

**Pulp Fictional Folk Devils?
The Fulton Bill and the Campaign to Censor
“Crime and Horror Comics” in Cold War Canada,
1945-1955**

by

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Abstract

This thesis examines the history of and the social, political, intellectual, and cross-border influences behind the “Fulton Bill” and the campaign to censor “crime and horror comics” in Canada from roughly 1945 to 1955. Many – though by no means all – Canadians had grown to believe reading comic books was directly linked with a perceived increase in rates of juvenile criminal behaviour. Led primarily by PTA activists and other civic organizations, the campaign was motivated by a desire to protect the nation’s young people from potential corrupting influences that might lead them to delinquency and deviancy and resulted in amendments to the Criminal Code passed by Parliament in 1949. These amendments criminalized so-called “crime comics” and were thanks to a bill introduced and championed by E. Davie Fulton MP. The passage of the “Fulton Bill”, however, did not subsequently produce the kinds of results expected and sought by anti-comics campaigners, including Fulton himself.

Keywords: Fulton Bill; crime comics; censorship in Canada; Cold War Canada; Eleanor Gray; Fredric Wertham

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List of Acronyms

ACMP	Association of Comics Magazine Publishers
AGO	Attorney-General's Office
AO	Archives of Ontario
BCA	British Columbia Archives
BCPTF	British Columbia Parent-Teacher Federation
CCA	Comics Code Authority
CCF	Co-operative Commonwealth Federation
CHSPTF	Canadian Home and School and Parent-Teacher Federation
CMAA	Comics Magazine Association of America
CMIAC	Comic Magazine Industry Association of Canada
CVA	City of Vancouver Archives
HSA	Home and School Association
LAC	Library and Archives Canada
LPP	Labour-Progressive Party
MLA	Member of Legislative Assembly
MP	Member of Parliament
MPP	Member of Provincial Parliament
NCWC	National Council of Women of Canada
NODL	National Organization for Decent Literature
PDC	Periodical Distributors of Canada
PTA	Parent-Teacher Association
PTF	Parent-Teacher Federation
SFU	Simon Fraser University
UBCRBSC	University of British Columbia Rare Books and Special Collections
UFWA	United Farm Women of Alberta
VDPTC	Victoria and District Parent-Teacher Council
WCTU	Woman's Christian Temperance Union

Introduction

On the night of 12 November 1948, two children committed a murder in Dawson Creek, British Columbia. After stealing a rifle, the two boys – ages 11 and 13 – donned handkerchief masks, set up camp by a roadside at Mile Zero of the Alaska Highway, and fired warning shots into the air in an attempt to halt passing motorists. After a couple of vehicles failed to stop, one of the boys fired directly into a car in which James Miller Watson, a respected 62-year-old local farmer, was a passenger. He was fatally wounded, and died in hospital four days later.¹ Within a week, the two boys were apprehended and arrested by police, a coroner's jury ruled that they were both responsible for murdering Watson, and a subsequent court ruling concurred. The case sparked newspaper headlines across British Columbia and drew media attention throughout the rest of Canada.² Among the factors pertaining to Watson's murder, it emerged that the two boys were avid readers of comic books and that each boy had regularly read dozens of so-called "crime comics" – comics depicting violent criminals and their nefarious deeds – every week.³ The correlation between crime and violence in popular culture and crime and violence in real life is still a matter of often heated debate to this very day, but in 1948 the debate was curtailed, and a direct link was made in the minds of many Canadians between the two boys' prior popular cultural consumption choices and their subsequent criminal behaviour.

¹ "Kilkerran Resident Jim Watson Dies From Bullet Wound", *Peace River Block News*, 18 November 1948.

² "B.C. Boys Charged In Slaying", *Vancouver Daily Province*, 22 November 1948; "Boys Face Murder Charge", *Vancouver Sun*, 22 November 1948; "Murder Charge Lodged Against B.C. Boys 11, 13", *Victoria Daily Times*, 22 November 1948.

³ "Blame Lurid Comics' For Fatal Shooting", *Vancouver Daily Province*, 23 November 1948; "Slaying May Speed Comic Book Curb", *Vancouver Sun*, 23 November 1948; "Lurid Comic Books Cited in Slaying", *Vancouver Sun*, 23 November 1948; "Boys Imitating 'Comics' Blamed For B.C. Slaying", *Victoria Daily Times*, 23 November 1948.

In addition to ruling that James Watson's death was indeed the fault of the two boys, the coroner's inquest and jury "also recommended that steps be taken by the authorities to censor the more lurid type of comic which is apt to encourage crime".⁴ In his closing arguments at the boys' subsequent court trial, Crown prosecutor Andrew McClellan declared, "I cannot say too strongly that I think these two unfortunate boys have been strongly influenced by what they have been reading"; he further articulated a desire to see "a concerted effort...to wipe out this horrible and weird literature with which children are filling their heads".⁵ He concluded by stating this goal would "require the combined efforts of all persons and public bodies interested in the welfare of children, and this must be done all over Canada".⁶ Juvenile Court Judge Charles Kitchen strongly agreed with McClellan's statements "as to the [negative] influence of the literature these boys have been subjected to", and added, "I am satisfied that a concerted effort should be made to see that this worse-than-rubbish is abolished in some way".⁷ That "concerted effort", however, had already been well under way in British Columbia since 1945 and was actively fanning the flames of similar concern across Canada.

The Dawson Creek murder case became a *cause célèbre* for many Canadians who were already deeply concerned about the perceived negative impact that certain forms of popular entertainment, such as comic books, were having on Canadian society – and specifically upon the delicate and impressionable young minds of children and adolescents. Among the many vocal detractors of crime comics was Mrs. Eleanor E. Gray, chair of a special committee on crime comics of the British Columbia Parent-Teacher Federation (BCPTF). In a letter sent to both McClellan and Kitchen and published on front page of the local *Peace River Block News*, Gray outlined efforts on the part of Parent-Teacher Associations (PTAs) in communities across the province over the past three years to see legislation enacted to "ban the publication of comic books dealing with crime", and lamented that such efforts had not borne fruit soon enough to

⁴ Coroner's Inquest Re James Miller Watson, British Columbia Archives (hereafter BCA), GR-1502, reel B4822, file 404/48.

⁵ "Juveniles In Fatal Shooting Nov. 12, Sentenced", *Peace River Block News*, 2 December 1948.

⁶ Ibid.

⁷ Ibid.

have prevented the tragic death of James Watson.⁸ “We feel,” Gray wrote, “that [Watson’s murder] and many other such crimes could have been avoided if we had been successful in our campaign and our children were not exposed to this menace [of crime comics]”.⁹ Earlier that same year, however, the campaigning of Gray and the PTAs had already resulted in some degree of movement on the part of Canadian politicians: most important among them being Edmund Davie Fulton, a 32-year-old lawyer and Progressive Conservative Member of Parliament for Kamloops, British Columbia.

Barely five months before Watson’s murder, E. Davie Fulton (or “Davie Fulton”, as he was popularly known) had stood in the House of Commons and drawn the attention of his fellow parliamentarians to the dreadful problem of crime comics, and the threat he believed they posed to the mental health and developmental well-being of the nation’s children and adolescents. He specifically cited the invaluable work of his local PTA in Kamloops for having educated him about this “menace” and bringing to his attention the urgent need for Parliament to address it: “I confess I had not actually looked at one of these crime comics until samples were sent to me by the parent-teachers’ association of my own city”.¹⁰ But Fulton’s initial efforts did not garner much positive response from the government; indeed, James Lorimer Ilsley, the Minister of Justice, expressed scepticism about the notion of a direct link between crime comics and juvenile delinquency and made no commitments to legislative action until more evidence could be provided. Fulton, however, remained undeterred and, the following year, partly in response to sensational crime cases such as the Dawson Creek comic book murder, he introduced a private member’s bill that proposed criminalizing the production, sale, and distribution of “any magazine, periodical or book which exclusively or substantially comprises matter depicting pictorially the commission of crimes, real or fictitious, thereby tending or likely to induce or influence youthful persons to violate the law or to corrupt the morals of such person”.¹¹ The bill garnered a remarkably high degree of bi-partisan

⁸ “P.T.F. Endeavoring to Abolish Crime Comics”, *Peace River Block News*, 9 December 1948.

⁹ *Ibid.*

¹⁰ Canada, *House of Commons Debates* (3 June 1948), p. 4800 (E. Davie Fulton, MP).

¹¹ Canada, *House of Commons Debates* (4 October 1949), p. 515 (E. Davie Fulton, MP).

support in Parliament and was dubbed the “Fulton bill”.¹² Despite some last-minute attempts by the Canadian comic book publishing industry to defend their controversial products, the bill was unanimously passed by the House of Commons and then subsequently sailed through the Senate before receiving royal assent and officially becoming law on 10 December 1949 – just a little over a year after the death of James Miller Watson. The Fulton bill remains a part of the Criminal Code of Canada to this very day and in largely its original form.¹³

Several scholars have devoted varying amounts of attention to the passage of the Fulton bill and the campaign to censor crime comics and other “salacious literature” in Canada.¹⁴ However, the scholarly literature that has been produced to date has been glaring in its lack of attention paid to the key role and important influence of PTAs and community and civic activists such as Eleanor Gray and their grassroots lobbying efforts in the successful passage of the Fulton bill. When he initially brought to Parliament’s attention the matter of crime comics and Canadian youth, E. Davie Fulton specifically mentioned that it was his local PTA in Kamloops that had first brought the problem to his attention and that he acknowledged and responded to this problem accordingly as any good Member of Parliament responsive to his constituents should do. Politicians, particularly Opposition backbenchers who successfully manage to get a private member’s bill passed into law, certainly do not operate in a vacuum when it comes to the achievement of successful legislative action. As Janice Dickin McGinnis notes:

¹² “Fulton Bill On Comics Passed”, *Vancouver Daily Province*, 5 December 1949; “Commons Outlaws Crime Comics, Filth”, *Vancouver Sun*, 5 December 1949; “Two-Year Prison Term For Sale Of Crime Comic Books”, *Victoria Daily Times*, 5 December 1949.

¹³ It was amended in 1959 to provide a clearer definition of obscenity.

¹⁴ Augustine Brannigan, “Mystification of the Innocents: Crime Comics and Delinquency in Canada, 1931-1949”, *Criminal Justice History* 7 (1986): 111-144; Janice Dickin McGinnis, “Bogeymen and the Law: Crime Comics and Pornography”, *Ottawa Law Review* 20, 1 (1988): 3-23; Mary Louise Adams, “Youth, Corruptibility, and English-Canadian Postwar Campaigns against Indecency, 1948-1955”, *Journal of the History of Sexuality* 6 (1995): 89-117; Mary Louise Adams, *The Trouble with Normal: Postwar Youth and the Making of Heterosexuality* (Toronto: University of Toronto Press, 1997); Mona Gleason, “‘They have a bad effect’: Crime Comics, Parliament, and the Hegemony of the Middle Class in Postwar Canada”, in *Pulp Demons: International Dimensions of the Postwar Anti-Comics Campaign*, edited by John A. Lent (London: Associated University Presses, 1999).

[T]o see them as the sole, or indeed even the main cause of such campaigns is to imbue them with an influence available to no man or woman. At the very least the potential for a wave must exist before one can ride on the crest of it; so much the better if there is already a full-blown cause in search of articulate leadership.¹⁵

The anti-comics campaign and the threat many Canadians – particularly those active in their local PTA – believed crime comics posed to children and adolescents emerged due to several factors characteristic of the post-war era, most notably as a result of what historian Jeffrey Weeks has described as “a series of moral panics about the public visibility of vice [that emerged] from the late 1940s onwards”.¹⁶ In Canada, as well as in the United States, these so-called “moral panics” centred most prominently on juvenile delinquency and on sexual deviancy (and the threat of such bogeymen as “criminal sexual psychopaths”) and have received attention from several scholars.¹⁷

Just another “moral panic”?

In examining and understanding these post-war moral panics and their relationship and relevance to the anti-comics campaigns, it is first important to be clear on what exactly a moral panic is and how and why they are said to arise. The term “moral panic” was coined by British sociologist Stanley Cohen, who developed the concept as a means to explain the public and media reaction to the “Mods and Rockers” of the 1960s. In his book *Folk Devils and Moral Panics*, Cohen examines this phenomenon, and how both the media and broader public perceived and responded to its aspects. He defines a moral panic as:

A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented

¹⁵ Dickin McGinnis, 20.

¹⁶ Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800*, 2nd ed. (London: Longman, 1989).

¹⁷ Adams, *ibid.*; Elise Chenier, “The Criminal Sexual Psychopath in Canada: Sex, Psychiatry and the Law at Mid-Century”, *Canadian Bulletin of Medical History* 20, 2 (2003): 75-101; James Gilbert, *A Cycle of Outrage: America’s Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986); Philip Jenkins, *Moral Panic: Changing Concepts of the Child Molester in Modern America* (New Haven: Yale University Press, 1998).

in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible.¹⁸

A moral panic is, in other words, a process in which persons – of whatever targeted group – are categorized and defined by sweeping generalizations, exaggerated reports, and blanket statements. Community and political leaders address the targeted group from a supposed moral high ground, “treating” the panic with solutions that more often than not reinforce perceptions or misperceptions, and failing to produce any real resolution. Eventually the panic evaporates and is succeeded a few years later by another moral panic that is a variation of the previous one. The subject of a moral panic is typically a new phenomenon which suddenly comes to the attention of the media through the agitation and campaigning of “conservative” and “reactionary” interest groups. Thus, as Cohen explains, notions of deviancy and deviants are socially constructed.

Throughout the twentieth century (and, indeed, much of the nineteenth), older generations have been concerned over what the younger generation – children and adolescents – are doing and/or what is being done to them. Therefore, many moral panics often occur to “protect” children and adolescents, and thus by extension the present and future well-being of the broader community and society as a whole. Each moral panic plays out in unique ways with different origins and repercussions, yet they often have similar characteristics, and have occurred repeatedly throughout modern history. Any new moral panic is often deemed to be just the latest instance of “folk devils” being created. Cohen’s moral panic paradigm, however, is both unhelpful in understanding the post-war anti-comics campaign in Canada and somewhat lacking in its overall usefulness to historians for two distinct reasons. First, in insisting on viewing moral panics as merely cyclical and driven by media and interest groups – that is, something that just happens every so often and that is driven by largely the same types

¹⁸ Stanley Cohen, *Folk Devils and Moral Panic: The Creation of the Mods and Rockers*, 3rd ed. (London: Routledge, 2002), 1.

of people – it encourages historians to risk, as John Springhall has pointed out, “disregarding particular features of historical context, new technology or social anxiety”.¹⁹ In other words, by “condescend[ing] to excitements among the general populace...[t]here is a danger of minimizing the contemporary sense of worry and crisis” and failing to properly understand the context in which such moral panics occur and what was of genuine concern to the everyday people of the particular era.²⁰ Adding to that criticism, Arnold Hunt has noted that the ambiguity and over-usage of the term “moral panic” has resulted in serious questions about its usefulness, particularly due to how it overlooks “historical specificity”.²¹

A second drawback to understanding the anti-comics campaign through the moral panic paradigm is its indirect dismissal of women’s activism in this era. As Philip Jenkins has noted, “women often emerged as leaders in campaigns to control sexual crime and delinquency, from the child-protection societies of the late nineteenth century through the citizens’ ad hoc committees of the late 1940s”.²² Therefore, given the enormous importance that women played in parent-teacher associations and other civic organizations of this time period and by extension their central and influential role in the Canadian anti-comics campaign, Cohen’s moral panic paradigm, in effect, encourages historians to simply dismiss them as merely “conservative” and “reactionary” – that is, merely acting in a state of hysterics and exaggerating the actual or perceived threat in question – and thereby lessens the value of women’s social and political activism.

Curiously, the existing scholarly literature on the post-war anti-comic books campaign has overlooked the important role and agency of grass roots activists, such as PTAs. Two scholars, Mary Louise Adams and Mona Gleason, who have devoted extensive attention to the campaign and the public figures that supported it, but their respective examinations have been rather lacking in some areas. While Adams notes

¹⁹ John Springhall, “Horror Comics: The Nasties of the 1950s”, *History Today* 44, no. 7 (1994): 13.

²⁰ John Springhall, *Youth, Popular Culture and Moral Panics: Penny Gaffs to Gangsta Rap, 1830-1996* (Basingstoke, UK: Palgrave Macmillan, 1998), 8.

²¹ Arnold Hunt, “‘Moral panic’ and moral language in the media”, *British Journal of Sociology* 48, 4 (December 1997), 645.

²² Jenkins, 217.

the important “sharing of resources and personnel that took place among activists and organizations on both sides of the [Canada-US] border”, she, like Gleason, focuses our undue amount of attention on those at the top: i.e., politicians and other prominent public figures.²³ Adams’s work has lightly touched on the role of grassroots lobbying; Gleason, however, has simply not addressed the central role of PTAs in the anti-comics campaigns and the passage of the Fulton bill. Gleason explicitly argues that Parliament’s 1949 passage of the Fulton bill was “an attempt on the part of these men to shore up the social hegemony of the Anglo-Celtic middle class in postwar Canada”, and yet overlooks and in effect dismisses the central importance of women in the anti-comics campaign and, by extension, the importance of PTAs in post-war Canada.²⁴ PTAs advanced ideals of universal education for all children and, by extension, a middle-class commitment to good parenting and responsible citizenship. The country’s national PTA organization, the Canadian Home and School and Parent-Teacher Federation (which was itself comprised of federations organized in each province) was also one of the country’s largest civic groups, with membership numbers that grew rapidly from the mid-1940s onwards.²⁵ It was largely female PTA activists who led, organized, and lobbied for the anti-comics campaign and who successfully brought the matter to the attention of the politicians they convinced to take the action of passing the Fulton bill. Thus, what Cohen’s moral panic paradigm requires, in the very least, is substantial modification – and historians, as Hunt and Springhall have pointed out in their respective concerns, are uniquely placed to contribute to this. By injecting and emphasizing the importance of specific historical context into any examination of social anxieties of the past, historians can draw attention to the unique social, cultural, economic, and political forces and aspects of any given era and thus help create greater understanding of what influenced and sparked a particular social anxiety.

²³ Mary Louise Adams, *Trouble with Normal*, 91.

²⁴ Mona Gleason, “‘They Had a Bad Effect’: Crime Comics, Parliament, and the Hegemony of the Middle Class in Postwar Canada”, in *Pulp Demons: International Dimensions of the Postwar Anti-Comics Campaign*, ed. John A. Lent (London: Associated University Presses, 1999), 130.

²⁵ Charles Vincent Madder, *History of the Canadian Home and School and Parent-Teacher Federation, 1895-1963* (Toronto: Canadian Home and School and Parent-Teacher Federation, 1964).

