have been less curtailed and have borrowed from soft-core in order to develop new vocabularies of sexual liberation and experimentation. Oversimplifying, I would suggest that celebrity women in men's magazines such as *FHM* and *Loaded* play a game with nudity and sexually provocative poses; they are able to escape censure because the magazines have managed a mix of sexual and non-sexual content that invites readers to treat sexual arousal as a game. These images, with their artistic elements (e.g., use of backgrounds, props, lighting, camera angles), manage to avoid the corpo-reality of the top shelf—it is all just a bit of fun and fantasy, not pornography per se. With the mantle of celebrity, these models are able to act out sexual self-empowerment and exploration free of the taint of exploitation that has dogged the top-shelf publications. In comparison, *Razzle*, *Men Only*, *Readers' Wives*, and *New Talent* are too cheap and somehow sleazy to be good, clean fun. The new men's magazines have a respectability that has long eluded the adult titles, and, with celebrity models more than happy to bare all, consumers no longer have to trawl the top shelf for a novelty nude. As sales drop, so do production values: *Fiesta* is currently the top-selling adult magazine with a decidedly down-market approach and audience. The social profile of *Penthouse* readers is also declining: in its heyday *Penthouse* had appealed to an ABC1 readership.⁷⁹ Since 1996 that readership is much more likely to be constituted by CDE males—their more affluent counterparts having moved to the respectable titles such as *Esquire*. Advertisers have followed and found in titles such as *Esquire*, *GQ*, and *FHM* the perfect vehicle for reaching high-earning male consumers: they no longer need to get into bed with porn publishers.⁸⁰

Clearly, the top-shelf magazine has reached an all-time low: Richard Desmond has been seeking a buyer for his top-shelf titles since early 2001, and in 2003 David Sullivan handed over his magazine portfolio to his associates, the Gold brothers, who have yet to see any significant returns. Paul Raymond still seems to believe in the possibilities of the trade, although his considerable fortune clearly is not dependent upon magazines that achieve pre-tax profits of two million pounds. Indeed, while the company spokesman is upbeat about the future and the enviable position held by company titles—eight of the ten best-sellers are Raymond publications—their profits are not high and do nothing to suggest growth within the sector. The problems are manifold: although British attitudes to nudity have changed, they do not necessarily favor the kinds of nudity available in traditional soft-core, and legislation still exists that prevents significant development of the

visual rhetorics of top-shelf magazines. New technologies and media formats have forged new ways of representing sexual activities. Moreover, in an age of stars it is simply not enough to bare flesh—there needs to be the extra frisson afforded by celebrity skin, and this, as I have already discussed, is not easily available to British soft-core publishers.

In an attempt to remain distinctive, top-shelf publications have embraced the Do It Yourself (DIY) aesthetic of *Readers' Wives*, a strategy with a double edge: although cheap to produce and easier to make returns on, such content confirms for many the supposedly innate sleaziness of pornography and contributes to its continuing slide. Sullivan, for one, has responded to the downturn in the sector's fortunes by embracing new technologies; his Web site www.free4internet.com (a gateway to porn sites around the world) has made significant profits, and another venture might actually contribute to an upturn in top-shelf fortunes. Since 2002 Sullivan has been publishing *Adult Sport*, an offshoot magazine of his Sport newspapers, "where stars go nude and topless!" and other titles such as *Sex Lives of the Rich and Famous*. Featuring paparazzi shots of celebrities in variously undignified poses—a favorite image is the accidental crotch shot—and recycled images or "grabs" from movies and "the photo-shoots they'd rather forget," *Adult Sport* belongs to the genre of gossip tabloid such as *National Enquirer*. In keeping with its Peeping Tom and budget aesthetic, the magazine retails at one pound and has spawned at least one imitator from the N&S stable, *Celebrity Adult Spy*. These publications are interesting precisely because they appear to draw on the same sense of sexual disenfranchisement evident in top-shelf publications of the 1970s. In the Oscar Awards special edition of *Adult Sport*, for example, the editor commented: "It's that time of year again folks, the Oscars, Hollywood's most glittering event and the time for all the leading ladies to put on their posh frocks. But here at *Adult Sport* we don't give a flying fuck about frocks, we like to have a look at what actresses keep under their skirts—and then print the pictures for all our lucky readers."⁸¹