Scholars Bill Thompson and Andy Williams have argued that the moral panic paradigm as pioneered by Cohen is irrelevant, flawed, and prone to encouraging intellectual laziness. Indeed, they describe it as “one of the most successful academic fads in history” and accuse many scholars of having gone “moral panic mad”.²⁶ According to them, a far more useful paradigm is Howard S. Becker’s concept of moral enterprise and moral entrepreneurship. In their book, *The Myth of Moral Panics: Sex, Snuff, and Satan*, they argue, “any academic concerned with the origins and application of moral legislation would be better served by going back to Becker and starting over by reviewing, critiquing, and updating the concept of moral enterprise”.²⁷ Thompson and Williams make their own contribution in defining “moral enterprise” as “any act by any social or interest group that promotes its values by engaging in political activity designed to secure/exploit government support for their preferred social policy agenda”.²⁸ This definition is very much in line with what is articulated in Becker’s 1963 work, *Outsiders: Studies in the Sociology of Deviance*.²⁹ Becker’s concept is much more useful to historians in seeking to better understand the social anxieties of the past and, particularly in this study, the Fulton bill and the PTA-led anti-comics campaigns of the early Cold War era. Figures such as Fulton and Gray would therefore be better described and understood as “moral entrepreneurs” in this alternative model.

In seeking to understand the origins of the anti-comics campaign and the forces driving it, it is also necessary to take into account that there was a distinct period of social anxiety occurring from the late 1940s and onwards into the 1950s over the folk devils of sexual deviants and “criminal sexual psychopaths”.³⁰ Coupled with a simultaneous social anxiety over juvenile delinquency and a widespread public concern and belief that juvenile delinquency was on the rise, the anti-comics campaign was clearly a product of both of these social anxieties. Indeed, the month and year – June of

²⁶ Bill Thompson and Andy Williams, *The Myth of Moral Panics: Sex, Snuff, and Satan* (New York and London: Routledge, 2014), 2-3.

²⁷ *Ibid.*, xii.

²⁸ *Ibid.*, 279.

²⁹ Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance* (London: Free Press of Glencoe, 1963), 147-163.

³⁰ Jenkins, *ibid.*; Chenier, *ibid.*

1948 – that E. Davie Fulton first raised in Parliament the matter of crime comics and their perceived detrimental effects on children and adolescents was the very same month and year that the House of Commons first passed criminal sexual psychopath legislation.³¹ Debates carried out both in Parliament and across the country about the “threat” posed by criminal sexual psychopaths included questions and speculations about what sort of childhoods these deviants had had. For many Canadians, the two were inextricably linked: a child raised in an unbalanced environment and surrounded by adverse influences was quite likely going to end up becoming a juvenile delinquent and, worse, perhaps even destined to grow up to be a sexual psychopath or other such sex deviant. Therefore, measures to prevent such deviancy from developing in children had to be implemented by parents, educators, and politicians – and part of the necessary strategy was effectively and decisively tackling the menace of *pulp fictional folk devils* as they existed in the form of crime comics, as well as in the form of their publishers and distributors.

The anti-comics campaign in Canada, as represented by PTA activists, was centred on the desire to build a future in which Canadian young people could be properly raised free from corrupting influences that would potentially lead them to delinquency and deviancy. Because children and adolescents were the future of Canada, problems with and threats to the integrity of the nation’s youth – whether real or perceived – were expanded to being problems with and threats to the integrity of the nation as a whole. One of the factors that was increasingly presumed to contribute to the advent of juvenile delinquency – and thus required correction – was the type of literature preferred by most children and adolescents: namely, comic books. The belief that comic books played a concrete role in encouraging delinquency in Canadian youth was evidenced not only in the Dawson Creek comic book murder case but also in a variety of news reports from big cities like Toronto and Montreal, which amplified the growing public perception that juvenile delinquency was rising.³²

³¹ Canada, *House of Commons Debates*, (3 June 1948) p. 4754; (4 June 1948) pp. 4800-1; (14 June 1948) p. 5203.

³² Brannigan, *ibid.*

Comic books were one of the first forms of popular culture to become objects of post-war public concern in twentieth-century Canada, as well as in the United States, Britain, and other parts of the world. Stand-alone comic books first appeared in 1934, having evolved from the newspaper comic strips that first emerged in the 1890s. Comic books were not an immediate success and it was not until the economic boom in 1939-40 that they began developing a strong and distinct presence in popular culture – and, at that time, their principal targeted audience were children and adolescents.³³ During the years prior to the mass expansion of television into everyday homes, reading and sharing comic books was a significant and widespread leisure activity for children. Thanks to their wide availability in local neighbourhoods via corner stores and newsstands, comic books helped fill a desire by children to experience vicariously some of the excitement they imagined was part of the war, and they read about their favourite superheroes doing battle with the evil forces of the Nazis. For many children of the 1940s, the wartime comics made connections with the real world, made all the more so for those whose fathers, uncles, and/or older brothers were on the battlefields overseas. Children's love of and fascination with comic books, however, steadily became a topic of great concern for many parents and educators.

In the minds of some of those parents and educators, comic books constituted a threat to adult authority over children, for they were alternatives to adult-endorsed reading and eluded the direct control of parents and educators. Indeed, the knowledge that many adults disapproved of reading them undoubtedly made comic books even more appealing to many children. Fears that comic books were leading children away from much better “quality” literature and potentially creating a generation of illiterates began to spread. These fears were perhaps best summarized by Eleanor Gray, in a March 1949 “Guest Editorial” she wrote for the Alberta edition of *Home and School* magazine: “[Comic books] are a great waste of time and money. They kill the child's taste for better books by their poor printing, ugly language, bad grammar and cheap thrills. The more violent comics teach patterns of conduct which are undesirable and

³³ Ian Gordon, *Comic Strips and Consumer Culture, 1890-1945* (Washington: Smithsonian Institution Press, 1998), 128-51.

may lead to juvenile delinquency”.³⁴ It is this last point, in particular, which encapsulates much of what the concern was about on the part of post-war anti-comics campaigners: the belief that certain forms of comic books – in particular, crime and horror comics – were a potential cause of juvenile delinquency.

These beliefs stemmed in large part from growing public concern about the effects the war had had on broader society and, in particular, on the well-being of the younger generation. The war deeply disrupted social, economic, and family life in Canada, as fathers went to war and mothers went to work to support the family.³⁵ As historian Doug Owsram, has documented, “life changed in thousands of small and not so small ways as the economy and society moved to a war footing”.³⁶ During wartime, despite it being only an extraordinary measure due to extraordinary circumstances, there was still considerable concern and unease about the social effects that women’s participation in the labour market was having – specifically upon the nation’s youth.³⁷ Public concern began to grow about the children and adolescents being neglected as a result of their mothers spending long hours at work and away from the home. According to Annalee Gölz, this was increasingly seen as one of “the primary causes of rising rates of juvenile delinquency” both during and after war-time, as well as the “perceived relaxation of sexual morals among single youths with the concomitant rise in illegitimacy rates”, the increased rate in “hasty and unstable wartime marriages”, and corresponding increase in divorce rates.³⁸

Tilly Rolston MLA, a Conservative member of the British Columbia legislature, summed-up many of these social anxieties in 1944 when she denounced mothers who worked outside the home and “neglected” their children, and she strongly blamed the effects of this state of affairs for the alleged increase in rates of juvenile delinquency:

³⁴ Eleanor Gray, Guest Editorial, “The Problem of Children’s Reading”, *Alberta Home and School*, March 1949; Eleanor Gray fonds, BCA, file 6.

³⁵ Doug Owsram, *Born at the Right Time: A History of the Baby-Boom Generation* (Toronto: University of Toronto Press, 1996), 9.

³⁶ Ibid.

³⁷ Ibid.; Gilbert, 25-8.

³⁸ Annalee Gölz, “Family Matters: The Canadian Family and the State in the Postwar Period”, *left history* 1, 2 (1993): 13.

Military victory will be a hollow mockery if we produce a generation of demoralized and delinquent Canadians while winning this war to preserve our way of life. Your daily newspaper and local police record will show you how serious this threat has become. We have thousands of underfed, neglected children who are key carriers, while mother wields a blow torch.³⁹

Furthermore, she added, “Our juvenile delinquents are learning every form of vice and crime...The future of our nation depends every bit as much upon the morality and health of our next generation as it does on the winning of battles in Europe and Asia”.⁴⁰ For Rolston and many other Canadians, the battle to protect and preserve the integrity of the home and the family unit was every bit as important as winning the overseas battles Canadian troops were fighting on the frontlines of the war.

In the aftermath of the Second World War, with the Axis powers now vanquished, Canadians could proudly set about to win the peace at home and continue their centuries-long drive to build a robust, prosperous, and ideal nation on the northern half of the North American continent. Unfortunately, a new foreign threat lurked ominously on the horizon: namely, that of the Soviet Union (which, just a few years earlier had been the West’s wartime ally against the Axis powers) and the dangerous “Red Menace” it now posed. One of the most important early events of the Cold War occurred in Canada when Igor Gouzenko, a Russian employee of the Soviet Union’s embassy in Ottawa, dramatically defected to the West on 5 September 1945. Accompanying Gouzenko’s defection were then scandalous revelations of widespread Soviet espionage against the West, which shocked Canadians, as well as people across the Western world: in particular, the United States.⁴¹ It was now commonplace knowledge that the Soviet Union sought to extend its sphere of influence throughout the rest of the world and that the threat was now right on Canada’s very doorstep, involving Canada in the global struggle every bit as much as the United States and Britain. Therefore, to tackle the threat of the Red Menace at home required a concerted effort to make and keep the

³⁹ Tilly Rolston, quoted in “Draft Working Mothers Back To Homes, Says Woman MLA”, *Vancouver Sun*, 5 February 1944; Tilly Rolston fonds, BCA, MS-2802, scrapbook.

⁴⁰ *Ibid.*

⁴¹ Reg Whitaker and Gary Marcuse, *Cold War Canada: The Making of a National Insecurity State, 1945-1957* (Toronto: University of Toronto Press, 1994), 27.

nation “strong” – the most critical starting-point and building-block being that of the traditional heterosexual nuclear family unit.⁴² Thus, the dawning of the post-war era saw a concerted effort on the part of the state, of business, of all manner of social, economic, and political institutions to return to “normality”.⁴³ Accompanying this was a “heightened post-war stress on the importance of monogamous heterosexual love”.⁴⁴ The resulting Cold War accentuated this already growing mindset.

Underlying concerns about the potentially adverse effects of comics on young people did not lead to growing demands in Canada for concerted legislative action until the Second World War had finally ended. Comic books received minimal attention during the course of the war for the simple reason that public attention was focused elsewhere – on the war effort and the collective national goal of winning the war. The other explanation for this delay, offered by Amy Kiste Nyberg, is that the contents of comics substantially changed as publishers sought to entice new and greater numbers of readers.⁴⁵ Publishers turned to the distinctly adult realm of pulp fiction and “true crime” magazines for new inspiration and, as a result, began producing comics featuring crime (and later horror) themes to thrill and scare old and new readers alike. These new “crime comics” detailed stories of criminals and their exploits and differed from the fantasy worlds of superheroes in offering more grittier and realistic scenarios. Regardless of whether any given crime comic’s representations of the consequences of crime was realistic (specifically, that crime does not pay and the bad guys always lose in the end), these comics suggested that crime was nonetheless exciting. In the United States, various civic groups arose across that country and began to undertake organized efforts to seek the legislated removal of crime comics from stores and newsstands.

The Catholic Church founded the “National Organization for Decent Literature” (NODL) in 1938 and it began regularly studying and evaluating the contents of comic

⁴² Adams, *The Trouble with Normal*, 21-3.

⁴³ Ibid.

⁴⁴ Weeks, 240.

⁴⁵ Amy Kiste Nyberg, *Seal of Approval: The History of the Comics Code* (Jackson: University Press of Mississippi, 1998), 39.

books in 1947.⁴⁶ The “Committee on Evaluation of Comic Books in Cincinnati” (or “Cincinnati Committee”), founded in 1948, was another such group and one that actually grew to be much more broadly influential than the NODL – and not just within the borders of the United States.⁴⁷ The Cincinnati Committee was a coalition of concerned parents, teachers, librarians, clergymen, and businessmen who collectively reviewed and categorized comic book publications according to four categories – including “Very Objectionable” comics which glamorized crime, glorified drug use, had sexual implications, and/or depicted authority figures in a demeaning manner. Their resulting lists of objectionable comics were published annually in prominent publications such as *Parents’ Magazine*. Although Canadians would soon outperform Americans in terms of getting the issue of crime comics onto their respective nation’s political agenda and seeing legislative action taken by politicians, American grassroots and expert opinion was, nonetheless, deeply influential and frequently and approvingly cited by Canadian PTA anti-comics activists: particularly Eleanor Gray and the BC Parent-Teacher Federation. By far, however, the strongest and most important influence of all was that of a prominent New York City psychiatrist named Dr. Fredric Wertham.

For many years, Dr. Fredric Wertham worked primarily with troubled youth in a clinic he opened in the neighbourhood of Harlem in New York City. He became deeply concerned about the relationship between popular or mass culture and violence in society at large, particularly violent and deviant acts committed by juveniles. Through his clinical research he came to the firm conclusion that comic books in general and crime comics in particular were psychologically-damaging to children and adolescents because of what their graphic imagery and lurid content was teaching them. As James Gilbert explains, Wertham’s credentials as a leading psychiatrist gave considerable weight and credibility to his claims and, among many of his peers, he was generally accepted as a man whose expert opinions were worthy of a great deal of attention.⁴⁸ Wertham was not

⁴⁶ Thomas F. O’Connor, “The National Organization for Decent Literature: A Phase in American Catholic Censorship”, *The Library Quarterly: Information, Community, Policy* 65, 4 (October 1995): 386-414.

⁴⁷ Nyberg, 29; Various copies of the Cincinnati Committee’s reports can be found in file 3 of the Eleanor Gray fonds, BCA, MS-0962.

⁴⁸ Gilbert, 94.

a reactionary conservative, but rather broadly liberal and progressive in his social and political outlook. According to Gilbert and other scholars, such as Bart Beaty, Wertham cared deeply about the socially-disadvantaged, particularly African Americans, and served as an instrumental expert witness in some important landmark American court cases, such as the US Supreme Court's 1954 *Brown vs. Board of Education* ruling, in which he testified that racial segregation was detrimental to children.⁴⁹

This thesis tells the story of the Fulton Bill and the PTA-led campaign to censor crime and horror comics in Canada during the first decade of the Cold War through an examination of the professional relationship among three key historical agents: namely, E. Davie Fulton, Eleanor Gray, and Fredric Wertham. As this thesis will demonstrate, each of these historical agents was enormously influential as individuals and as an informal group, functioning as a troika over the course of roughly a decade. This, in turn, was instrumental to the successful passage of the Fulton bill and the PTA-led campaign that sprang up to support its passage and implementation.⁵⁰ The professional relationship between the three effectively began in 1948 with Wertham's first published contribution to the anti-comics campaign – an article for which he was interviewed and extensively quoted and which was provocatively titled "Horror in the Nursery". Published in *Collier's* magazine on 27 March 1948, the article detailed some of Wertham's clinical research findings about the detrimental effects of comic books on society's most impressionable and vulnerable minds.⁵¹ He contended that comic books "in intent and effect" made "violence alluring and cruelty heroic" to children and adolescents, "are not educational, but stultifying", and that "the time has come to legislate these books off the newsstands and out of the candy stores".⁵² The article had a particularly important

⁴⁹ Gilbert, 90; Bart Beaty, *Fredric Wertham and the Critique of Mass Culture* (Jackson, MI: University Press of Mississippi, 2005), 82, 94.

⁵⁰ Although Fulton, Gray, and Wertham frequently deplored "censorship" and insisted that it was not what they sought, censorship is, nonetheless, what they in effect were seeking and advocating. Scholars such as Klaus Petersen have pointed out that censorship of various forms already exists in Canada and in virtually every other Western democracy. See Klaus Petersen, "Censorship! Or Is It?", in *Interpreting Censorship in Canada*, ed. Klaus Petersen and Allan C. Hutchinson (Toronto: University of Toronto Press, 1999).

⁵¹ Judith Crist, "Horror in the Nursery", *Collier's*, 27 March 1948; Eleanor Gray fonds, BCA, file 4.

⁵² *Ibid.*

impact in Victoria, British Columbia, where it caught the attention and interest of PTA activist Eleanor Gray.

Chapter 1.

“Why should such comics be allowed to circulate and pervert our children?”: The Anti-Comics Activism of Eleanor Gray and the PTAs

When Eleanor Gray stood before the BC Parent-Teacher Federation’s twenty-sixth annual convention on 1 April 1948 to deliver the report of the special committee examining the menace of crime comics, she spoke glowingly of Fredric Wertham’s *Collier’s* article and described it as “the finest article yet published, in our opinion, on the [negative] effects of crime comics [on youth]”.⁵³ She urged the convention delegates to read it and to encourage their fellow local PTA members to do likewise. Gray’s committee report also noted a provision in the US Penal Law that provided for prosecution of anyone who “offers for sale any book or pamphlet devoted to the publication of pictures or stories of deeds of bloodshed, lust or crime, to any minor or child”.⁵⁴ The committee strongly concluded that what Canada needed was the same: “We feel”, said Gray, “that a similar Law to protect our children, should be added to our Criminal Code in Canada, which if properly enforced, would be one solution of our problem”.⁵⁵ A new law, though, was not in and of itself felt to be the ultimate solution. What was also needed was “an educational programme to foster better reading habits in our schools and homes” and that was something all PTA activists had the immediate power to bring about in their own households and local communities.⁵⁶ A positive counter-attack, centred on getting children interested in reading better quality literature

⁵³ Mrs. T.W.A. Gray, “Report presented to the 26th Annual Convention of the British Columbia Parent-Teacher Federation”, 31 March to 2 April 1948, Eleanor Gray fonds, British Columbia Archives (hereafter BCA), MS-0962, file 2.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

than what was on offer from comic books, was presented as one of the best defences and safeguards of all. Gray concluded the presentation of her report with a quotation from a Tennessee Juvenile Court judge: “I have never met a bad boy who had the habit of reading good books”.⁵⁷

Two months later, the *Saturday Review of Literature* published an article written by Fredric Wertham titled “The Comics...Very Funny!” – an article that received considerable attention when it was reprinted in Canadian newspapers like the *Ottawa Journal* later that same year.⁵⁸ Wertham’s core argument rested on the presumption that comic books were “the greatest book publishing success in history and the greatest mass influence on children” and that they constituted a “systematic poisoning of the well of childhood spontaneity”.⁵⁹ He repeated many of the same arguments he had made in the previous *Collier’s* article and cited numerous cases involving juveniles committing copycat crimes that had clearly been inspired by crime comics they had been reading. Much of Wertham’s anti-comics research focused on crime comics. By doing so, he chose a visible and specific attribute of mass culture that society at large could blame for juvenile delinquency. He denounced comic books and, in particular, crime comics – which he loosely defined as “comic books that depict crime” – as a “virus”.⁶⁰ Not only would things get worse, he warned, but also more children and adolescents would become infected (i.e., become delinquents) as the “virus” spread.

Wertham criticized crime comics for glamorizing crime, but he was also equally critical of superhero comics (something the Canadian PTA activists were not as vocal about). Superhero comics typically featured a hero who used his superpowers to stop criminals and fight injustice, yet Wertham felt the presentation of a superhero performing the rightful and proper job of the police undermined the latter’s authority in the minds of many young people. In addition, he claimed several small children allegedly hurt themselves attempting to duplicate the impossible feats of their favourite superheroes.

⁵⁷ Ibid.

⁵⁸ Fredric Wertham, “The Comics...Very Funny!”, *Saturday Review of Literature*, 29 May 1948; Eleanor Gray fonds, BCA, file 4.

⁵⁹ Ibid.

⁶⁰ Ibid.

Wertham criticized comic book content partly due to what it was teaching its readers: they were highly instructional and the detail they provided of crimes could show a juvenile the steps involved in going about performing such delinquent acts. Wertham brought focus to general fears about the potentially adverse influences of mass culture on impressionable and vulnerable members of society that had been in existence for many decades.⁶¹ Thus, easily accessible comic books detailing criminal and other forms of deviant behaviour were seen as a disturbing sign of the times, a representation of a highly vulnerable generation, but nonetheless something that could and should be controlled with appropriate legislative action.

By 1954, however, Wertham had become deeply discouraged by the lack of any comprehensive action on the part of the US government and decided it was time to publish a new book comprised of his previously published articles. Expanding on the arguments of those articles and of much of his previous clinical research on the subject matter, Wertham's book was entitled *Seduction of the Innocent: The Influence of Comic Books on Today's Youth* and was clearly intended for a popular (rather than a scholarly) audience.⁶² In *Seduction of the Innocent*, Wertham addressed the contents of crime comic books, which he considered unparalleled in the history of children's literature of any time, and lamented that the US had not addressed the menace nearly as effectively as had other countries. Chapter 11 of *Seduction of the Innocent* is devoted to outlining and praising the efforts outside the US to curb and combat the menace of crime comics – and is concentrated overwhelmingly on Canada, a nation where “the problem was recognized...with far more seriousness [than in the US]”.⁶³ Entitled “Murder in Dawson Creek: Comic Books Abroad”, Wertham begins this chapter by outlining the tragic details of the Dawson Creek comic book murder case and declaring, “These boys had not only been influenced, but actually motivated to the point of detailed imitation, by crime comic books” and summing it up as “one of those cases where cause and effect were so clear

⁶¹ John Springhall, “Pernicious Reading”? ‘The Penny Dreadful’ as Scapegoat for Late-Victorian Juvenile Crime”, *Victorian Periodicals Review* 27, 4 (Winter 1994): 326-349.

⁶² Fredric Wertham, *Seduction of the Innocent: The Influence of Comic Books on Today's Youth* (New York: Rinehart, 1954).

⁶³ *Ibid.*, 277.

that nobody dared dispute it”.⁶⁴ He then drew strong conclusions about the role and importance of PTAs in the battle against crime comics in Canada as he moved on to laud and extol the leadership shown by concerned everyday citizens like Eleanor Gray and responsive politicians like E. Davie Fulton.

Wertham did not mince words as he extensively praised the work and contributions of Eleanor Gray, in particular, in the Canadian battle against crime comics and in doing so highlighted not just her own determination but also, by extension, the importance of the PTAs in the struggle. As Wertham noted, Gray had been in the midst of “an extensive investigation into crime comics” when the Dawson Creek murder occurred.⁶⁵

To her [the Dawson Creek murder] was another of many instances of the detrimental influence of comic books on children. She had collected cases, studied the literature, communicated with other parent-teacher organizations...looked into the industry and its experts, and last but not least she had studied the books that children read. She did not permit herself to be sidetracked by the industry or by those who wanted her to include all kinds of other reading and entertainment. She unflinchingly isolated one evil and pursued it.⁶⁶

Originally beginning her anti-comics activism as a member of a special committee formed by in the fall of 1945 by the Victoria and District Parent-Teacher Council in response to concerns raised by both the Municipal Inspector of Schools and the Saanich School Board, respectively, about salacious and indecent literature widely available on local newsstands and their potential adverse effects on children and adolescents, Gray was, in many ways, uniquely positioned to lead this battle – in part thanks to her background and prestigious social standing in the community.

Born in Stratford, Ontario in 1900, Eleanor Elizabeth (née Hislop) Gray graduated from high school at age 18, earned her diploma in piano from the Toronto Conservatory of Music, and attended the College of Education at the University of Toronto where

⁶⁴ Ibid., 275-276.

⁶⁵ Ibid.

⁶⁶ Wertham, 277.

earned a degree in home economics.⁶⁷ In 1926, she married physician and surgeon Dr. Thomas Wesley Alvin Gray, a veteran of the First World War, and they subsequently had five children. In 1933, the Grays moved across the country to an affluent and prestigious neighbourhood in Victoria, British Columbia, and in 1938 they moved into a house located at 1745 Rockland Avenue, quite close to Government House, the official residence of the province's vice-regal officer. 1745 Rockland Avenue was designed and built in 1899 by the renowned Francis Mawson Rattenbury, architect of the provincial Parliament buildings and the Empress Hotel (and victim of a sensational murder in 1935). Prior to the Gray family, the house had been owned by Sir Lyman Moore Duff, a future Chief Justice of the Supreme Court of Canada, Robert Garnett Tatlow, Minister of Finance in Premier Sir Richard McBride's government, and James Albert Lindsay, a businessman who worked for the prominent Dunsmuir family.⁶⁸

During the 1930s, when the Grays first moved to Victoria, increasingly vocal concerns were being raised in the United States and in Canada over the proliferation of comic books and their perceived unhealthy influences on young people. Among Gray's archival papers is a copy of "A National Disgrace", an article published in the *Chicago Daily News* in 1940 by writer and literary critic Sterling North who described the content of comics as "sadistic drivel" and claimed that "immoral publishers" were taking one million dollars "from the pockets of American children in exchange for graphic insanity".⁶⁹ North's article and others like it were among those widely circulated and quoted over the next decade by Gray and other anti-comics campaigners. "Mrs. T.W.A. Gray" (as Eleanor Gray was formally addressed and referred to) was an intelligent, socially-conscientious woman with a deep love and appreciation of education, music, and high culture. Like many women of her class and social status, she became deeply involved in the community via organizations like the local PTA. This involvement led to her eventual position as chair of the Victoria and District Parent-Teacher Council's newly-formed

⁶⁷ Eleanor Gray Memorial Scholarship in Music, University of Victoria and University of British Columbia.

⁶⁸ Information provided by the Victoria Heritage Foundation, Victoria, BC.

⁶⁹ Sterling North, "A National Disgrace", *Chicago Daily News*, 8 May 1940; Eleanor Gray fonds, BCA, file 6.

special committee on undesirable literature, a committee tasked with investigating and analysing these disturbing new forms of mass culture.

“B.C. Acts on Trashy Literature”

In January of 1946, Gray and the special committee released a brief outlining the detailed results of an extensive “Survey of Undesirable News Stand Literature in Victoria, BC” they had conducted throughout the city of Victoria over the course of ten weeks.⁷⁰ They produced an extensive list which subdivided magazines into the following nine categories: “Crime”, “Detective and Mystery”, “Confessions”, “White Slavery”, “Love”, “Leaflets”, “Sex”, “Health”, and “Comics”.⁷¹ The brief began by stating that the committee “felt that the reading of this type of pulp magazine is not particularly harmful to the adult, merely a great waste of time; but on the other hand, definitely harmful to the adolescent”.⁷² The lengthiest section of the brief outlined concerns and troubling statistics about comics (figures “taken from American records”) and as far as the committee could determine there were at least one-hundred-and-twenty-five different kinds of comics “with types too numerous to mention”.⁷³ One of the most troubling aspects of all for the committee was that some of these comics “have a tendency to foment race prejudice” and could create “a prospect of the young generation being inculcated with a hate and a colour prejudice which will make post-war tolerance and understanding a practical impossibility”.⁷⁴

Gray and the committee successfully brought the issue to the attention of the BC Parent-Teacher Federation that same year in 1946. In turn, the BCPTF established a six-member provincial committee, which included a former national president of the CHSPTF and a past BCPTF provincial president, and was chaired by Gray, to build upon the efforts begun in Victoria and extend and coordinate the battle against crime

⁷⁰ “A Survey of Undesirable News Stand Literature in Victoria, BC”, January 1946, Eleanor Gray fonds, BCA, file 2.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid.

comics throughout the rest of the nation. A brief entitled “B.C. Acts on Trashy Literature” was forwarded to the executive committee of the Canadian Home and School and Parent-Teacher Federation and at its 1946 annual meeting a resolution was successfully passed supporting legislative restriction of objectionable literature.⁷⁵ Throughout 1946 and 1947, PTA activists in Victoria and Vancouver, in particular, lobbied public officials and distributors and worked to draw attention to their cause. The British Columbia legislature’s standing committee on social welfare, chaired by prominent Liberal MLA Nancy Hodges, expressed its intention to join the battle against salacious literature and support banning the sale of such publications.⁷⁶

By 1948 in both the United States and Canada there was increasing grassroots pressure for some form of comprehensive legislative action to at least control or preferably prevent the growing circulation of crime comics. Newspaper editorials added their support. The *Vancouver News-Herald* claimed that in crime comics “the tactics adopted by Nazism and Communism are extolled: worst of all they seek to incite lustfulness in boys and girls during the dangerous age of puberty and adolescence, thereby encouraging perversion”.⁷⁷ An editorial in the *Globe and Mail* stated that “freedom of the press is a fine principle, but it was never intended to mean license for obscenity”.⁷⁸ In the United States, the Detroit Police Department was reported to be “thumbing through piles of comic books, searching for what it officially terms evidence of Communist propaganda, racial prejudice, or sexy or gory material”⁷⁹ and subsequently published a list of twenty “Totally Objectionable” comic books – a list to which Gray, on her copy, added the comment: “Note: The majority of these comics are for sale in British Columbia, Canada”.⁸⁰

⁷⁵ Madder, *ibid.*

⁷⁶ “MLA’s Seek Curb On Sex, Crime Yarns From East”, *Vancouver News-Herald*, 23 March 1946.

⁷⁷ Editorial, “Why Indifference To Obscene Pulp?”, *Vancouver News Herald*, 1 May 1948. There is a typewritten copy of this article in Eleanor Gray fonds, BCA, file 6.

⁷⁸ Editorial, Toronto *Globe and Mail*, 18 April 1948; Eleanor Gray fonds, BCA, MS-0962, file 6.

⁷⁹ Associated Press, Detroit, 14 April 1948. Eleanor Gray fonds, BCA, file 6.

⁸⁰ Detroit Police Department, List of “Totally Objectionable Comic Books”, 11 May 1948; Eleanor Gray fonds, BCA, file 3.

As a result of their extensive work, PTA activists were instrumental in popularizing the alleged link between juvenile delinquency and crime comics – even if the “experts” themselves remained somewhat divided⁸¹ – and many of them demonstrated enormous media savvy in popularizing their cause. In the wake of the Dawson Creek murder, one prominent PTA activist, Mrs. Doris Mellish, a former national president of the Canadian Home and School and Parent-Teacher Federation, told the *Vancouver Sun* that the horrific crime committed by the two boys convicted of it was “what could be expected” from the reading of crime comics.⁸² She reiterated that sentiment in a letter sent out to the presidents of all Parent-Teacher Federations across Canada, informing them that “British Columbia has had a shocking example of the harm that can be done by crime comics” and that the Dawson Creek case “illustrates...that crime comics are one of the contributing factors in juvenile delinquency”.⁸³

The year 1948 saw growing flurries of activism on the part of PTAs across British Columbia as they worked to build a national coalition against crime comics across Canada and lobby Parliament for legislative changes to the Criminal Code. In a letter addressed to all presidents of provincial Home and School and Parent-Teacher Federations, Doris Mellish, the convenor of the Canadian Home and School and Parent-Teacher Federation’s committee on undesirable literature, urged them to organize petitions calling for the outright ban of crime comics. One of her primary concerns was that “policemen, judges, government officials and respectable institutions should not be portrayed as stupid or ineffective or represented in such a way as to weaken respect for established authority”.⁸⁴ The petitions circulated in support of this end were worded as follows:

⁸¹ For some examples of differing “expert” opinions of the day, see Mary Jukes, “Are the Comics Really a Menace?”, *Chatelaine*, May 1949, 6-7; Sidney Katz, “What About The Comics?”, *Maclean’s Magazine*, 1 December 1949, 7, 71-5; Canadian Association for Adult Education, “Comics – Are They a Laughing Matter?”, 21 January 1949, Toronto, Ontario, May Alison Kern fonds, BCA, MS-2775, box 6, file 9; Josette Frank, *Comics, Radio, Movies – and Children*, Public Affairs Pamphlet No. 148 (1949), Eleanor Gray fonds, BCA, MS-0962, file 4.

⁸² “P-TA Plans Move On Comic Books”, *Vancouver Sun*, 24 November 1948.

⁸³ Letter to Presidents of Provincial Federations, Doris Mellish, 29 November 1948, Eleanor Gray fonds, BCA, MS-0962, file 3.

⁸⁴ *Ibid.*

Because of the large circulation of crime comics throughout the Dominion of Canada; and

Because of the increasing volume of evidence that such crime comics tend to provide a pattern of anti-social behaviour for maladjusted youth;

We the undersigned petition the Honourable the Minister of Justice to so amend Section 207 of the Criminal Code so as to prevent the publication and sale of crime comics within the Dominion of Canada.⁸⁵

In addition to circulating these petitions, PTA activists wrote letters to various Canadian and US authorities, interviewed and lobbied local, provincial, and federal politicians, appealed to city councils to ban the sale of crime comics (as several cities in the United States had begun doing), monitored sales at newsstands, wrote and circulated articles about the “menace”, and regularly cited and exalted the research, expertise, and credentials of their prominent expert champion Fredric Wertham.⁸⁶ Indeed, after the successful passage of the Fulton bill, Gray’s Victoria Parent-Teacher Council special committee report stated unequivocally, “Without the assistance of Dr. F. Wertham...this campaign would not have met with success”.⁸⁷

Wertham’s influence

In 1948, Wertham published his first book, *The Show of Violence*, a largely anecdotal account of the various murder cases he had been involved with as a medical expert witness. Originally a student of Sigmund Freud, Wertham grew to strongly believe that comic books featuring crime, conflict, violence, and horror had a damaging influence on children, adolescents, and young adults, and his views were widely circulated. He articulated a broad definition of crime comics as “comic books which depict crime, whether the setting is urban, Western, science-fiction, jungle, adventure, or the realm of supermen, ‘horror’ or supernatural beings”.⁸⁸ In July of 1948, Wertham published a

⁸⁵ Ibid.

⁸⁶ Final Report of Committee Dealing with Crime Comics, Victoria and District Parent-Teacher Council, January 1950, Eleanor Gray fonds, BCA, MS-0962, file 2.

⁸⁷ Ibid.

⁸⁸ Beaty, *ibid.*, 20.

pamphlet called “The Psychopathology of Comic Books”, containing abstracts of papers presented at a New York symposium by himself and others, which Gray had a copy of and extensively underlined in blue and red pencil, and to which she had added her own comments: “Only lasting solution is Education – Teachers need a Library Appreciation Course...sold on worth of good books”.⁸⁹ Other contributors developed similar themes. Hilde Mosse, a colleague of Wertham’s at the Lafargue clinic, used what she called Freudian analysis to claim that “children’s fantasies stimulated by comic book pictures make the image of violence the only way out”.⁹⁰ Gershon Legman, a literary critic, claimed that Superman was “giving every American child a complete course in paranoid megalomania [and] a total conviction of the morality of force such as no Nazi could ever aspire to”.⁹¹

Wertham employed a clever strategy in advancing his beliefs: he published his articles not just in academic journals but in places where he could reach the widest possible audience of potential supporters – in widely-read popular magazines such as the *Saturday Review of Literature*, the *Ladies Home Journal*, and *Reader’s Digest*, and copies of his presentations and speeches were reprinted for wider distribution by PTA activists. Scholar David Hajdu has succinctly described Wertham as “a man of science (or at least scientific-sounding ideas) [who] strove to be a public figure, a man with a following, and [who] succeeded by writing prolifically for a lay readership on scientific topics”.⁹² Although not everyone agreed with Wertham, he was a highly-regarded and passionate advocate for his cause and his 1954 book *Seduction of the Innocent* (which correlated most of his previously published material and ideas) was a bestseller.

Gray collected almost all of Wertham’s various publications pertaining to comics and juvenile delinquency, and made avid use of them.⁹³ She frequently quoted from and

⁸⁹ Fredric Wertham, “The Psychopathology of Comic Books. Report of a Symposium”. Reprinted from *American Journal of Psychopathology*. 11, 3 (1948): 472-490. Eleanor Gray fonds, BCA, MS-0962, file 4.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² David Hajdu, *The Ten-Cent Plague: The Great Comic Book Scare and How It Changed America* (New York: Farrar, Strauss and Giroux, 2008), 98-99.

⁹³ Not surprisingly, the copies in her archival papers are extensively underlined and annotated.

referenced them in her various reports and speeches, and she corresponded often with Wertham – whether to seek further information, clarification, and support, or to provide him with praise and encouragement. Gray was particularly active in the years 1948 and 1949 as she helped lead the anti-comics campaign from Victoria and kept in regular contact with PTAs across the province and other like-minded groups in other parts of Canada and the United States. Her extensive and detailed speaking notes, underlined in different colours and heavily annotated, clearly show that she frequently relied on Wertham’s expertise as she brought her message to local PTAs and other social and civic organizations. Gray attributed the increasing popularity of comic books to “the sudden success of Superman in 1939” and noted that they had become a big industry, with artists “who rank financially with movie stars at \$2,000 a week”.⁹⁴ She also claimed that a recent survey had revealed that seventy-five per cent of some children’s leisure time was spent on comics which “have no culture and no value [and] may thrill but do not educate”.⁹⁵ To curb and counter the influence of comics, “we must supplement their reading with good books...every child should have his own library card”.⁹⁶ By cultivating a positive love of good “quality” literature in children, they would lose any and all desire or potential desire for the negative allure of crime comics.

Thanks to a PTA activist who contacted Fulton after hearing Gray’s crime comics committee report presented to the 1948 BCPTF convention, Fulton became a true believer in the need for legislative action against crime comics – so much so that he enthusiastically took the initiative to bring the matter before Parliament. As a result of him first raising the issue in the House of Commons in June of 1948, Gray wrote to commend Fulton for demonstrating such important leadership and began what became a regular correspondence regarding all manner of issues pertaining to crime and horror comics.⁹⁷ Fulton was subsequently in contact with Gray for well over a decade and his archival papers are filled with letters from her and carbon copies of his replies. Gray poured enormous time and energy into the cause and was a firm and passionate

⁹⁴ Speaking notes, Eleanor Gray fonds, BCA, file 2.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ E. Gray to E.D. Fulton, 28 June 1948, E. Davie Fulton fonds, Library and Archives Canada (hereafter LAC), vol. 15.

believer in what she advocated: for her, it truly was a battle for the hearts and souls of Canadian young people.