Again, the specifics of textual formation and discursive strategies are beyond the scope of this essay, and indeed my focus on the production conditions of the top shelf leaves many questions unanswered, not least issues relating to readers' interpretations of the magazines and their contents. These are crucial areas of investigation, but all too often the details of the text have been foregrounded at the expense of research into the range of determinants affecting content and distribution. This exploration of soft-core magazine publishing cannot be considered definitive: because of the lack of archival material, it is a partial history and an imperfect investigation. It has, however, critically considered the relations between one area of soft-core production, legislation, and the cultural position of pornography in the United Kingdom. I have tried to show that soft-core has had a checked history and that the analysis of top-shelf publications cannot simply attend to the text. The form and content of soft-core and the dynamics of the industry can only really be understood by investigating their place in a circuit of cultural production in which economics and culture are not held as two separate spheres.⁸² The movements currently occurring in British attitudes to sexually explicit media

will no doubt result in further shifts in organizational and production practices in the industry in order to maintain commercial viability. These transformations and trajectories of change need to be documented, analyzed, and understood alongside more extensive explorations of the textual features of girlie magazines before they adapt or disappear for good.

Notes

1. Regarding the pornographers, see essays in Catherine Itzin, ed., *Pornography: Women, Violence, and Civil Liberties* (Oxford: Oxford University Press, 1992); Andrea Dworkin, *Pornography: Men Possessing Women* (London: Women's Press, 1981); and, on victims, Itzin, *Pornography*; Diana E. H. Russell, ed., *Making Violence Sexy: Feminist Views on Pornography* (Buckingham: Open University Press, 1993).
2. Itzin, *Pornography*; Russell, *Making Violence Sexy*; Gail Dines, Robert Jenson, and Ann Russo, *Pornography: The Production and Consumption of Inequality* (London: Routledge, 1998).
3. One of the central tenets of moralistic and radical feminist discourses on pornography is that pornography proliferates faster than any other media form and that the content is increasingly violent; such claims are rarely substantiated with any evidence, but this lack of measurement seems not to matter—any sighting of pornographic materials makes it an object of concern.
4. Given the level of antagonism to pornography evident in discussions of the industry and its products, it is perhaps unsurprising that the activities of soft-core publishing are largely confined to private companies and that their accounts and activities are only understood in the vaguest terms by outsiders. It is very difficult to obtain market analysis of the soft-core industry, although this is beginning to change since Richard Desmond's Northern and Shell purchased Express Newspapers at the end of 2000. This essay can only be a partial history; the documentation required to offer a detailed and accurate picture of the UK soft-core magazine market is sadly lacking. I have interviewed existing and past members of staff at a number of magazines, and I was lucky enough to speak with David Sullivan, one of Britain's leading players. I am extremely grateful to all these people for their assistance. The outcomes of my discussions with them form the substance of this essay, alongside information gathered from published accounts of the magazine marketplace such as the *Keynote Report* (1995) and the trade publications *Campaign*, *Marketing*, and *Marketing Week*. These were most useful in providing background information to the mainstream magazine market. The soft-core magazine market was less easy to research, and here I have had to rely upon discussions in broadsheet newspapers and very occasional snippets in the financial and trade press. In addition there are a small number of book-length accounts of the porn industry: David Hebditch and Nick Anning, *Porn Gold: Inside the Pornography Business* (London: Faber, 1988); Mark Killick's account of David Sullivan's rise to the top in *The Sultan of Sleaze: The Story of David Sullivan's Sex and Media Empire* (London: Penguin, 1994); and Nicholas Whittaker, *Blue Period: Notes from a Life in the Titillation Trade* (London: Gollancz, 1997), an account of working for men's magazines. These cannot be considered incisive chronicles of the industry nor, indeed, can the outraged copy in the broadsheet newspapers that announced the purchase of Express Newspapers. An in-depth study of Britain's porn producers remains to be undertaken.
5. For readers unfamiliar with the British high street, the following explanations are of-

ferred. Newsagents are small local shops dealing in newspapers and periodicals. In the past two decades many have expanded their stock to include the sales of essential food-stuffs such as milk and bread, but their primary trade remains the sale of printed materials. These stores often sell soft-core magazines displayed on the top shelf out of the reach of children and accidental browsing. Sex shops are premises licensed by local authorities under the 1982 Local Government Miscellaneous Provisions Act to sell, hire, exchange, lend, display or demonstrate “(a) sex articles; or (b) other things intended for use in connection with, or for the purpose of stimulating or encouraging (i) sexual activity; or (ii) acts of force or restraint associated with sexual activity.” They are the only premises legally entitled to sell 18R videos and DVDs and “harder” soft-core magazines. For fuller explanation of the 18R classification, see Julian Petley’s article “The Censor and the State, or Why *Makin’ Whoopee!* Matters,” <http://www.melonfarmers.co.uk/brjp.htm> (accessed 11 June 2001). Colin Manchester’s *Entertainment Licensing Law and Practice*, 2d ed. (London: Butterworths, 1999) gives a detailed explanation of the provisions of the 1982 act.

6. “R18” is defined by the BBFC as follows: to be supplied only in licensed sex shops to adults of not less than eighteen years. The R18 category is a special and legally restricted classification primarily for explicit videos of consenting sex between adults. Such videos may be supplied to adults only in licensed sex shops, of which there are currently about ninety in the United Kingdom. R18 videos may not be supplied by mail order.
7. Some publishers are currently testing the boundaries of the acceptable in their magazines by using stills from 18R classified films showing vaginal and anal penetration; the police appear to be turning a blind eye, probably because juries no longer appear willing to find against scenes of consensual sexual activity between adults.
8. Although other parts of Europe sell glamour magazines on newsstands, it is generally accepted that British publications are too soft for European tastes. What constitutes soft-core in Britain would hardly qualify for the title “pornography” in most parts of the European Union and the United States.
9. Linda Williams, *Hardcore: Power, Pleasure and the “Frenzy of the Visible”* (London: Pandora, 1990), 29.
10. Williams, *Hardcore*, 29.
11. Dworkin, *Pornography*; Andrea Dworkin and Catherine MacKinnon, *Pornography and Civil Rights: A New Day for Women’s Equality* (Minneapolis: Organizing against Pornography, 1988); Susan Kappeler, *The Pornography of Representation* (Cambridge: Polity Press, 1986).
12. Simon Hardy, *The Reader, the Author, His Woman and Her Lover: Soft-Core Pornography and Heterosexual Men* (London: Cassell, 1998), 52.
13. Galaxy (*Knave, Fiesta*); Paul Raymond Group (*Escort, Men Only, Mayfair*); Gold Star (*Rustler, Parade, LoveBirds*); and Northern and Shell (*Forum, For Women*, and mainstream gossip magazine *OK!*). David Sullivan’s Conegate and Quietlynn publications ought to rank among the top producers, but he has recently sold his interests in publications such as *Whitehouse* and *LoveBirds* to Gold Star (owned by longtime business associates the Gold brothers). There are also a number of independents producing magazines for particular specialisms: Go-Go Publishing’s *Cum* titles, Moondance’s *Desire*, and the *Erotic Review* being the most mainstream, although as these are usually distributed via subscription they do not form a part of my discussion.
14. Joel Best, “The Social Control of Media Content,” *Journal of Popular Culture* 14, no. 4 (March 1981): 611–617.