In addition to Wertham, Gray drew support and inspiration from various organizations – included but by no means limited to PTAs – across the Canada-US border. Both the National Organization for Decent Literature and the Cincinnati Committee sent Gray their regularly-updated lists of published material they deemed “objectionable”. Don E. Satterlee, the Mayor of neighbouring Bellingham, Washington, sent a letter of support and solidarity to the BC Parent-Teacher Federation, declaring: “The frequent crimes, such as murder, torture, burglary, arson, the stealing of automobiles and even aeroplanes by juveniles and young folk, which have been clearly attributed to the reading of sensational comic books, makes the necessity of regulation and control obvious”.⁹⁸ The following month, Wertham published his article in the *Saturday Review of Literature* in which he refuted the views of his critics: “The increase of violence in juvenile delinquency has gone hand in hand with the increase in the distribution of comic books...they stimulate unhealthy sexual attitudes, sadism, masochism, frigidity”.⁹⁹ His response to his opponents (heavily underlined by Gray in her copy) was that they functioned “under the auspices of the comic book business (although the public is not let in on the secret)” and that they “misunderstood Freud”.¹⁰⁰

The following year E. Davie Fulton introduced his private member’s bill to revise Section 207 of the Criminal Code of Canada to make it an offence to print, publish, distribute, sell, or own material “which exclusively or substantially comprises matter depicting pictorially the commission of crimes, real or fictitious”. In its final form it received unprecedented support for a private member’s bill and was passed by both houses of Parliament and became law in December of 1949. The important role Gray played in all of this was widely recognised by her peers: she had actively campaigned for the legislation, addressed public and private meetings, written and published numerous articles and letters, and been interviewed by local newspapers. A few months previously

⁹⁸ D.G. Satterlee to Mrs. CW Mellish, 8 October 1948, Eleanor Gray fonds, BCA, file 1.

⁹⁹ Fredric Wertham, “The Comics...Very funny!”, *Saturday Review of Literature*, 29 May 1948. Eleanor Gray fonds, BCA, file 4.

¹⁰⁰ Ibid.

she had received a letter from Mr. W.P. Percival, Director of Protestant Education, Quebec, and National President of the Canadian Federation of Home and School and Parent-Teacher Federation thanking her for her “splendid service” as a member of the Committee on Undesirable Literature.¹⁰¹ In December of 1949, Arthur J. Freund, chair of the American Bar Association, wrote to personally congratulate Gray on the successful passage of the Fulton Bill and to request a copy of it.¹⁰² She promptly sent word to Fulton who wrote back to her promising to send a copy of the bill to Freund.¹⁰³ In January of 1950, a report from the Victoria Parent-Teacher Council’s committee on crime comics congratulated itself on a job well done and outlined the successful strategies they had followed in publicizing their successful and now-concluded campaign. These strategies had included meetings with interested organizations, displays at conventions, radio broadcasts, distributing relevant magazine articles, and establishing and promoting reading clubs.¹⁰⁴

No matter how “objectionable” their contents might be, however, not everyone was convinced that there was a direct causal relationship between juvenile delinquency and reading crime comics, and Gray was well aware of this. Among her archival papers, she kept a pamphlet, one of a long-running series published by the American Public Affairs Committee, entitled “Comics, Radio, Movies and Children”. The author, Josette Frank, denied that there was “any basis in fact for the current headlines which blame comics for children’s delinquent acts, or for reckless claims that they have caused a rise in juvenile crime...we will not cure the causes of this juvenile behaviour by blaming it on their reading”.¹⁰⁵ As did other critics of the anti-comics movement, Frank pointed out that violence in literature was nothing new, citing the examples of Shakespeare, Homer, and classic fairy tales.

¹⁰¹ W.P. Percival to E. Gray, 2 July 1949. Eleanor Gray fonds, BCA, file 1.

¹⁰² A.J. Freund to E. Gray, 8 December 1949, Eleanor Gray fonds, BCA, file 1.

¹⁰³ Letter to E. Gray from E. Davie Fulton, 29 December 1949, Eleanor Gray fonds, BCA, file 1.

¹⁰⁴ Victoria and District Parent-Teacher Council, Final Report of Committee Dealing with Crime Comics, January 1950, Eleanor Gray fonds, BCA, file 2. It is noteworthy that a large number of the contacts listed in the report are prominent women’s groups, including the University Women’s Club, the Imperial Order of Daughters of the Empire, and the Women’s Institute.

¹⁰⁵ Josette Frank, *Comics, Radio, Movies – and Children*, Public Affairs, Pamphlet No. 148 (1949). Eleanor Gray fonds, BCA, MS-0962, file 4.

Parliament and, in particular, Stuart Garson, the Minister of Justice, believed they had done all they practically and constitutionally could do in having amended the Criminal Code, and that it was now the responsibility of provincial law enforcement officers to ensure its new provisions were enforced. The lucrative comic book publishing industry (primarily based in the United States but also active in Canada) was obviously reluctant to embrace changes, and it was generally accepted that it was unreasonable and unrealistic to expect newsagents and booksellers to read and censor every publication which they received. While Stuart Garson claimed that the offending publications could be swept off newsstands by “vigorous and effective enforcement of the law”, Gray noted that each comic book must be judged individually, and it was her committees and similar groups elsewhere which undertook this monumental task: to “collect and summarize offensive comics and seek legal action”.¹⁰⁶

These efforts, however, were complicated by two main factors: first, by the sheer volume of comic books being sold in stores and newsstands – it was estimated that 250,000 a month were sold in Vancouver alone.¹⁰⁷ Second, apart from the most gratuitously violent and lewd examples, there was considerable disagreement about which comics were really undesirable and how and why they should be assessed as such. Different organizations drew up their own lists of criteria and rated the comics accordingly and one such list recommended by British Columbia PTAs used the following vaguely-labelled categories as a basis for rating: “Cultural Area”, “Moral Area”, and “Morbid Emotionality”.¹⁰⁸ Approximately four-hundred comics were assessed on the basis of these highly subjective guidelines, but not everyone in the anti-comics campaigns agreed on what did or did not constitute “objectionable”: the National Organization for Decent Literature, rated Dick Tracy, Tarzan, and Rin Tin Tin as “Acceptable” rather than “Objectionable” on the basis of their criteria.¹⁰⁹ There were also

¹⁰⁶ Report of Special P.T. Federation Committee on Crime Comics. “June report” is handwritten on the back. Eleanor Gray fonds, BCA, MS-0962, file 2.

¹⁰⁷ Citizens’ Meeting on Crime, Horror and Obscene Comics. Vancouver, BC. Eleanor Gray fonds, BCA, MS-0962, file 2.

¹⁰⁸ Evaluation of Comic Books, April 1954, Eleanor Gray fonds, BCA, MS-0962, file 3.

¹⁰⁹ Publications rated by the National Organization of Decent Literature, August 1955, Eleanor Gray fonds, BCA, file 3.

differences of opinion regarding what constituted the most disturbing content of the comics.

Just when it must have seemed that in spite of the amendments to the Criminal Code brought about by the Fulton bill little progress had been achieved the campaign regained some new impetus. In early 1954, Wertham published his controversial book *Seduction of the Innocent*, the provocative title of which might very well have appeared on the lurid cover of one of the very comic books he so strongly loathed. But as the debate over crime and horror comics gathered momentum again it also began to run into increasingly-organized opposition. The “Comics Magazine Association of America” (CMAA) was founded by comics publishers in October of 1954 in the wake of widely-publicised US Senate subcommittee hearings investigating crime comics and juvenile delinquency – and it was more actively fighting back against critics.¹¹⁰ In a special press kit (a copy of which was personally sent to Gray) to announce the CMAA’s newly-formed “Comics Code Authority”, its new Administrator, Judge Charles F. Murphy, spoke of the dangers of censorship.¹¹¹ He noted that in twenty-one US states laws passed seeking to control and censor comic books in various ways had been successfully challenged in court cases and struck down as unconstitutional violations of the American right to freedom of speech.

The CMAA’s Comics Code Authority had also adopted a new and special “Seal of Approval” stamp to be printed on the covers of all comics published by its members and show that comics complied with the new Comics Code – a new self-regulatory code of conduct which banned “details of crime methods, suggestive illustrations, nudity, excessive bloodshed, ‘walking dead’, vampires, obscenity [and] vulgarity”.¹¹² Murphy pointed out that, as a result of this important action, thirty-eight titles had already been discontinued, and he acknowledged that “there have been a small percentage of books published which have offended the public taste and I think it our job...to make sure that

¹¹⁰ Nyberg, 110.

¹¹¹ Eleanor Gray fonds, BCA, file 1.

¹¹² Eleanor Gray fonds, BCA.

there will be no such books published at all".¹¹³ The material also made a pointed reference to "a particular individual who has been in the forefront of the attack on comic magazines [and] is content to rest his case on a few extreme and offensive examples which he makes no attempt to prove are typical".¹¹⁴ There was, he insisted, no evidence of a direct relationship between reading comic books and juvenile delinquency; it was merely an "easy scapegoat to salve our consciences".¹¹⁵

Gray and other PTA activists, however, remained undaunted. For them their case was straightforward and simple: "Why", she asked in an article she wrote for British Columbia Parent-Teacher magazine, "should such comics be allowed to circulate and pervert our children?"¹¹⁶ This was not a matter of freedom of expression or freedom of the press or of censoring specifically adult reading material, but of ensuring that salacious literature did not end up in the hands of children and encouraging parents and educators to provide them with healthy and much better quality literature. "Juvenile delinquency is on the increase in the United States and Canada", Gray insisted again and again (without any citation of official statistics or data of any kind), and that made winning the battle against crime and horror comics all the more important.¹¹⁷

Yet by 1955 the campaign had begun to run out of steam. It had after all been running for well over a decade, and priorities had begun changing, even for many PTA activists, and especially as new forms of mass culture (such as television) grew in popularity and accessibility. It seemed the Fulton bill in Canada and the new Comics Code Authority in the United States were both enough to address the concerns of many previous critics. Gray continued the fight, however, and in a report quoted Wertham's latest article: "All comic books are a plague to young children and lead directly to reading disorders and indirectly to all kinds of emotional maladjustment and even

¹¹³ Eleanor Gray fonds, BCA.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Eleanor Gray, Convention Report, Eleanor Gray fonds, BCA, MS-0962, file 2; "P-TA versus Crime Comics", Eleanor Gray, *British Columbia Parent-Teacher*, May-June 1954, Eleanor Gray fonds, BCA, MS-0962, file 4.

¹¹⁷ Ibid.

delinquency”.¹¹⁸ But by 1955 Wertham had begun to grow weary from the battle and the attacks on him by the CMAA as shown by an unidentified clipping attached to a letter Wertham sent to Gray: “The immediate enemy is Fredric Wertham, not some other publisher. He cannot be reasoned with. He must be discredited and rendered ineffective. This is a job for the bomb disposal squad”.¹¹⁹

In March of 1955, Gray wrote a critical letter responding to a new “Children’s Reading Kit” circulated by the new chair of the Children’s Reading committee of the Canadian Home and School and Parent Teacher Federation. She took issue with many of its contents and disagreed entirely with the opinions of some of the “experts” cited in it, especially a “Dr. Griffin” who refuted “the alarmist point of view of Wertham” and a “Dr. Gibson” who referred to “the dangers of self-appointed censorship”.¹²⁰ She also took offence to a skit featuring a character called “Mrs. Worrywart Green” – a character which she believed was modelled on her and sought “to ridicule sincere efforts”.¹²¹ Gray was a well-educated and well-read person, as were her friends and colleagues in organizations like the University Women’s Clubs, the Imperial Order of Daughters of the Empire, and indeed the majority of committee members of the Home and School and Parent-Teacher organizations, local, provincial, and national. “Every child should have his own library card”, she strongly emphasized in her 1948 convention report and other articles and speeches, and “good books bring habits of good behaviour into a child’s thinking and stimulate good character habits”.¹²² Her policy recommendations that parents should encourage “renewed interest in leisure time reading at home”, and that teachers should be required take a “Library Appreciation Course” to help them set vacation reading tasks for children would undoubtedly have had easy application in her own class-privileged

¹¹⁸ Condensation of Reports on Crime Comics, 1 January 1955, Eleanor Gray fonds, BCA, file 2.

¹¹⁹ Letter and attachment from Fredric Wertham, 8 February 1955, Eleanor Gray fonds, BCA, file 1.

¹²⁰ Response to a Children’s Reading Kit circulated by the Chairman of Children’s Reading of the Home and School and Parent Teacher Federation, March 1955, Eleanor Gray fonds, BCA, MS-09623, file 1.

¹²¹ Ibid.

¹²² Speaking notes, 1948, Eleanor Gray fonds, BCA, file 2.

social circles and neighbourhood, but were rather more challenging and perhaps somewhat unrealistic for remote, far-flung communities like Dawson Creek.¹²³

The Fulton bill's parallels with the Charlton bill

Yet Gray's emphasis – and, indeed, that of other PTA activists – on the importance of literacy and literature, of high culture, was by no means quaint or unique. There is a great deal of similarity between the PTA-led anti-comics movement and the attitudes and beliefs of the leaders of two important women's organizations from earlier decades. Among other things, the United Farm Women of Alberta (UFWA) were keen on “farm women...develop[ing] local taste for literature, music and the finer things of life”, and their leader, Irene Parlby, observed of the more practically-oriented local Women's Institutes that “their line of work does not interest me very much – there is too much of the housekeeping business about it”.¹²⁴ Despite the obvious elite disconnect here from the harsh day-to-day realities of life for most prairie farming families in the 1920s, the intentions were noble and very much in line with other women's groups of the time and, indeed, earlier. Even more so, some of the core goals of the Woman's Christian Temperance Union (WCTU) of the nineteenth century were also remarkably similar to those of the anti-comics crusaders. Nancy M. Sheehan has articulated them as: “To save the children, to protect the home, and to fulfill their duties as wives and mothers, women came into the public sphere with the goal to rescue not only the children but the whole society”.¹²⁵

In the late-nineteenth century, the WCTU and the National Council of Women of Canada (NCWC) led an extensive censorship campaign against what they deemed immoral and “pernicious literature” and their lobbying efforts and results almost directly

¹²³ Report of Committee on Crime Comics, Eleanor Gray fonds, BCA, file 2.

¹²⁴ L.J. Wilson, “Educational role of the United Farm Women of Alberta”, *Alberta History* 25, 2 (Spring 1977), 29, 30.

¹²⁵ Nancy M. Sheehan, “The WCTU and Educational Strategies on the Canadian Prairies”, *History of Education Quarterly* 24, 1 (Spring 1984), 102.

mirrored those of the twentieth-century PTAs roughly half-a-century later.¹²⁶ The prime motivation for their censorship campaign was also concern for the nation's young people and the potential harm such literature could have on them. A particular target for them was "dime novels" and "penny dreadfuls" and these were especially enjoyed and consumed by working-class young people. In May of 1895, the NCWC formed a standing committee on pernicious literature charged with the task of investigating the circulation of "impure reading matter" and coordinating the battle against it.

The censorship campaigns of the WCTU and NCWC found an important ally in John Charlton MP, Liberal Member of Parliament for Norfolk North, Ontario, and a deeply-religious anti-vice crusader. For the activists of these censorship campaigns, Charlton was the perfect politician to champion their cause in Parliament. In 1892 he introduced a private member's bill "for the suppression of obscene literature, and to provide for the punishment of certain immoral and criminal practices".¹²⁷ Speaking in the House of Commons on his proposed legislation, Charlton told his fellow parliamentarians:

No higher functions rest upon the Government of a nation or of a people, than to guard the morals and to promote the public welfare of the people in every way that it is possible to do so by legislation...Vile literature is secretly and widely circulated in Canada, literature of a character calculated to undermine the morals of the people and entail the most disastrous consequences on society...and the young in this country are exposed to influences and temptations that should be hunted down by the law.¹²⁸

Furthermore, he added, that "The Parliament of this country owes a duty to society to take cognizance of these evils and the Bill which I have introduced is calculated to meet the evil which I have briefly described".¹²⁹ The censorship campaigns mobilized to support him and his efforts and actively lobbied other MPs to support what became

¹²⁶ S. Craig Wilson, "Our Common Enemy": Censorship Campaigns of the Woman's Christian Temperance Union and the National Council of Women of Canada, 1890-1914", *Canadian Journal of Women and the Law* 10, 2 (1998): 438-479.

¹²⁷ Canada, *House of Commons Debates* (11 May 1892), p. 2458 (John Charlton, MP).

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*, pp. 2458-9.

known as the “Charlton bill”.¹³⁰ This also coincided with the government’s new Criminal Code of Canada which had been presented to Parliament that same year and it subsequently chose to support Charlton’s objectives and incorporate his bill’s provisions into the new Code.¹³¹ This victory was hailed by the WCTU and they praised Charlton for his “brave, wise championship” and also added that he deserved no less than “the thanks of every true woman in Canada” for his work.¹³² In so many aspects, the circumstances and events of the Charlton bill mirrored those of the Fulton bill fifty-odd years later.

Although Fulton credited his own local PTA with first educating him about the menace of crime comics, that PTA member who first brought it to his attention had first had it brought to his own attention by none other than Eleanor Gray. When Gray stepped before the podium of the 1949 BCPTF convention to deliver her committee report about crime comics, many delegates were informed and educated about the magnitude of the problem for the very first time. One such delegate in the audience, Des Howard, was particularly troubled by what he heard: so much so that when he returned home to Kamloops he sat down and wrote a letter about it to his local Member of Parliament, E. Davie Fulton.

¹³⁰ Wilson, 473.

¹³¹ Ibid., 472-4.

¹³² Ibid.

Chapter 2.

“...I know that parents and teachers are literally at their wits’ end to find a solution...”: Parliament’s passage of the Fulton bill

Des Howard, a secondary school teacher and secretary of the Kamloops High School Parent-Teacher Association, had a lot on his mind when he sat down on 22 April 1948 and wrote a letter to E. Davie Fulton, his local Member of Parliament. He was, among other things, concerned about “crime comics” and outlined in detail what he had learned at the recent BCPTF convention when the “hair-raising report on so-called crime comics engendered considerable discussion”.¹³³ Confessing to his initial scepticism when the report began, by the time it concluded Howard had become a determined convert to the cause and convinced of the threats posed by crime comics to children and society as a whole. In addition to writing to his MP to share his concerns and encourage him to give his “earnest consideration of the problem would be very much appreciated by the many parents and teachers who are aware of this sore spot in our alleged civilization”, Howard also informed Fulton that he had sent sample copies of “dozens” of crime comics found on full display at neighbourhood newsstands in Kamloops.¹³⁴

E. Davie Fulton replied to Des Howard in a letter dated 28 April 1948 expressing his full sympathy with the concerns being raised and agreeing with the “urgent necessity for some effective measure” to deal with the question.¹³⁵ However, he cautioned Howard on the need to be mindful of such measures that could potentially lead down the road to censorship: “The problem present in the minds of most of those who would like to see

¹³³ D. Howard to E.D. Fulton, 22 April 1948, Fulton fonds, LAC, MG-32, vol. 15.

¹³⁴ Ibid.