15. Avedon Carol, *Nudes, Prudes and Attitudes: Pornography and Censorship* (Cheltenham: New Clarendon Press, 1994), 127.
16. See, for example, I-Spy Productions' essay "Pornography and Capitalism: The UK Pornography Industry," in Itzin, *Pornography*.
17. In an article for the *Guardian* newspaper Julian Petley has offered an excellent exposition of the vagaries of British censorship laws, the current mess of conflicting criteria, and the attempts by Jack Straw and the Home Office to reinforce controls. An expanded version of the article is available on the MelonFarmers Web site: <http://www.melonfarmers.co.uk/brjp.htm>. The problems inherent in the provisions of these laws and the instability of the categories "obscene" and "indecent" have also been examined by various commentators, including Carol, *Nudes, Prudes and Attitudes*; Bill Thompson, *Soft-Core: Campaigns against Pornography in Britain and America* (London: Cassell, 1994); Laurence O'Toole, *Pornocopia: Porn, Sex, Technology and Desire* (New York and London: Serpent's Tail, 1998), for the anticensorship position; and, for the antipornography position, by Dworkin and MacKinnon, *Pornography and Civil Rights*; and Itzin, *Pornography*. All agree that the subjective terms are problematic, although the antipornography feminists would argue that the law could be used to decide on the acceptability of certain representations using the definitions of *harm*.
18. Leon Hunt, *British Low Culture: From Safari Suits to Sexploitation* (London: Routledge, 1998); O'Toole, *Pornocopia*; Eleni Skordaki, "The Production of Men's Magazines: Three Case Studies and a Sociological Analysis" (Ph.D. diss., London University, 1991); Thompson, *Soft-Core*; Whittaker, *Blue Period*.
19. Alex Spillus, "Who Makes the Profit?" *Independent on Sunday*, 21 April 1996, 4.
20. Spillus, "Who Makes the Profit," 4.
21. In 1996 Northern and Shell claimed a circulation figure of 1.5 million magazines per month, but its magazine profits have also dropped significantly (Company Report, 1996).
22. Hunt, *British Low Culture*, 2.
23. Stuart Hall, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts, *Policing the Crisis: Mugging, the State and Law and Order* (London: Macmillan, 1978); Hunt, *British Low Culture*, 19.
24. Hunt, *British Low Culture*, 19.
25. Thompson, *Soft-Core*, 44.
26. Hunt, *British Low Culture*; Killick, *Sultan of Sleaze*; Thompson, *Soft-Core*.
27. Petley, "Censor and the State"; Thompson, *Soft-Core*.
28. Hunt, *British Low Culture*, 23.
29. For details of these prosecutions, see Paul Ferris, *Sex and the British: A Twentieth Century History* (London: Michael Joseph, 1993); Alan Travis, *Bound and Gagged: A Secret History of Obscenity in Britain* (London: Profile Books, 2000).
30. This central line of defense offered by the 1959 act that, far from being pornographic, a book, magazine, or film is a work of art and therefore open to the protection of the law was exploited by porn publishers, too, but took its own form. Pornography could be recuperated in the courtroom, "the defense of 'public good'—artistic, scientific or some other kind of merit which distinguished the meritorious from the exploitative . . . pornography . . . could be interpreted as being for the 'public good' by an astute counsel, as a series of therapeutic masturbation defenses proved" (Hunt, *British Low Culture*, 21). This stratagem could not last forever; by 1972 the *Longford Report* was calling for the closing of this loophole, and barrister John Mortimer, who

- used the argument many times in his clients' defense, places its demise in 1977. See John Mortimer, *Clinging to the Wreckage* (London: Weidenfeld, 1982).
31. During the 1960s the "Permissive" label was most used by critics rather than "practitioners" and covered a range of activities and people. As Mary Whitehouse complained, the permissives were "pornocrats" or "the dogma-riddled lefties who see the undermining of morality as the prerequisite of take-over" (qtd. in Hunt, *British Low Culture*, 20).
 32. Colin Manchester, *Sex Shops and the Law* (Dartmouth: Gower Publishing, 1986), 37.
 33. For a full history, see B. Cox, M. Shirley, and M. Short, *The Fall of Scotland Yard* (London: Penguin Books, 1979).
 34. Longford Committee Investigating Pornography, *Pornography: The Longford Report* (London: Coronet Books, 1972), 306–307.
 35. Sullivan named the magazine after campaigner Mary Whitehouse, a leading figure in the religious and moral backlash against 1960s permissiveness. She died in 2001.
 36. Hunt, *British Low Culture*, 130.
 37. Hunt, *British Low Culture*; Thompson, *Soft-Core*, 1994; Mary Whitehouse, *Whatever Happened to Sex?* (London: Hodder and Stoughton, 1997).
 38. O'Toole, *Pornocopia*, 133.
 39. Thompson, *Soft-Core*, 30–31.
 40. See, for example, Martin Barker, *A Haunt of Fears: The Strange History of the British Horror Comics Campaign* (London: Pluto Press, 1984); and his edited collection with Julian Petley, *Ill Effects: The Media/Violence Debate* (London: Routledge, 2000).
 41. It was also linked to a more general crusade against the influence of the so-called Loonie Left in local authorities. For example, Rachel Thomson has described how the reform of sex education in schools in the late 1980s was driven as much by government desire for radical reform to the structure of education as it was by the interests of moral lobby groups, in "Moral Rhetoric and Public Health Pragmatism: The Recent Politics of Sex Education," *Feminist Review*, no. 48 (Autumn 1994): 47.
 42. A feature of the *Sun* tabloid newspaper: photographs of a topless girl with shining eyes and smile that appear on page 3, hence its name. Many people have objected to the casual nudity of this feature in a daily newspaper. For an alternative reading of the meanings of page 3, see Patricia Holland, "The Page 3 Girl Speaks to Women Too!" *Screen* 24, no. 3 (1983), an extremely interesting and suggestive account.
 43. There are many discussions of pornography's historical and contemporary role as scapegoat par excellence; see, for example, Walter Kendrick, *The Secret Museum: Pornography in Modern Culture* (New York: Viking, 1987); Laura Kipnis, *Bound and Gagged: Pornography and the Politics of Fantasy in America* (New York: Grove, 1996); Carol, *Nudes, Prudes and Attitudes*; and Lisa Z. Sigel, *Governing Pleasures: Pornography and Social Change in England, 1815–1914* (New Brunswick: Rutgers University Press, 2002).
 44. O'Toole, *Pornocopia*, 133.
 45. Both antiporn groups and UK porn publishers fear the "tide of filth" that would result from any relaxation of the current UK customs laws: the Continent produces a very different kind of sexually explicit material, which "benefits" from competition. That UK products would suffer is perhaps best indicated by the attempts by British publishers to take advantage of the new markets available in the glasnosted Eastern European states. The potential for reviving flagging sales at home appeared phenomenal, but Northern and Shell's foray into Poland in early 1992 with *Penthouse* failed dismally—the magazine closed in March of the same year, editorial director Paul

- Ashford citing the lack of disposable income and no business ethic in Poland as the causes of the magazine's demise.
46. O'Toole, *Pornocopia*, 142.
 47. My doctoral research into the production and consumption of *For Women* magazine indicates that the circulation of the magazine suffered precisely *because* it didn't show erections. Readers constantly made demands for more explicit shots, but the editorial team was unable to get around management at the parent company, Northern and Shell, or the distributors, W. H. Smith and John Menzies. For further discussion of this, see Clarissa Smith, "Pornography for Women or What They Don't Show You in Cosmo!" *Proceedings of the First Mapping the Magazine Conference*, Cardiff University, 26–27 June 2003, CD-ROM; "'They're Ordinary People, Not Aliens from the Planet Sex!': The Mundane Excitements of Pornography for Women," *Journal of Mundane Behavior* 3, no. 1 (February 2002); and "Fellas in Fully Frontal Frolics: Naked Men in *For Women* Magazine," *Paragraph* 26, nos. 1–2 (July 2003).
 48. Smaller publishers find it very difficult to fight restrictions on their own. *Desire*, a magazine for men and women launched in 1994, ran into distribution difficulties over its images of couples. Unwilling to tone down the photosets to meet wholesalers' guidelines, the publishers chose the subscription and direct mailing route rather than mounting a legal challenge. David Sullivan, whose empire has not been hidebound to the same degree by considerations of "quality" and "artistic merit," has challenged the British courts and Customs and Excise on a number of occasions: using European law in 1986 to overturn a destruction order on "love dolls" and, more recently, beating the BBFC and Home Office minister Jack Straw over the classification of a number of films initially deemed too "hard" for an 18R rating; see Petley, "Censor and the State."
 49. Bernard Williams, ed., *Obscenity and Film Censorship* (Cambridge: Cambridge University Press, 1981), 14–15.
 50. It is here that the success of campaigns by feminist groups and Festival of Light can be seen. Arguments about the harmfulness of sexually explicit materials and the effects of the "permissive society" find a resonance with judicial and parliamentary attitudes toward sexually explicit materials. As both Ferris and Thompson have shown, British attitudes toward sex are so resolutely willing to think the worst that even consumer protection legislation is not accorded to porn's customers.
 51. Skordaki, *Production of Men's Magazines*, 170.
 52. Skordaki, *Production of Men's Magazines*, 181.
 53. Skordaki, *Production of Men's Magazines*, 184ff.
 54. Skordaki, *Production of Men's Magazines*, 186.
 55. Skordaki, *Production of Men's Magazines*, 188.
 56. Skordaki, *Production of Men's Magazines*, 199.
 57. Skordaki also emphasizes the "interfering" role of the magazine owner; the costs of production and the limitations that are placed on content; and the need to provide novelty as well as continuity.
 58. Skordaki, *Production of Men's Magazines*, 199.
 59. Seymour Monthly Monitor, *Key Indicators on the UK Magazine Market*, no.16 (January 2001).
 60. Distribution of "adult" magazines has also been affected by the "Off the Shelf" activities of the Campaign against Pornography.
 61. O'Toole, *Pornocopia*, 143.
 62. In 1981 the consumer magazine industry (some 2,434 titles) as a whole accounted for