¹³⁵ E.D. Fulton to D. Howard, 28 April 1948, Fulton fonds, LAC, MG-32, vol. 15.

some action taken to suppress or discourage this type of comic is the problem inherent in all censorship – namely, who is to have the power to say what will be passed and what shall not be passed”.¹³⁶ Fulton concluded by encouraging Howard to share “any further thoughts of your own as to specific steps which might be suggested”.¹³⁷ Howard replied on 4 May 1948 and was in full agreement with Fulton’s concerns about censorship: “You have put your finger on the difficulty: where does one draw the line between censorship and suppression?”¹³⁸ Beyond suggesting that it “would seem to be worth-while for someone to call a group together around Parliament Hill, to devise ways and means” of dealing with the problem, Howard confessed, “I haven’t anything very bright to offer” and concluded by telling Fulton he was “doing a really fine job” as Kamloops’s Member of Parliament.¹³⁹

Two days later and undoubtedly before Fulton had received that last letter from Howard, Fulton sent a follow-up letter to him dated 6 May 1948. In it, Fulton informed Howard that he had obtained and examined the samples of crime comics Howard had sent in his original correspondence – and that he was “thunderstruck” at their appalling contents:

My earlier letter to you must have seemed somewhat unappreciative of the true dangers involved. Since I have seen these things which you sent me, I realize that under the guise of preaching the doctrine that crime does not pay, they, in fact, appeal to and indeed arouse the instincts for violence in all of us. I confess that my views are undergoing some change. If the circulation is as high as you say, then I think it is a menace which must be dealt with, and in the face of it we would be justified in taking measures which might otherwise be objectionable on the grounds of their interference with freedom of choice and action.¹⁴⁰

As he continued his investigations into the comics, Fulton was appalled by what he was hearing and became more and more determined to do something about it. He seized his earliest opportunity to do so in the House of Commons during a debate on the *Canada*

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ D. Howard to Fulton, 4 May 1948, Fulton fonds, LAC, vol. 15.

¹³⁹ Ibid.

¹⁴⁰ E.D. Fulton to D. Howard, 6 May 1948, Fulton fonds, LAC, vol. 15.

Evidence Act on 3 June 1948: he rose in the House and brought the menace to its attention. After sharing details of the spectre of crime comics and what he insisted was a link between them and the rise in juvenile delinquency, he asked the Minister of Justice “what he feels about the subject”.¹⁴¹

James Ilsley, however, was non-committal towards suggestions of any specific possible action on the part of the government and insisted that the existing *Juvenile Delinquents Act* should be sufficient to address any problems:

If my hon. friend feels that the publication of certain crime comics contributes to juvenile delinquency I should think he could have a charge laid and see whether he could get a conviction. I do not think any further definition in the law would be practicable...I think the law is sufficient already. It is a matter of getting convictions, having in mind the state of public opinion in the various communities.¹⁴²

Fulton, however, remained undeterred. He was convinced that the state of public opinion in the various communities across Canada was of like mind and, the following day, this time assisted by his colleague and fellow Conservative MP, John Diefenbaker, he re-raised the issue of crime comics. John Diefenbaker asked the government what its attitude was towards the transmission in the postal mail of “salacious and pornographic magazines, and books and other material of that kind” and also noted that in addition to “shock[ing] one’s sense of decency” may also “have the direct result of contributing to the delinquency of juveniles”.¹⁴³ The Postmaster-General, Ernest Bertrand (himself a former Crown prosecutor), replied that the question was better directed to the Attorney General but also insisted that the government “tr[ies] to do everything possible to stop the distribution of immoral material”.¹⁴⁴

Fulton was not impressed with the attempt to pass responsibility to other cabinet ministers and noted the obvious:

¹⁴¹ Canada, *House of Commons Debates* (3 June 1948), p. 4754 (E. Davie Fulton, MP).

¹⁴² Canada, *House of Commons Debates* (3 June 1948), p. 4754 (James Ilsley, MP).

¹⁴³ Canada, *House of Commons Debates* (4 June 1948), p. 4800 (John Diefenbaker, MP).

¹⁴⁴ Canada, *House of Commons Debates* (4 June 1948), p. 4800 (Ernest Bertrand, MP).

I confess I had not actually looked at one of these crime comics until samples were sent to me by the parent-teachers' association of my own city. Under the guise of some slogan such as "Crime does not pay", they appeal to children, who read them and see in every picture the portrayal of some crime of violence or sexual offence, or something of that kind. The attorney general of the province cannot deny the use of the mails to these magazines, but I think the Postmaster General can. If he would look at one of these books I am sure he would have no hesitation in saying that it contributes to juvenile delinquency and is therefore an offence under the Juvenile Delinquents Act, and that he can use his power to deny such books the use of the mails.¹⁴⁵

Fulton concluded by asking why the minister would "not use his power to deny the use of the mails to these magazines in order to remove this threat to Canadian youth".¹⁴⁶ Bertrand committed to looking over the samples Fulton had offered to send to him and to refer them to the Minister of Justice, but continued to insist that examining every piece of mail and determining what was or was not immoral was a gargantuan and downright impossible task. For one thing, the postal service "didn't have enough employees", but, more importantly, he also added that "Different people have different standards of what is moral and immoral" and cited some examples of cases he had been involved with in his own former days as a Crown prosecutor.¹⁴⁷

Fulton raised the matter again four days later during debate on the Combines Investigation Act and was met with an exasperated Ilsley asking if he was "going to mention crime comics on every item?"¹⁴⁸ It seemed he was and he did so the following day, this time beginning with mention of an interesting article he had read in the previous day's edition of the *Ottawa Journal* newspaper – an article authored by one Dr. Fredric Wertham. The article was a reprint of Wertham's *Saturday Review of Literature* article and then being circulated in print media across the continent. Describing Wertham as a "well qualified" expert on the matter, Fulton went on to describe the article as "so

¹⁴⁵ Canada, *House of Commons Debates* (4 June 1948), p. 4800 (E. Davie Fulton, MP).

¹⁴⁶ *Ibid.*

¹⁴⁷ Canada, *House of Commons Debates* (4 June 1948), p. 4801 (Ernest Bertrand, MP).

¹⁴⁸ Canada, *House of Commons Debates* (8 June 1948), p. 4921 (James Ilsley, MP).

outstanding, so clear and so helpful”.¹⁴⁹ His attempt to read the article in its entirety into the public record of *Hansard*, however, was quashed by Ilsley.

Fulton’s initial parliamentary efforts did not go unnoticed and garnered some media attention. This, in turn, resulted in the beginnings of a steady stream of supportive letters from the public: among them was one from Maureen Dean, a Montreal mother of an 8-year-old boy, who wrote to Fulton to share her support for his efforts to get “crime comics barred from our news-stands”.¹⁵⁰ Mrs. Dean lamented that it was downright “impossible to manage these days, when children sit at news-stands and read through these dreadful books, or trade them with other children even though their own parents don’t buy them”.¹⁵¹ She concluded her letter by expressing her hope that “parent-teacher associations and public library boards” would support Fulton’s motion.¹⁵² In his reply to Mrs. Dean, Fulton updated her on what had transpired in his parliamentary exchanges with the Minister of Justice, acknowledged some of the Minister’s criticisms (particularly the lack of “factual evidence by way of records of cases, etc., to prove positively that the reading of crime comics contributed to the commission of crime”), and assured her he would continue his fight in next year’s session.¹⁵³

On 14 June 1948, Minister Ilsley told Parliament that the demands for action against crime comics were not coming in from across Canada but rather were concentrated overwhelmingly from one province: the “representations that we have received in the Department of Justice were practically confined to one province, British Columbia”.¹⁵⁴ He reiterated his earlier insistences that he was not yet convinced of any evidence of a direct causal link between crime comics and rises in juvenile delinquency and that he was

not satisfied that the matter is at the stage that would justify legislation at the present time particularly, because many persons interested in this

¹⁴⁹ Canada, *House of Commons Debates* (9 June 1948), p. 4938 (E. Davie Fulton, MP).

¹⁵⁰ M. Dean to Fulton, 10 June 1948, Fulton fonds, LAC, vol. 15.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ E.D. Fulton to M. Dean, 15 June 1948, Fulton fonds, LAC, vol. 15.

¹⁵⁴ Canada, *House of Commons Debates* (14 June 1948), p. 5201 (James Ilsley, MP).

matter say there is no evidence, or practically no evidence that the publication of this material does induce the commission of crime.¹⁵⁵

Ilisley then raised correspondence he had sought and received from various expert opinion ranging from “Dr. W. Lin, director of the division on research, national committee for mental hygiene, Dr. CM Hincks, general director of the national committee for mental hygiene”, “Ex-Deputy Commissioner Meade and Inspector Regan of the RCMP”, “Judge Harley Mott” of the juvenile court in Toronto, and Judges “Nicholson” and “Laramée” of the juvenile court in Montreal – all of whom were of the view that there was “no evidence that crime comics contribute appreciably toward the commission of crime amongst juvenile offenders”.¹⁵⁶ And yet, Ilisley did note that all of his cited expert opinion was nonetheless “in complete agreement with any measures which would be taken to have them banned”.¹⁵⁷ He also noted that even friends of his to whom he had mentioned the matter were in agreement. But, despite all of that, Ilisley remained firmly of the view that more time was needed for comprehensive study of the matter and that legislation certainly would and should not come “this session”.¹⁵⁸

Fulton expressed his “disappointment” and his empathy for “all those who have spoken to me and from articles I have read I know that parents and teachers are literally at their wits’ end to find a solution...They are powerless to prevent the tremendous circulation of these crime comics and think we should have some legislative means of preventing it in Canada, and we should take appropriate action”.¹⁵⁹ His specific legislative suggestion was to make it

an offence to devote a publication exclusively or substantially to the portrayal of crime, and then leave it to a jury of citizens of Canada to determine whether in fact the publication does come with the definition laid down in the section. In that way I think the difficulty which the minister had in mind would largely be resolved.¹⁶⁰

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Canada, *House of Commons Debates* (14 June 1948), p. 5202 (E. Davie Fulton, MP).

¹⁶⁰ Ibid.

Having earlier had the experience of Ilsley wave the expertise of prominent authorities at him, Fulton now responded by citing Fredric Wertham's research and expertise on the subject. He drew to Ilsley's attention an article printed recently in the *Ottawa Journal* and to the *Collier's* article that was being frequently cited by PTA activists.

A particularly important piece of correspondence arrived that same month in Fulton's parliamentary mailbag: PTA activist Eleanor Gray of Victoria, British Columbia, wrote to Fulton in a letter dated 18 June 1948 warmly commending him for bringing crime comics to the attention of Minister Ilsley and adding that, "we have been particularly concerned with the crime comics offered for sale to our children. We feel the continued reading of these will produce harmful lasting effects resulting in a threat to our democracy".¹⁶¹ Fulton sent an equally warm reply thanking her for her support and encouragement.

New York's "Feinberg-FitzPatrick Bill"

Fulton firmly decided that if Minister Ilsley and the government would not act, he would – and he began drafting a private member's bill proposing to amend the Criminal Code and tackle the menace. He drew direct political and legislative inspiration from across the St. Lawrence in neighbouring New York state where the strongest attempts at steps against crime comics were being taken. New York was the world capital of comic book publishing and the epicentre of the earthquake of crime comic publication. Various politicians at state and municipal level there had been raising concerns about crime comics and insisting on legislative controls of varying forms, but these efforts had been hampered as a result of *Winters v. New York*, a landmark decision by the US Supreme Court handed down in March of 1948.¹⁶² This case involved a New York book dealer who had been charged and convicted under the state's penal code which prohibited the sale and distribution of obscene literature. As a result of the Court's ruling, that conviction had been overturned and, even more importantly, that section of the penal code was declared unconstitutional. New York state politicians got to work drafting new

¹⁶¹ E. Gray to E.D. Fulton, 18 June 1948, Fulton fonds, LAC, vol. 15.

¹⁶² Nyberg, 38-40.

legislation to address the court ruling and fill the newly created legal gaps in the penal code.

In response to Fulton's steadily growing public profile as Canada's parliamentary face of anti-crime comics activism, more concerns began to be raised about the potential for censorship to arise out of any possible legislative curbs on crime comics. In a 10 March 1949 letter to Alex Stringer MLA, a member of the Manitoba legislative assembly, Fulton stated, "while it is essential to take some steps to deal with this menace, I am so opposed to the ideas of censorship or governmental ban that I consider either of them would be almost as great an evil as the continuation of the comics".¹⁶³ What was needed was to "enforce a really effective self-censorship on the part of the publishers".¹⁶⁴ This was one of the key proposals made by anti-comics politicians in New York state and had contributed to the publishing industry creating a six-point publishing code of conduct in the spring of 1948. Two of the most prominent anti-comics politicians in the state legislature, State Senator Benjamin Feinberg and Assemblyman James A. FitzPatrick, co-sponsored a bill to create a "comic book division" in the state's department of education, with the task of reviewing all comics and issuing publication permits. In the wake of the *Winters v. New York* ruling, New York state politicians passed the Feinberg-FitzPatrick bill by an overwhelming majority in February of 1949 – a law which caught the attention of Fulton who wrote to Senator Feinberg inquiring about this new bill and offering congratulations to him and his legislative colleagues on successfully passing it.¹⁶⁵ Fulton wrote of his own plans to introduce a similar bill in the House of Commons and asked for copies of the Feinberg-FitzPatrick bill and the legislature debates regarding it.¹⁶⁶

Emerging from the debates over Feinberg's proposals came an additional one to defer any further legislation until a thorough study had been undertaken. Thus was born the New York state legislature's "Joint Legislative Committee to Study the Publication of Comics" on 29 March 1949 and it was given the task of examining all the various legal

¹⁶³ E.D. Fulton to A. Stringer, 10 March 1949, Fulton fonds, LAC, vol. 15.

¹⁶⁴ Ibid.

¹⁶⁵ E.D. Fulton to B. Feinberg, 21 March 1949, Fulton fonds, LAC, vol. 15.

¹⁶⁶ Ibid.

issues surrounding the control and regulation of comic books. According to Amy Kiste Nyberg, this committee “marked the beginning of the first systematic study of the comic book industry by a state legislative body”.¹⁶⁷ Over the course of the next two years, the joint committee solicited testimony from expert opinion, conducted surveys with a variety of judges, district attorneys, probation officers, and other legal officials, and examined data to determine if a concrete link existed between juvenile delinquency and the consumption of crime comics. Expert opinion was particularly important to the committee and played a central role in its work and hearings – one of its most important expert witnesses being Fredric Wertham.

Despite their own reliance on Wertham, both Fulton and Eleanor Gray showed a total unwillingness to consider any other expert opinion that disagreed with their views on the alleged dangers of crime comics. On 18 May 1949, Dr. Griffin of the National Committee for Mental Hygiene wrote to Gray casting doubts on any causal link between children consuming crime comics and subsequently committing acts of juvenile delinquency.¹⁶⁸ Gray subsequently sent a letter to Fulton about this on 11 June 1949 accompanied by a copy of the Griffin letter and deploring its contents. Fulton replied, “I think that Doctor Griffin is a little too easy in his view on the serious effects of Crime Comics”.¹⁶⁹ He updated Gray on his determined plans to introduce a private member’s bill in the autumn parliamentary session to tackle the menace of crime comics.

Fulton introduces Bill 10

On 28 September 1949, E. Davie Fulton stood in the House of Commons and introduced his private member’s bill to amend the Criminal Code of Canada – Bill 10, an act to address the “portrayal of crimes by pictures in magazines, etc., tending to induce violence”.¹⁷⁰ Because parliamentary bills are never fully debated on First Reading (i.e., the day they are first introduced by their sponsor be it government minister or private

¹⁶⁷ Nyberg, 44.

¹⁶⁸ Eleanor Gray fonds, BCA, file 1.

¹⁶⁹ Eleanor Gray fonds, BCA, file 1.

¹⁷⁰ Canada, *House of Commons Debates* (28 September 1949), p. 317 (E. Davie Fulton, MP).

member), the House began fully debating the bill on Second Reading a few days later on 4 October 1949, and Fulton at last had his moment in the sun. He pulled no parliamentary punches as he pressed upon his fellow Members of Parliament the importance of recognising and doing something about the serious threat crime comics posed to the minds and souls of the young people of Canada:

It is well recognised by teachers that the easiest way to impress a lesson upon a juvenile mind is by illustration. That is exactly what these crime comics do. They present in coloured pictures the commission of crimes of violence, showing every possible detail. Secondly, it should be borne in mind that children are natural imitators, and that they frequently copy what they have seen others do without any thought of the moral aspect involved, whether it is right or wrong.¹⁷¹

Fulton's central piece of important evidence concerned documented cases of children imitating what they had seen in crime comics and his key piece of evidence was the Dawson Creek murder case of the previous November. Fulton mentioned the statements issued by the crown prosecutor and judge involved in the case – both had denounced the adverse and dangerous influence of crime comics on the minds of children and both had called on Parliament to do something about the problem before other murder cases involving child culprits occurred. He went on to share with the House a handful of other examples of serious crimes committed by children before concluding, "I think hon. Members will agree that the evidence shows that there is a real menace to the youth of our country in the widespread publication and circulation of crime comics".¹⁷²

Fulton was particularly careful to emphasize that his goal was not the introduction of any form of censorship and that he considered censorship deeply odious. The bill was intended as a revision of Section 207 of the Criminal Code, the provision that dealt with obscene literature. By this time, the first opportunity since 1948 that Fulton had raised crime comics again in the House, John Ilsley had retired from politics and been appointed to the Nova Scotia Supreme Court. Ilsley was succeeded as Minister of Justice in November of 1948 by Stuart Garson, a former Premier of Manitoba recently elected to the House via a by-election – and Garson was much more receptive to

¹⁷¹ Canada, *House of Commons Debates* (4 October 1949), p. 513 (E. Davie Fulton, MP).

¹⁷² *Ibid.*, p. 514.

legislation banning crime comics than his predecessor. Still, Garson desired more consultation to ensure that such legislation would actually be enforceable and submitted it to the ten provincial Attorneys General across Canada for their analysis and feedback.¹⁷³ This feedback proved largely positive. As a result, Fulton's bill was subsequently given full support by the government and reformulated to substantially strengthen its legal content. In its final form adopted by the House of Commons, the bill provided for prison terms of up to two years for anyone convicted of publishing or selling crime comics or other forms of obscene material. The resulting parliamentary debate on the bill was remarkably co-operative. Members of all political parties reached a great deal of consensus on the concerns behind the bill while only displaying some areas of relatively minor disagreement.

After Fulton had concluded his introductory remarks, the next member to speak on the bill was Daniel McIvor, a backbench Liberal MP for Fort William, Ontario, who was in full agreement with Fulton's proposed legislation and equated crime comics with the work of the Devil who he said "has plans for our youth. You can almost hear him saying, 'Get them young. That is the time to get them'. Our Sunday school teachers can work their heads off and still not succeed in combating an agency such as obscene literature. It is a curse".¹⁷⁴ McIvor was followed by Ernest George Hansell, Social Credit MP for Macleod, Alberta, who spoke of his own monitoring of crime comics for the past few years and his frustrations in trying to keep such material out of the hands and reach of his own children. After sharing with the House details of some of the graphic content of crime comics he had examined and their glorification of gangsters and prostitutes, McIvor expressed his belief that sending some of the publishers to jail for a few years would do much to deter other publishers from producing such "obscene and undesirable literature".¹⁷⁵ He also praised the work of PTAs and other organizations in bringing this menace to the attention of politicians but chastised the government for not having taken

¹⁷³ Not all provincial governments of the day were convinced that there was a link between crime comics and juvenile delinquency. See, for example, "Crime Comics Not Harmful – Ontario View", *Toronto Star*, 5 December 1949.

¹⁷⁴ Canada, *House of Commons Debates* (4 October 1949), p. 517 (Daniel McIvor, MP).

¹⁷⁵ Canada, *House of Commons Debates* (4 October 1949), p. 517 (EG Hansell, MP).

action on its own and instead leaving it for a “private member to introduce a bill of this sort”.¹⁷⁶

When debate on the Fulton bill resumed a few days later, George Knapman Fraser, Progressive Conservative MP for Peterborough West, Ontario, rose and spoke in support of the bill and he began by sharing a letter sent to him from his local PTA which outlined what it and other PTAs had been doing to combat the menace of crime comics in their communities.¹⁷⁷ The letter also provided an extensive list of specific titles of such objectionable material and Fraser read that into the public record. Angus MacInnis, CCF MP for Vancouver East, was a particularly interesting contributor for, in several ways, he demonstrated the highly bi-partisan nature of the debate over the Fulton bill. MacInnis, too, mentioned the letters he had received from PTAs and other organizations calling for the kind of legislation Fulton was now sponsoring, and although stating his sympathy for the legislation he also expressed scepticism over its likely effectiveness.¹⁷⁸ His scepticism stemmed from other areas of the Criminal Code that he said were openly flouted and not being subjected to law enforcement – bingo tickets being one example. MacInnis then turned to his belief that the need for “positive action” and “constructive” activities for children was what was needed to stop their interest or potential interest in crime comics.¹⁷⁹ He spoke nostalgically of his own life experiences growing up on a farm where “there was always work to do” that “kept us out of mischief”.¹⁸⁰ MacInnis concluded with words of congratulation for Fulton and stated his intention to support and vote for the bill.

Thomas Henry Goode, another government backbencher and Liberal MP for Burnaby-Richmond, began his speech by proudly describing himself as an “active member of [his local] parent-teacher association” and articulated his belief that neglectful parenting led children to reading crime comics and thus to juvenile court.¹⁸¹ Goode then

¹⁷⁶ Ibid., p. 518.

¹⁷⁷ Canada, *House of Commons Debates* (6 October 1949), p. 579 (G.K. Fraser, MP).

¹⁷⁸ Canada, *House of Commons Debates* (6 October 1949), p. 581 (Angus MacInnis, MP).

¹⁷⁹ Ibid.

¹⁸⁰ Ibid., 582.

¹⁸¹ Canada, *House of Commons Debates* (6 October 1949), p. 583 (T.H. Goode, MP).

went on to share his own investigations into crime comics, especially his experience in Ottawa easily finding copies of crime comics for sale on the newsstands. Goode also noted that many newsstands were being forced to sell them by the magazine dealers and that these crime comics and other “filthy” magazines were included in larger bulk sales packages: “There are *Women Outlaws* and *True Mystery*. This latter is the most filthy book that I have ever seen on a magazine stand”.¹⁸² Another MP interjected with the question: “What is in it?” To which Goode replied, “The honourable member can read it after I’m through with it”.¹⁸³

Robert Ross (“Roy”) Knight, CCF MP for Saskatoon, centred much of his speech on addressing common criticisms of the Fulton bill as being a smokescreen for heavy-handed, top-down censorship and was generally dismissive of such claims – despite initially confessing, “I have not made up my mind whether I am in favour of [the bill] or not”.¹⁸⁴ He made it abundantly clear, however, that he was no fan of comics and most certainly did consider them harmful to children. A core focus of his speech emphasised the importance of promoting and advancing high culture to counter the influence of mass culture:

I suggest that instead of censorship or court action we institute a counter-attack by substituting things that are good for things that are evil. There should be a cultivation of taste for good literature while people are still young. Let us give our young people better literature, but if they have to read any of these salacious books let them be read under the guidance of their parents or people who can give proper advice in the matter.¹⁸⁵

Knight also pointed out the problems of cost: comic books were “so cheap” while “[c]hildren’s books are quite expensive, as is anything that can claim the name of good literature”.¹⁸⁶ He concluded his speech with an attack on comics in general, pointing out that they were an “American institution”, that the term “comic” was a “misnomer because

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Canada, *House of Commons Debates* (6 October 1949), p. 585 (R.R. Knight, MP).

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

there is nothing comic about them”, and that they “really appeal more to the adolescent, moronic type of mind”.¹⁸⁷

Solon E. Low, Social Credit MP for Peace River and Alberta’s former provincial Minister of Education, mentioned his status as a parent (of “seven children”, no less) and as a member of his local PTA.¹⁸⁸ He drew the attention of the House to the fact that “no matter how good our homes may be, no matter what kind of positive approach we take” and no matter what steps were taken to help children select good literature, “we cannot very well control the kind of periodical round which little knots of children will gather on the street outside the home”.¹⁸⁹ Low rejected the notion that children lacked good material to read and pointed out that “tons of these comic books appear in the brightest colours and with the most appealing cover. Of course, that overbalances whatever influence there may be in the home and the school along the positive line of approach”.¹⁹⁰ He insisted that the “best teaching in the world in the home, the wisest guidance in the home, cannot always protect youngsters when they are subjected to such alluring things every time they go to a store”.¹⁹¹ The bill was, therefore, needed to help take “speedy and effective action to see to it that sort of temptation and evil is placed as far as possible beyond the reach of our children”.¹⁹² Low concluded by appealing to newspapers to stop playing up sensationalism in their reporting of crime and, just before resuming his seat, he assured Fulton of the full support of the Social Credit parliamentary caucus for the bill.

While also supportive of the bill, Joe Noseworthy, CCF MP for York South, Ontario, was careful to note that “legislation in itself is no substitute for education, for good libraries or good literature. It is no substitute for healthful recreation or for good home training”.¹⁹³ He also lamented that “[w]e do not have good libraries everywhere”

¹⁸⁷ Ibid., p. 586.

¹⁸⁸ Canada, *House of Commons Debates* (6 October 1949), p. 586 (Solon E. Low, MP).

¹⁸⁹ Ibid, 586.

¹⁹⁰ Ibid., p. 587

¹⁹¹ Ibid.

¹⁹² Ibid.

¹⁹³ Canada, *House of Commons Debates* (6 October 1949), p. 588 (Joe Noseworthy, MP).

and insisted that there was indeed a “dearth of good reading material for boys and girls of the adolescent age”.¹⁹⁴ Addressing this was just as important as the containment measures proposed by the Fulton bill, which Noseworthy insisted was backed by the Canadian public: “I am quite sure public opinion against crime comics in this country is sufficient to warrant the application and enforcement of such legislation as we have before us this evening”.¹⁹⁵ Concluding his remarks, he asked why a small group of publishers should be allowed to profit at the expense of the kind of community that churches, educational organizations, and other civic-minded groups were trying to build in Canada.

When the debate resumed the following day, Howard Green, Conservative MP for Vancouver Quadra, began by noting that the debate was the first attended by Prime Minister Louis St- Laurent and commended the Prime Minister for his interest and attendance. Green joined previous MPs in noting that concern over crime comics had first been brought to his attention by “parent-teacher associations” and praised other civic groups like the “national council of women” and “various Kiwanis clubs, which do such wonderful service work in all parts of the nation”.¹⁹⁶ His strongest argument in favour of tackling crime comics was comparing it to measures to regulate food and protect the public’s dietary health:

Parliament recognized the importance of children by enacting the family allowances legislation a few years ago. We place great value on pure food. We have many laws to make certain that nobody is given impure food. We show great determination in stamping out the drug traffic...We take drastic steps in other fields, and yet we do nothing about this character poison. That is a good description for the crime comics.¹⁹⁷

Green believed the bill’s passage would serve as “a strong deterrent and a warning” to publishers across Canada and implored the Minister of Justice not to delay the bill by referring it to a commission then studying revision of the Criminal Code. To do so, he said, would only result in greater outpouring of the “poison” of crime comics and greater

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Canada, *House of Commons Debates* (7 October 1949), p. 624 (Howard Green, MP).

¹⁹⁷ Ibid.

profit for their publishers. Canada urgently needed the bill and Green urged his fellow parliamentarians to take prompt action and support it so that “we show the publishers of this junk that the House of Commons means business”.¹⁹⁸

A particularly interesting contribution to the debate was made by William Joseph Browne, a newly-elected Conservative MP for St John’s West, Newfoundland, who complained that one of the negative side-effects of Newfoundland recently joining Confederation was that the new province was now being “flooded” with crime comics and other salacious literature.¹⁹⁹ According to Browne, this kind of material been banned in pre-Confederation Newfoundland: “When we were more or less independent we had customs prohibitions which prevented these magazines from coming in, and the police and customs officials working together managed to keep out a great many of them”.²⁰⁰ Browne shared with the House the concerns of local police who had complained to him of being so “overwhelmed” by the magazines they did not know what to do. Browne also added his voice to those before him who declared the solution to the problem was also “placing good literature before the boys and girls and stressing it continuously”.²⁰¹

Fulton increasingly grew more sensitive to criticisms of his bill as being about “censorship”. One supportive letter-writer noted that a *Vancouver Sun* editorial had criticised the Fulton Bill as being exactly that.²⁰² In his reply of 18 October 1949, Fulton accused the Sun of not bothering to read his bill at all, let alone properly follow the recent Commons debate on it: “If they had taken the trouble to read the bill or the discussions in the House, they would see that there is absolutely no suggestion or possibility of censorship in my proposal”.²⁰³ Furthermore, he added, “censorship would be the obvious and easy way to deal with the matter, but as I took the trouble to say I believe that censorship opens up greater dangers than it would eliminate”.²⁰⁴

¹⁹⁸ Ibid., 625.

¹⁹⁹ Canada, *House of Commons Debates* (7 October 1949), p. 625 (W.J. Browne, MP).

²⁰⁰ Ibid.

²⁰¹ Ibid., p. 626.

²⁰² E.D. Fulton to H. Macrae, 18 October 1949, Fulton fonds, LAC, vol. 15; *Vancouver Sun*.

²⁰³ Ibid.

²⁰⁴ Ibid.

“An enforceable amendment”

On 21 October 1949, Stuart Garson, Minister of Justice, rose to congratulate all of his fellow members of the House of Commons on conducting a “high-class debate” on the bill and setting “an example of sensitivity to public opinion and concern for the common weal which our democratic system displays when it is functioning properly”.²⁰⁵ He expressed concern for the important democratic principle of freedom of expression and, more specifically, the importance of “freedom of expression by writers and artists”.²⁰⁶ But he also noted that this did indeed have potential to be carried too far in ways harmful to the broader community and that

when publishers and disseminators of various kinds of crime comics and obscene literature are heartened and emboldened by this concern of ours for the preservation of literary and artistic freedom, and become steadily more impudent in their degradation of that freedom so that they transform freedom into license, the time comes, and I think we all agree that it has come, when we must take further action to curtail their offences.²⁰⁷

Garson then went on to announce the government’s new decision to fully support the bill and, indeed, to add some additional measures to refine and strengthen it further. He criticised some of the flaws in the existing Section 207 and noted the difficulty courts and prosecutors had in successfully securing convictions under it. In particular, the existing wording, which read as follows, was deemed problematic:

Everyone is guilty of an indictable offence and liable to two years’ imprisonment who knowingly, without lawful justification or excuse (a) sells, exposes to public view or has in possession for any such purpose any obscene written matter, picture, model or other thing whatsoever; (b) publicly exhibits any disgusting object or any indecent show.²⁰⁸

According to Garson, the words “knowingly, without lawful justification or excuse” were precisely what was preventing the achievement of successful prosecutions.²⁰⁹ In

²⁰⁵ Canada, *House of Commons Debates* (21 October 1949), p. 1036 (Stuart Garson, MP).

²⁰⁶ *Ibid.*

²⁰⁷ *Ibid.*

²⁰⁸ *Ibid.*, p. 1037.

²⁰⁹ *Ibid.*

previous court cases involving charges laid under Section 207, defendants had successfully pleaded innocent on claims of ignorance of the contents of obscene literature they had sold. Garson pointed out that merely adding crime comics to Section 207, therefore, would “certainly not likely to be a solution to the problem” and that in order to draft an “enforceable amendment” consultation with crown prosecutors and provincial law enforcement officers across Canada would be invaluable.²¹⁰

Garson went on to insist that calling for consultation with the provinces in no way constituted a delaying tactic and that he was committed to seeing action taken in this session of Parliament:

Whatever amendment we adopt is of little use if it is not enforceable. Our duty here is to turn out an enforceable law. It is to this end that I urge that we secure the best advice that we can from those extremely important sources, the men who prosecution and enforcement of this section is an indispensable ingredient in its effectiveness.²¹¹

With that, it now became inevitable that the Fulton bill was on its way to becoming law as recognized by Fulton when he stood to offer concluding remarks prior to the bill passing second reading in the House. In particular, Fulton took time to praise and thank the “various organizations throughout the country”, including “women’s institutes of Canada”, “federation of home and school associations”, and “parent-teacher federations across the country” who had campaigned to bring the issue of crime comics to the attention of politicians.²¹²

Over a month later, Garson updated the House on 5 December 1949 with a full report outlining the contents of his correspondence with the provinces over the bill and shared the results of the government’s consultation with the nation’s ten Attorneys-General.²¹³ Every province with the exception of Ontario was in full agreement with the intention of Fulton’s bill and, as had been the case in the House of Commons, support

²¹⁰ Ibid, p. 1041.

²¹¹ Ibid., p. 1042.

²¹² Canada, *House of Commons Debates* (21 October 1949), p. 1043 (E. Davie Fulton, MP).

²¹³ Memorandum for the Deputy Minister: Re: Section 207 of the Criminal Code, Obscene Books and Crime Comics, Department of Justice fonds, LAC, MG 26, vol. 225.

for it spanned the political and ideological spectrum ranging from CCF, Liberal, Conservative, Social Credit, and Union Nationale. As a result, his new proposed amendment to the proposals of Fulton's bill and thus to Section 207 of the Criminal Code would read as follows:

Everyone is guilty of an indictable offence and liable to two years' imprisonment who (a) makes, prints, publishes, distributes, circulates or has in possession for any such purpose any obscene written matter, picture, model, or other thing whatsoever, or (b) makes, prints, publishes, distributes, sells or has in possession for any such purpose, any crime comic.²¹⁴

A crime comic was to be specifically defined in a new subsection 3: "Crime comics" means in this section any magazine, periodical or book which exclusively or substantially comprises matter depicting pictorially the commission of crime, real or fictitious".²¹⁵

The House of Commons voted to adopt the amendments as proposed by Garson and, before moving on to the vote on third and final reading, Fulton was the last member to speak on the bill. He commended his fellow MPs for uniting "in a spirit of friendship and of urgency to accomplish something of great benefit to our whole country" and he spoke of being greatly moved by the "many communications [he had received] from humble men and woman, parents who were desperately concerned with the welfare of their children ... [and with the] frightful threat [posed by crime comics] to which their children have been exposed".²¹⁶ Adding that "I know that this anxiety of parents has played a large part in securing the extraordinary degree of unanimity with which this proposal has been received [in Parliament]", Fulton summed up the fundamental purpose of the bill as being about preserving Canada as "the homeland of decency and right".²¹⁷ The House subsequently voted unanimously to pass the bill on third reading.²¹⁸

²¹⁴ Canada, *House of Commons Debates* (5 December 1949), pp. 2689-90 (Stuart Garson, MP).

²¹⁵ *Ibid.*, p. 2690.

²¹⁶ Canada, *House of Commons Debates* (5 December 1949), p. 2699 (E. Davie Fulton, MP).

²¹⁷ *Ibid.*

²¹⁸ *Ibid.*

As required by the Canadian legislative process, the Fulton bill was promptly sent to the Senate and there it was met largely with a supportive and acquiescent reception. Senator Salter A. Hayden, chair of the Senate's standing committee on banking, trade, and commerce, moved second reading of the bill and informed the upper house that "[it] has had more publicity across Canada than any other legislation during this session".²¹⁹ After walking the Senate through the details of the bill and some amendments made to it, he summed up his own support for its aims:

I am not one to advocate any great extensions of paternalism in government, nor one who could support particular censorship of a particular thing, I feel that by enacting these general provisions which create an offence, yet leaving it to the court in each case to decide whether or not the offence has been committed, parliament will have dealt with the matter in as broad and general a way as is practicable. I am not able to say whether many people are likely to be convicted of the new offence, but I should think the mere fact that section 207 is one under which few people would care to find themselves convicted – a section dealing with obscenities in books, pictures and models – might have the effect of reducing the number of crime comics offered for sale.²²⁰

Adding to that, Senator Arthur Wentworth Roebuck, a former Attorney-General of Ontario, expressed concern over a performance of Shakespeare's Othello and pointed out that it featured disturbing commission of crime: "There is the murder of a woman right in front of the audience, and several other crimes of a most revolting nature".²²¹ He then informed the upper house that he had received telephone calls from comics publishers in Toronto who wished to come to Ottawa and speak to Parliament about their concerns over the Fulton bill. The Senate agreed to meet with them and referred the bill to a meeting of the standing committee on banking and commerce.

Unlike the House of Commons, the Senate's debate on the bill was accompanied by a parliamentary committee hearing. Comic book publishers had previously thought such "far-reaching" legislation as the Fulton bill did not have a chance of being passed, but now that it had, they recognised the threat it posed to them and their products and

²¹⁹ Canada, *Senate Debates* (6 December 1949), p. 412 (Senator Salter A. Hayden).

²²⁰ *Ibid.*, p. 413.

²²¹ Canada, *Senate Debates* (6 December 1949), p. 414 (Senator Arthur W. Roebuck).

now regretted not having made representations to the Commons or asking for it to be referred to a special select committee for greater scrutiny.²²² Now that it was in the hands of the Senate (traditionally known as Parliament's house of "sober second thought"), they realised they needed to tell their side of the story. At a morning hearing of the Senate standing committee on banking, trade, and commerce on 7 December 1949, William Zimmerman, secretary-treasurer of the Canadian Independent Publishers Association and head of Superior Publishers of Toronto, and W.E. Swindon, representing periodical distributors, gave testimony insisting that the Fulton bill had been passed too quickly and given "unfair and inadequate treatment".²²³ Furthermore, they insisted that crime comics were not harmful to juveniles. Senators at the hearing subjected Zimmerman, in particular, to what the *Ottawa Citizen* described as "a constant barrage of questions" for most of the morning.²²⁴ Zimmerman informed the committee that about "40,000,000 comic books were sold in Canada annually", only twelve per cent being crime comics, and that all crime comics sold in Canada were published in Canada – although he noted they were made from plates and mats imported from nearby New York (which he described as the "world capital" of comic books).²²⁵ According to him, the positive result of this was that Canadian publishers were able to compete with American publishers, but now the Canadian industry stood threatened by the bill and he claimed "frightened" retailers across Canada were clearing not just crime comics but all comics off of their newsstands.²²⁶ Although he believed members of the House of Commons had acted in good faith and in what they believed to be the best interests of the country, Zimmerman insisted their passage of the Fulton bill had been done without undertaking any proper consultation with Canadian publishers. Stuart Garson, who along with E. Davie Fulton attended the Senate committee hearing, disagreed and insisted that plenty of consultation had occurred ever since the government first announced its intention to support the bill back in October.

²²² "Senate Passes Measure Against 'Crime Books'", *Ottawa Citizen*, 8 December 1949.