- 7.8 percent of advertising spending; this figure dropped to 6.9 percent in 1991 (*Marketing*, 25 February 1993).
63. *Marketing*, 3 July 1986.
 64. Stephen Driver and Andrew Gillespie, "Structural Change in the Cultural Industries: British Magazine Publishing in the 1980s," *Media, Culture and Society* 15 (1993): 187.
 65. The Northern and Shell portfolio has also included *Chic*, *Digital Dreams*, and *Liverpool FC: The Official Magazine*. Portland Publishing, now Portland Holdings, has included *Asian Babes*, *Big and Fat*, *Big Ones*, *Black and Blue*, *Fifty Plus*, *Hottest Asian Babes*, *Real Wives*, *Readers' Wives*, *Thrills*, *Nude Wives*, *Amateur Video*, *Connect*, *Eros*, *Erotic Stories*, *For Men*, *For Women*, and *New Talent*. The company was also responsible for *Electric Blue* videos and a range of Web sites.
 66. N&S could be described as a "me too" publisher, a term Brian Braithwaite, in *Women's Magazines: The First 300 Years* (London: Peter Owen, 1994), uses to describe how some publishers jump on the tailcoats of successful new formats. Certainly, N&S moved into gossip publications only after *Hello!* had done the groundwork; the same could be argued for its foray into gay magazines.
 67. O'Connor, *Financial Times*, 20 July 2001, 8.
 68. Driver and Gillespie, "Structural Change in the Cultural Industries," 199.
 69. Jonathan Richards, letter, *Guardian*, 29 December 2000.
 70. Interview, 13 January 1994.
 71. Whereas other magazines have a limited life span of a month indicated by the date on the front cover, *Real Wives*, for example, gives only a volume number so that it can remain on display for months, if not years.
 72. In 1987, 45 million calls were made to sex phone lines, generating thirty-five million pounds. Northern and Shell's phone lines accounted for one-third of the group's total profits in 1987 (I-Spy, "Pornography and Capitalism"). Following censure from British Telecom over content, however, the company sold the lines in 1988. Sex lines were also a benefit to publishers; David Sullivan suggests that it was advertising from these lines that kept many of the top-shelf titles afloat during the past six years.
 73. Whittaker, *Blue Period: Notes from a Life in the Titillation Trade*, xx.
 74. E-mail from Zak Jane Keir, former editor at Fantasy Publications, 13 November 2000.
 75. D. Teather and O. Burkeman, *Guardian*, 23 November 2000.
 76. KeyNote Report, *Men's Magazines* (Hampton: Key Note Ltd., 1995).
 77. David Sullivan, interview with author, November 2002.
 78. Brian McNair, *Striptease Culture: Sex, Media and the Democratisation of Desire* (London: Routledge, 2002); and *Mediated Sex* (London: Arnold, 1996).
 79. The Joint Industry Commission on National Audience and Readership Surveys (JICNARS) employs demographic segmentations based on social class, defined by the occupation of the head of the household:
 - A Higher managerial, administrative, or professional;
 - B Intermediate managerial, administrative, or professional;
 - C1 Supervisory or clerical;
 - C2 Skilled manual workers;
 - D Semi- or unskilled workers;
 - E Casual workers, laborers, those on benefit.
 80. Sean Nixon, *Hard Looks: Masculinities, Spectatorship and Contemporary Consumption* (London: UCL Press, 1996), details the "search for the holy grail," the high-spending male consumer, a quest that united manufacturers, advertising agencies, and magazine

publishers in the early 1980s and fueled the search for a winning magazine format for men.

81. *Adult Sport*, 10, no. 3, 29 March 2002.

82. Paul du Gay, *Production of Culture / Cultures of Production* (London: Open University Press / Sage, 1997).