²²³ *Ibid.*

²²⁴ *Ibid.*

²²⁵ *Ibid.*

²²⁶ *Ibid.*

Later that same day, Senator Hayden submitted the committee's report to the Senate and was followed by Senator Roebuck who raised additional concerns about the bill's potential negative implications for small retailers. According to Senator Roebuck, the bill would "place an absolute responsibility on the retailer, for instance, to examine every page in every magazine which passes through his hands" and that this was "an utter physical impossibility".²²⁷ As a result of these concerns, Senator Roebuck implored his fellow members of the upper house to show consideration for the small retailers out there and sought to move an amendment to the bill to "put the burden solely on the shoulders of the manufacturer".²²⁸ Senator John T. Haig responded to this by reciting the recent history and purpose behind the Fulton bill, pointing out the extensive consultation that had taken place with the provinces and assorted legal officers across Canada, and heaped scorn on the concerns raised by Senator Roebuck. He concluded by implying that because the Canadian comics publishing industry was overwhelmingly centred in Toronto perhaps Senator Roebuck was just looking out for his own backyard – a claim that was rather ludicrous given that Senator Roebuck had made it abundantly clear he sought to place "the responsibility upon the shoulders of those who print and publish crime comics".²²⁹

Senator Jacob Nicol was among those who objected to Senator Roebuck's proposed amendment and he focused on a particularly important detail of Zimmerman's testimony from earlier that morning, noting that

the witnesses who came before us this morning talked of an industry that was 100 per cent American. That is what they said. They said that every crime comic published by these houses was published from documents, plates or mats from the United States. Two of the largest publishers of such crime comics across the border have opened up branches in Canada for the purpose of producing their own mats or manuscripts. This means that the Canadian publishers of crime comics are not publishing the original works of Canadians. No Canadian artist or writer is employed, so what interest have we in Canada in helping further such things?²³⁰

²²⁷ Ibid., p. 421.

²²⁸ Ibid., p. 422.

²²⁹ Ibid.

²³⁰ Canada, *Senate Debates* (7 December 1949), p. 412 (Senator Jacob Nicol).

Senator James Joseph (“J.J.”) Hayes Doone added that he felt Roebuck’s amendment would result in courts becoming “powerless to enforce the law because of the fact that the manufacturers will be beyond the courts’ jurisdiction”.²³¹ After hearing from a few other senators opposed to the amendment, Roebuck’s amendment was put to a vote and defeated. The Senate then voted to pass the bill on third reading on 7 December 1949 and it was promptly sent on to the Governor-General for royal assent.²³²

The passage of the Fulton bill and the amendments it brought about to the Criminal Code generated a great deal of positive front-page news attention in the days that followed and it was widely hailed by editorials and letter-writers across Canada. The bill also drew interest from overseas and the Canadian Assistant Trade Commissioner to Australia was, for example, among the many who wrote to Fulton seeking further information to fulfill requests he had received from interested organizations in that country.²³³ Numerous letters from supporters also poured into Fulton’s parliamentary postal bag – one of the most prominent being from Fredric Wertham. Wertham sent a 2 January 1950 letter to Fulton warmly congratulating him on the passage of the bill. “I feel that your bill and the victory of your bill constitute a great advance”. He added, “I hope that sooner or later Canada’s example will be followed in the U.S.”²³⁴

Merely a few months later, James Gallagher of Kingston, Ontario, wrote to Fulton congratulating him on the passage of the bill but noting that “many Kingston news vendors are still carrying many 25 cent books, which I believe would come under the ban of the Fulton legislation”.²³⁵ Gallagher believed the law was already proving ineffective and even tougher action was needed. He concluded his letter by “strongly urg[ing] you to bring up the matter of obscene literature again in the House of Commons this session and ask it is that certain obscene publications are still being sold all across Canada”.²³⁶ By the end of 1950, another organization wrote to Fulton stating, “It is our considered

²³¹ Canada, *Senate Debates* (7 December 1949), p. 429 (Senator J.J. Hayes Doone).

²³² Canada, *Senate Debates* (7 December 1949), p. 431.

²³³ M.R.M. Dale to E.D. Fulton, 10 February 1950, E. Davie Fulton fonds, LAC, vol. 16.

²³⁴ F. Wertham to E.D. Fulton, 2 January 1950, E. Davie Fulton fonds, LAC, vol. 16.

²³⁵ J. Gallagher to E.D. Fulton, 2 April 1950, E. Davie Fulton fonds, LAC, vol. 16.

²³⁶ *Ibid.*

opinion based on the evidence that the amendment to the criminal code which you succeeded in securing is being grossly violated”.²³⁷ No indication exists in Fulton’s papers as to whether or not he replied but it would seem obvious that he believed no action needed to be taken because time and patience was needed to allow the law to take proper root. As such, the anti-comics activism of Gray and the PTAs died down for a while. With the passing of Fulton’s bill, PTA anti-comics activists believed the battle was now over and the law would do its job. As Gray, herself, noted in one of her later reports, from 1949 to 1953 no one in the PTAs “watched the newsstands”.²³⁸

But by 1952, a consensus began emerging that the Fulton bill was increasingly felt to be poorly enforced and/or ineffective. Canadian newsstands were once again, according to another of Eleanor Gray’s BCPTF committee reports, “overflowing” with crime comics – with content more graphic and violent than ever before – and now an additional new menace of “horror comics” had arisen, depicting, among other things, ghosts, zombies, and other such frightening monsters in “gruesome, sordid and fantastic stories with killing for the joy of killing”.²³⁹ Led once again by Gray and Fulton (who resumed their frequent correspondence with one other and with Wertham), Canadian anti-comics crusaders re-ignited their activism with renewed determination and parents, educators, and other citizens vocally expressed concern that the law was not being enforced with sufficient vigour. Indeed, not a single successful prosecution had occurred since the bill’s passage into law in 1949. Accordingly, new pressure began to mount on both the political and legal systems to act against the publishers, distributors, and even retailers who they believed were brazenly exploiting children with ever more lurid crime and horror comics.

At the 1954 BCPTF convention, as she had done in 1948, Gray again asked delegates, “Have you ever wondered what type of mentality writes these offensive stories?” and speculated that “[b]esides the profit motive, there may be a carefully

²³⁷ Committee for a Democratic Youth Paper to E.D. Fulton, 28 December 1950, E. Davie Fulton fonds, LAC, vol. 16.

²³⁸ Condensation of Reports on Crime Comics, 1 January 1955, Eleanor Gray fonds, BCA, MS-0962, file 2.

²³⁹ Report of Special Provincial Parent-Teacher Federation Committee on Crime Comics, Eleanor Gray fonds, BCA, MS-0962, file 2.

conceived plan to undermine the moral fabric of our nation”.²⁴⁰ These concerns were reflective of standard, widespread Cold War mindsets and anxieties about deviant enemies within and without.²⁴¹ These enemies within included, of course, sexual psychopaths and sex deviants – objects of an important post-war anxiety, as noted earlier – and PTA anti-comics campaigners saw that threat as inextricably linked with the menace of crime and horror comics. Many PTA activists and PTF executive members were also simultaneously conducting campaigns of concern and awareness regarding the threat of sexual psychopaths, a threat made all the more poignant because these deviants were widely believed to pose a particularly serious menace to children and because “deviants” were precisely what PTAs sought to prevent children from becoming when they reached adulthood.

Between May of 1951 to October of 1952, three Roundtable Conferences sponsored by the BCPTF were held in Vancouver under the auspices of the Vancouver Court House and brought together a number of important public officials to discuss the sexual psychopath menace, particularly as it pertained to children. Not surprising, given the belief that crime comics and other such salacious reading materials could potentially lead children and adolescents to juvenile delinquency and sex deviancy, the continuing menace of crime comics was raised at the second roundtable in March of 1952 and it was noted that “attempts to have children’s literature of a more lascivious and amoral type controlled had, in the long run, been abortive”.²⁴² A new consensus was indeed beginning to emerge and solidify amongst anti-comics campaigners and concerned community activists that the existing Fulton bill was not meeting desired results and changes would be necessary to strengthen its provisions and purpose. Curiously, considering all the concern that salacious literature could be a potential gateway to deviancy – such as the ideological deviancy of Communism – one of the loudest voices

²⁴⁰ Eleanor Gray, Convention Report, Eleanor Gray fonds, BCA, MS-0962, file 2.

²⁴¹ In the aftermath of the Watson murder in Dawson Creek, local press commentary asserted that crime comics and their publishers were “playing the communists’ game” by “undermining the morals of the on-coming generation, so that they will be easy prey for the enemies of Christendom and democracy”. See “Dawson Creek Tragedy Brings Comic Books Back Into the Picture; Possibility of Ban in British Columbia”, *Alaska Highway News*, 2 December 1948.

²⁴² “Round Table Conference on Treatment of Criminal Sexual Psychopaths held under the auspices of the British Columbia Parent-Teacher Federation”, Vancouver Court House, 19 March 1952, May Alison Kern fonds, BCA, MS-2775, box 6, file 10 “Sexual Psychopaths”.

to emerge in the early 1950s calling for government action against crime and horror comics was none other than the most prominent elected Communist in Canada.

Chapter 3.

“Do you think that’s in good taste?”: A tale of two Senate Committees and Fulton’s attempts to amend his own legislation

In March of 1952, during a debate in the Ontario legislature on “enforcement of criminal law”, Joe Salsberg MPP, the lone Labour-Progressive (i.e., Communist) member of that assembly, rose to express his deep outrage over the continued presence and sale of crime and horror comics in the province. Like other anti-comics activists, Salsberg believed strongly in the “harmful effect of crime comics upon the minds and the development of our younger people” and declared that this problem had “not received sufficient attention” from Attorney General Dana Porter and his department.²⁴³ He went on to cite the expertise of Fredric Wertham and quoted at length from one of Wertham’s publications in support of his claims that crime comics were dangerous to children and the wider community.

Salsberg next shared with his fellow members of the Legislative Assembly some recent examples from Toronto of criminal behaviour committed by young people, ranging from acts of vandalism to attempted murder – and all done “because they were imitating a certain crime comic”.²⁴⁴ He then went on to praise Davie Fulton and review the recent history and content of the Fulton bill, reading the appropriate portions of Section 207 of the Criminal Code to his fellow MPPs. Next, Salsberg shared graphic details of the contents of issues of crime and horror comics he had in his possession and informed Porter he would “send them over” and that he, too, would “be astounded at the shocking

²⁴³ Ontario, Legislative Assembly, *Debates and Proceedings* (27 March 1952), p. D-4 (Joe Salsberg, MPP).

²⁴⁴ *Ibid.*, p. D-6.

things he will see” in them.²⁴⁵ Salsberg also noted that most of these publications were “American stuff shipped in from the United States” and, as he continued to share details of the contents of the crime and horror comics (“Fantastically shocking stuff!”) he had brought into the chamber, he noted again and again that they were “American product[s]”.²⁴⁶ “I am”, he said, “sure any hon. Member...will find that children in his constituency are also reading this sort of harmful material” and that all that was needed to find it was to “just walk into any store in his neighbourhood”.²⁴⁷

Before yet again expressing his disbelief over the lack of action from the Attorney General and his department, Salsberg proudly insisted that anti-comics activists had support from no less an important ally than the Pope himself. Attorney General Dana Porter, however, responded by criticising Salsberg for not taking the samples to the local Crown prosecutor and having charges laid against those who had sold them. Porter proceeded to lecture Salsberg and insist that Salsberg was guilty of civic negligence for keeping the copies as props for his political speech rather than submitting them as evidence to the local Crown prosecutor. As one might expect, this statement provoked heated responses from Salsberg as a result. Porter insisted he had already “made it my business to examine a great many books and comics of this kind to see whether they offend against the Criminal Code” and that of the ones he had examined “we were of the opinion that they did not”.²⁴⁸ After reviewing the specific wording of the Criminal Code, Porter told the Legislative Assembly:

In a great many of these cases, it has been found that the magazines which are published do not quite go that far; that there is not any depiction of crime which could be found. There is a good deal of suggestion of crime; there is a good deal of horror matter calculated to interest and raise the goose-pimples on certain people, but you will generally find in these publications it is very difficult to put your finger on the picture where an actual commission of crime is portrayed. If that

²⁴⁵ Ibid, p. E-1.

²⁴⁶ Ibid., p. E-2.

²⁴⁷ Ibid.

²⁴⁸ Ontario, Legislative Assembly, *Debates and Proceedings* (27 March 1952), p. E-8 (Dana Porter, MPP).

cannot be found, then it is not within the Section. That is one of the difficulties of prosecuting any case of literature of this kind.²⁴⁹

He then went on to discuss that, of the few court cases that had occurred, one of the key lines of defence had been submitting as evidence “stacks of classical literature of all kinds, especially certain scenes from Shakespeare, which very much worse than the literature which was supposed to be offensive”.²⁵⁰ Coupled with the widespread support in Canada for “freedom of the press” and “freedom of expression”, it was no wonder then (at least for Porter) why so few successful prosecutions were being achieved. Porter concluded by providing assurances that his department would, nonetheless, investigate the crime and horror comics samples Salsberg had provided.

Salsberg was unimpressed and after accusing Porter of being “very antagonistic unduly”, he explained to the assembly why he had brought it up at this time, how local civic groups had approached him and told him their letters of concern sent to the Attorney General had never received replies, and that he was now bringing the issue to the attention of the legislature and the government frontbench.²⁵¹ Premier Leslie Frost then intervened and assured Salsberg and the rest of the legislature that he shared the concerns and that “the wheels of justice have started to grind and the matter will be followed up”.²⁵² Salsberg was still not satisfied, but the assembly moved on to another item of business and the issue was not raised again by him for another two years.²⁵³

Two months later, in May of 1952, and barely three years after the passage of the Fulton Bill, Senator James Joseph (“JJ”) Hayes Doone of New Brunswick brought to the attention of the upper house of Parliament his deep concern that the vacuum created

²⁴⁹ Ibid., p. E-9.

²⁵⁰ Ibid., p. E-10.

²⁵¹ Ontario, Legislative Assembly, *Debates and Proceedings* (27 March 1952), p. E-12 (Joe Salsberg, MPP).

²⁵² Ontario, Legislative Assembly, *Debates and Proceedings* (27 March 1952), p. F-2 (Leslie Frost, MPP).

²⁵³ Salsberg’s concern over the issue was hardly unusual compared to Communists in other countries, such as Britain and France, where they were often among the leaders in anti-comics campaigns. See, for example, Barker, *ibid.*, and Richard I. Jobs, “Tarzan under Attack: Youth, Comics, and Cultural Reconstruction in Postwar France”, *French Historical Studies* 26, 4 (Fall 2003): 687-725.

by the criminalization of crime comics had proven temporary and that a real or imagined vacuum was now being filled “by offensive substitutes no less harmful to character formation”.²⁵⁴ What was urgently needed, he argued, was a formal examination of the effectiveness of the provisions of the Criminal Code amended by the Fulton bill. Although Section 207 appeared to be comprehensive, it had, according to Senator Doone’s colourful report, come to be “regarded in the main as a legal scarecrow under which literary birds of ill repute shelter from the storm”.²⁵⁵ He called on his fellow Senators, “particularly on behalf of [the nation’s] children”, to establish a committee to launch a wide-ranging investigation and thus was born the Senate’s “Special Committee on the Sale and Distribution of Salacious and Indecent Literature”.²⁵⁶

The Special Committee on the Sale and Distribution of Salacious and Indecent Literature

The new Senate committee hit the ground running and held six meetings over the course of the following month, heard from twenty-five witnesses, and received written submissions of various forms “numbered in the hundreds and representing millions of Canadians”.²⁵⁷ As a result of this success, the committee was re-appointed during the following session of Parliament and continued its work in 1953. Over the months of February and April, the committee held a total of eight public hearings in Ottawa and many Canadians relished the opportunity to appear before it and air their views and concerns to the Senators. Representatives from a wide variety of social and civic organizations, churches, businessmen, and politicians, appeared in person to deliver testimony and evidence and/or provided the committee with written and often quite extensive briefs on behalf of their respective groups. Although the Senate committee ultimately reached no clear consensus for proposing any great new solutions, it did provide a forum for the public scrutiny and discussion of salacious and indecent

²⁵⁴ Canada, *Senate Debates* (8 May 1952), p. 186 (Senator JJ Hayes Doone).

²⁵⁵ *Ibid.*, p. 187.

²⁵⁶ *Ibid.*

²⁵⁷ Canada, *Senate Debates* (25 June 1952), p. 501 (Senator JJ Hayes Doone).

literature and to voicing those concerns that such corrosive and poisonous materials could and would fall into the hands of children and adolescents.

E. Davie Fulton appeared before the committee on the morning of 25 June 1952 and gave wide-ranging and well-received testimony. He began by addressing the dilemma of “reconciling the preservation of freedom of expression, with the prevention of license and abuse” and how it was one “which has existed since man began to worry about human welfare, and particularly the moral welfare of his society”.²⁵⁸ He went on to outline his new belief that the key flaw in the existing Section 207 of the Criminal Code and thus of his 1949 bill was the failure to properly define the word “obscene” and remedying this was what was needed to make the law more enforceable:

It seems to me, therefore, that we should try to get into our legislation a definition of what we really intend to include in this type of literature which we think is offensive, a definition which is more workable than the single word “obscene”, and which would enable the courts to arrive at a decision as to whether the piece of literature complained of does fall within the definition and is therefore an offence, or on the other hand does not fall within the definition and is therefore not an offence.²⁵⁹

As had been the case with his previous campaign against crime comics, of particular concern to Fulton was the recent spread of obscene literature amongst children and adolescents and its unhealthy sexual influence upon them. He reminded the committee that “any educator will tell you that the quickest way to teach a child is by way of illustrations” and laid blame for alleged recent rises in crimes committed by children on “illustrated publications of this kind form one of the reasons why this sort of thing is taking place with such frequency today”.²⁶⁰ These obscene illustrated pulp magazines were being “circulated freely in Canada among teen-age boys and girls and anybody else who wants to pick it up” and they were being imported from the United States and published in or near New York City.²⁶¹

²⁵⁸ Canada, *Proceedings of the Special Committee on Sale and Distribution of Salacious and Indecent Literature*, “Minutes of Evidence” (25 June 1952) p. 133.

²⁵⁹ *Ibid.*, p. 135.

²⁶⁰ *Ibid.*

²⁶¹ *Ibid.*, p. 136.

Despite laying blame at the feet of the American publishers, prosecuting American publishers in Canadian courts would be downright impossible. Fulton, nonetheless, believed Canadian distributors and vendors needed to be held accountable and share the blame. “I should like to see defined in the Code just what is meant by obscene literature” is how Fulton summed-up his core goal and his belief that doing that would tackle the latest threat to the young people of Canada.²⁶² Senator Wesley Stambaugh of Alberta asked if Fulton could draft a law doing just that, but Fulton insisted he could not do it by himself and that it was best left to “a joint committee of the Senate and House of Commons with the talent and ability that be brought to bear, would be capable of devising laws which would state as clearly as possible just what he mean”.²⁶³ After some discussion about an upcoming court case in the city of Ottawa and its potential legal implications for prosecutions pertaining to obscene literature, Fulton ended his testimony due to needing to attend a sitting of the House of Commons but he concluded by informing the committee of his plans “at the next session of parliament” to bring to the House’s attention the need for a joint committee of the both chambers to study the question.²⁶⁴ The committee agreed that it was an excellent idea and expressed its full support for Fulton’s new plan.

But, increasingly, as the Senate committee’s work progressed and drew varying amounts of media coverage (rarely ever front page news), many more sceptical voices found their way into the pages of newspapers and other forums, where they raised concern about censorship and freedom of speech – concerns that were evidently powerful enough to garner responses from some of the very individuals and organisations clamouring for a crackdown. An editorial in the *Vancouver Sun*, for example, cautioned for the need to “be on guard” because “the tenor of the Senate committee hearings indicates that a danger exists and that certain interests in this country may be working quietly in a direction that would endanger essential liberties”.²⁶⁵ In a letter to the *Sun* published the same day as the editorial and even cited in it, Stella

²⁶² Ibid., p. 138.

²⁶³ Ibid.

²⁶⁴ Ibid., p. 139.

²⁶⁵ Editorial, “Let’s Be on Guard”, *Vancouver Sun*, 23 March 1953.

McCall, the provincial president of the BCPTF, assured the public that only publications specifically aimed at juveniles were the target of her organization's ire, not adult reading material. Reiterating statements made in the PTF's own brief to the Senate committee, McCall's letter declared "the [PTF] does not seek in any way to urge such legislation as will censor or control adult reading".²⁶⁶ What the BCPTF sought was new workable methods by which to ensure that the existing legislation adopted by Parliament in 1949 could be made more enforceable than it presently was – precisely what the Senate committee was investigating.

Fulton revisits his bill

On 21 January 1953, Fulton followed through on the plans he had shared with the Senate committee the previous June and stood in the House of Commons to present a motion calling for the appointment of "a joint committee of both houses of parliament for the purpose of studying and recommending legislation or other measures under which the growing volume of filthy literature circulating in Canada can be effectively dealt with, without at the same time improperly restricting the freedom of the press or of genuine literary or artistic expression".²⁶⁷ Speaking before the House on his motion, Fulton informed parliamentarians that "there is evidence of a disturbing increase in the volume of filthy literature circulating in Canada".²⁶⁸ Fully acknowledging that "you cannot legislate morality", Fulton nonetheless insisted that "you can and you should, by legislation, define as an offence the publication of literature which seeks, for motives of profit, to pervert morals, particularly those of children".²⁶⁹ What he felt would achieve this was "improving and perfecting" the legislation enacted by his 1949 bill for that legislation was "no longer adequate to deal with the situation".²⁷⁰ One of his key new goals was to see a much more substantive and detailed definition of "obscenity" added to the Criminal Code.

²⁶⁶ Stella McCall, letter to the editor, *Vancouver Sun*, 23 March 1953.

²⁶⁷ Canada, *House of Commons Debates* (21 January 1953), p. 1192 (E. Davie Fulton, MP).

²⁶⁸ *Ibid.*, pp. 1192-3.

²⁶⁹ *Ibid.*, p. 1199.

²⁷⁰ *Ibid.*

As always, Fulton was careful to emphasize his belief in the importance of freedom of speech and artistic expression and defined the challenge as being how to “reconcile freedom of speech and artistic expression with the necessity of preventing abuse”.²⁷¹ The Criminal Code’s lack of a coherent, concrete definition of obscenity was, in his view, precisely the source of the problem and inserting a definition was the necessary remedy. As he had previously stated numerous times over the past five years, Fulton guarded and cautioned against “censorship”:

We should not adopt, as the objective in dealing with this problem, the setting up of any form of federal censorship. I believe that to set up a form of censorship, particularly at the federal level, would be to expose the country to dangers greater possibly than the danger with which we are seeking to deal, the danger present in this large volume of filthy literature.²⁷²

Stuart Garson, Minister of Justice, however, was noncommittal and rather sceptical of the need for any such committee let alone further amendments or strengthening of the existing legislation. Garson told the House that law enforcement was the reason he held this view: “With all deference to the Senate committee or the House of Commons committee, if there is any group of people in Canada who should know what should go into a law of this kind, then surely it must be the people who have the experience and responsibility of enforcing it”.²⁷³ After a great deal of back-and-forth between Fulton and Garson and some contributions from other MPs, the question was put to the House and Fulton’s motion was defeated.

A few months later, in April of 1953, the Senate’s Special Committee on the Sale and Distribution of Salacious and Indecent Literature issued its final report – which was a surprisingly paltry five pages. Furthermore, the report contained only a single recommendation: namely, “that the Excise and Customs Division of the Department of National Revenue expand its operations to meet proportionately the present serious

²⁷¹ Ibid., p. 1193.

²⁷² Ibid.

²⁷³ Canada, *House of Commons Debates* (21 January 1953), p. 1200 (Stuart Garson MP).

threat to the moral standards of Canada”.²⁷⁴ In other words, the committee proposed increasing the staff and resources of border and port personnel to better control the “immense flood of [salacious and indecent] literature” coming into Canada. The committee also made no new recommendations on strengthening the enforcement provisions of Section 207, nor on expanding the definition of “obscenity” – deciding that the existing language and provisions were adequate and, indeed, “quite explicit”.²⁷⁵ The chief architect of the committee, Senator Hayes Doone, however, was not the one to present the report for he had passed away the previous month and been succeeded as committee chair by Senator John Caswell Davis of Manitoba (who himself passed away the following October). The report issued an “Appeal to Canadians” to collectively commit to enforcement of the existing law and added that “in the world-wide struggle between the forces of darkness and evil and those of good, the freedom-loving democratic countries have need of all the strength in their moral fibre to combat the evil threat, and anything that undermines the morals of our citizens and particularly of the young, is a direct un-Canadian act”.²⁷⁶ Lastly, it concluded with the recommendation that the committee be re-appointed in the next session of Parliament to “keep reviewing the situation with a view to further and definite action”.²⁷⁷ The Senate spent two days debating the report in May of 1953, but the committee was never re-appointed again.

Meanwhile, in the United States, Fredric Wertham had grown deeply pessimistic about whether anything would ever be done about comic books in that country. He decided to try pursuing a different strategy centred on a new book he had written (out of a compilation of his past articles and lectures on the subject) and which was scheduled for publication the following spring. Some excerpts drawn from this new book (*Seduction of the Innocent*) were published in the popular magazine *Ladies Home Journal* in November of 1953 in a summary article entitled, “What Parents Don’t Know About

²⁷⁴ Canada, *Proceedings of the Special Committee on Sale and Distribution of Salacious and Indecent Literature*, Report of the Committee (29 April 1953), p. 244.

²⁷⁵ *Ibid.*, p. 246.

²⁷⁶ *Ibid.*

²⁷⁷ *Ibid.*

Comic Books”.²⁷⁸ His intention was for this article to reach as wide an audience as possible and spark interest in his impending book and in turn lead to a rekindling of public interest in the issue and an understanding of the need for action. Wertham very much hoped this would lead to concerted grassroots pressure on federal and state politicians to enact the kinds of anti-comics laws he wished to see passed.

Back in Canada, the “failure” on the part of law enforcement to tackle crime comics effectively was noted by the Victoria and District Parent-Teacher Council, and they began a new series of regular and routine surveys of newsstands in the fall of 1953. It was immediately apparent that crime comics were “back”, were being openly sold and distributed in flagrant defiance of the law, and were worse in their luridly graphic content than ever before. On 27 November 1953, the Victoria and District Parent-Teacher Council unanimously approved resolutions to send to the BCPTF executive seeking the support of that body for a renewed campaign to fight against what media reports dubbed a “new invasion” of crime and horror comics in Canada. Eleanor Gray addressed the meeting, displayed copies of crime and horror comics she had bought from local Victoria newsstands (bearing titles such as *Eerie*, *Terror*, *Out of the Shadows*, and *Web of Evil*), and read excerpts from them to give the audience a clear idea of their objectionable content.²⁷⁹ The following month, the BCPTF executive endorsed the Victoria Parent-Teacher Council’s call for new action and established a new special committee “to deal with the renewed menace of crime and horror comics” – a committee again under the now-seasoned leadership of Eleanor Gray.²⁸⁰

In December of 1953, Wertham wrote a highly pessimistic letter to Gray expressing his growing belief that “there is little doubt that you and I have lost” and that comic books were now “worse and there are more of them than there have ever

²⁷⁸ Fredric Wertham, “What Parents Don’t Know About Comics”, *Ladies Home Journal*, November 1953, 50-53.

²⁷⁹ “PTA Council Takes Up Cudgel Against Crime Comics”, *Victoria Daily Colonist*, 28 November 1953; “Crime Comic Guard Planned By City PTA”, *Victoria Daily Times*, 28 November 1953; “New Flood of Crime Comics Brings Stiff PTA Protest”, *Victoria Daily Times*, 1 December 1953.

²⁸⁰ “P-TA Plans Watch On Horror Comics”, *Vancouver Sun*, 14 December 1953; “B.C. PTA Endorses Stand To Control Horror Comics”, *Victoria Daily Colonist*, 15 December 1953; “PTA Spotters Guard Against Horror Comic”, *Victoria Daily Times*, 15 December 1953.

been”.²⁸¹ He drew Gray’s attention to his discovery that many of the “worst crime comics are produced and sold in Canada and exported to the U.S. in large numbers”. Wertham did not, however, share her enthusiasm for her new committee and its strategy:

You know how much I admire all that you have personally done; but I cannot agree with you that P.T.A.’s should start now watching newsstands...After all, there is a law, and shouldn’t there be one prosecuting official with the courage to put one of these publishers in jail as an example?...It is hard for me to see what is gained by any committee reading different copies of horror comics. They all deal with crime, and they are all harmful and bad. Nor can I imagine that more legislation will do any good, since what exists is not enforced.²⁸²

In concluding, he expressed his “hope you do not think me cantankerous” and asked that she keep him informed, assuring her that everything “you write and send me is most useful to me”.²⁸³ Nonetheless, despite these pessimistic musings, Wertham was certainly not prepared to give up just yet and he expected his impending new book was going to be the key to solidifying public opinion behind his beliefs.

Gray wrote to Fulton on 4 February 1954 to inform him of the formation of the BCPTF’s new committee and outlined in detail its plan of action to combat crime and horror comics and seek proper enforcement of the law. She also shared with him a copy of Wertham’s recent December letter to her and concluded, “I am sorry Dr. Wertham takes such an unhappy view of the Canadian situation. If we can secure the co-operation and interest of various community groups across Canada, we should be able to enforce or carry out the intention of your bill”.²⁸⁴ Fulton replied in an extensive three-page letter and agreed there was a need, first, for a “concerted campaign to convince the Provincial Attorneys-General of the necessity for issuing the clearest instructions to their police forces that they must be on the alert and prosecute every offender” and, second, “a need for public minded citizens to be constantly on alert themselves for examples of offensive [publications]”.²⁸⁵ He reiterated his previous statements regarding his belief in the “need

²⁸¹ F. Wertham to E. Gray, 14 December 1953, Eleanor Gray fonds, BCA, file 1.

²⁸² F. Wertham to E. Gray, 14 December 1953, Eleanor Gray fonds, BCA.

²⁸³ Ibid.

²⁸⁴ E. Gray to E.D. Fulton, 4 February 1954, E. Davie Fulton fonds, LAC, vol. 17.

²⁸⁵ E.D. Fulton to E. Gray, 22 February 1954, E. Davie Fulton fonds, LAC, vol. 17.

for further amendments to the legislation to make it more effective” and concluded by disagreeing with Wertham’s doubts about the value of PTA committees monitoring newsstands for offensive comics.

Gray’s committee wasted no time getting to work and returning to previous grassroots methods of anti-comics activism used prior to the 1949 passage of the Fulton bill: alerting all local PTAs throughout the province and other PTFs throughout Canada; undertaking extensive letter-writing campaigns; conducting interviews with and lobbying politicians, law enforcement officials, and relevant bureaucrats (such as customs officials); and conducting interviews with local magazine retailers and distributors “with a suggestion of greater self-censorship”.²⁸⁶ It also sent copies of offensive comics believed to contravene the law to the Attorneys General of British Columbia and Ontario – the latter of the two being particularly important because the largest Canadian publisher of crime and horror comics, Superior Publishers, Ltd., was headquartered in Toronto.

Many local PTA activists across the province had become exasperated over the continued presence and sales of crime and horror comics in spite of the existence of the Fulton bill. One PTA, for example, in Grand Forks, British Columbia, wrote to Gray asking why this was still the case.²⁸⁷ In response, and as part of a new strategy to go after the Canadian publishers of crime comics and lobby politicians and Crown prosecutors to enforce the Fulton bill, Gray wrote directly to the Attorney-General of Ontario in February of 1954 “to bring to your attention the fact that certain of these are published in Ontario” and conveyed her committee’s “hopes it will be possible for your department to consider legal action against these publishing firms”.²⁸⁸ Her letter was also accompanied by some “copies [of crime and horror comics] purchased recently in Victoria” which had been “published in Ontario”.²⁸⁹ She also sought to add expert weight and authority to her letter by attaching a copy of her recent correspondence with

²⁸⁶ Gray fonds.

²⁸⁷ Grand Forks and District Parent-Teacher Association to E. Gray, 27 March 1954.

²⁸⁸ Eleanor Gray, Letter to the Attorney General of Ontario, 4 February 1954, Attorney General’s Office, General file re Obscene Literature and Crime Comics, Attorney General Central Registry and Criminal and Civil files, Archives of Ontario, RG 4-32.

²⁸⁹ Ibid.

Wertham, noting that he had mentioned “Canadian published comics are being exported to the United States”.²⁹⁰ Gray expressed her hope that the Attorney General would act quickly to enforce the law.

A pervasive feeling continued to exist amongst many Canadian anti-comics activists that something more and substantial than ever needed to be done by law enforcement officials. In March of 1954, two years after he had previously raised the same concerns, Joe Salsberg, the lone LPP member of the Ontario legislature, yet again stood in anger in the legislative assembly chamber waving around sample copies of crime and horror comics bought at local Toronto newsstands.²⁹¹ He deemed it outrageous that such foul things continued to be sold to minors. Salsberg deemed it even more outrageous that the Attorney General’s office continued to be complacent over the matter and claimed that when he visited the office himself he had been met with the sight of young staffers casually reading the horrendous material. Premier Leslie Frost requested to see Salsberg’s sample copies, asking that he take them from the Opposition benches, and promised he would personally look into the matter further. While the Senate committee’s report published the previous year had mused on alleged connections between communism and indecent literature, here yet again was a red-blooded Canadian communist at the forefront of calling for a popular front against crime and horror comics and noting that opposition to them “ranges from the Pope down to the neighbourhood Home and School Club”.²⁹²

Meanwhile, in Ottawa, Fulton, too, and yet again, raised the matter of crime and horror comics in the House of Commons on 1 and 2 April 1954 during a debate on an extensive revision of the Criminal Code and specifically on the new clause 150 of the Criminal Code dealing with “obscene matter”.²⁹³ This time, armed with a copy of Fredric Wertham’s soon-to-be-published book, *Seduction of the Innocent*, he mentioned having

²⁹⁰ Ibid.

²⁹¹ Ontario, Legislative Assembly, *Debates and Proceedings* (23 March 1954), p. 715 (Joe Salsberg, MPP).

²⁹² Ibid.

²⁹³ Canada, *House of Commons Debates* (1 April 1954), p. 3581 (E. Davie Fulton, MP).

“had the privilege of reading advance proofs”.²⁹⁴ He extensively quoted from the book and the details of its research findings and clearly felt even more confident of his ability to use its “expert” content to convince his complacent parliamentary colleagues of the need for new and tougher legislative action. Fulton revisited his previous bill and reviewed what had transpired since it was passed in 1949. He told the House, “[C]rime comics disappeared for a time from Canadian newsstands. It was not very long before they began to reappear in a different form”.²⁹⁵ As a result, “we now find vast quantities of crime and horror comics again circulating in Canada” and he laid blame firmly at the feet of Crown prosecutors and other law enforcement officials across the country: “A good deal of the reason why crime comics and horror comics have been reappearing is found in the fact that there has not been a sufficiently vigorous enforcement of the present [law]”.²⁹⁶ His new goal was further amendments to strengthen the law by instituting “heavy punishment” on those who violated it.²⁹⁷

Fulton then moved on to tell the House of Commons about extensive surveys of newsstands conducted in Victoria, British Columbia, by local PTA activists (surveys organized and led by Eleanor Gray, of course) and described in vivid detail the “most gruesome” contents of some of these comics found during those spot checks.²⁹⁸ He also drew to the attention of the House a report appearing in the *Ottawa Journal* of another sensational murder case involving children: this time two teenagers in Nova Scotia. “I cannot understand why more prosecutions are not launched”, he lamented, but suggested that one of the reasons was perhaps due to the sheer volume of material and that “dealing with it would impose an almost impossible duty on the already overburdened law enforcement officers”.²⁹⁹ He added, “There are a number of interested of interested organizations who have been trying to take some effective action to deal with this matter. But even with the help of these voluntary organizations, parent-teacher

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ Ibid.

²⁹⁷ Ibid., p. 3582.

²⁹⁸ Ibid., p. 3583.

²⁹⁹ Ibid.

associations and so on, the task of policing and inspecting newsstands becomes almost impossible”.³⁰⁰

Fulton cited figures claiming estimates of over eighty-million per month of these materials circulating throughout the United States and upwards of eight million per month circulating in Canada. When thinking of these figures, he said, “you can contemplate the enormous profits that are made out of this kind of degrading traffic and understand why the publishers and printers laugh at the penalties”.³⁰¹ Effective action would not be achieved until the law was adequately amended to ensure the punishment more appropriately fit the crime. “I cannot find better words than those of Dr. Wertham to describe the crime; the seduction of the innocent – the deliberate degrading of the minds of Canadian children for the motive of profit. I cannot find words too strong to condemn the type of person who will indulge in that sort of traffic”.³⁰² That, according to Fulton, summed up the type of person who peddled in selling obscene literature. Furthermore, he added, “It is to me a matter of profound regret that the legislation enacted in 1949 does not seem to have done the job...But I believe one reason why the problem still confronts us is the reason to which I referred a moment ago, namely that there is too much profit in this type of publication, and that the penalties in comparison with the chance of profit are too light”.³⁰³ He then placed before the House a proposed amendment to the new clause 150 to tighten up and stiffen the penalties for violation of the law, including a mandatory flat fine of \$25,000 for convicted violators.

As he had done the previous year, Stuart Garson responded to Fulton’s speech and staunchly insisted that the problem lay not with the existing law but rather with law enforcement and therefore with provincial Attorneys General. He, too, reviewed the law’s history particularly the key role the provinces had played in its creation via extensive past consultation with all of them in 1949. As such, Garson continued to adamantly insist that the existing law was sufficient and that no further action was needed on the part of the Federal Parliament: “we cannot enforce it; we can only enact it. That is all we can do

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² Ibid., p. 3584.

³⁰³ Ibid.

in this parliament”.³⁰⁴ Furthermore, also insisting that the definition of “obscenity” was adequate in the existing law, he pointed as evidence to a recent court case in the city of Ottawa that had been taken to the Ontario court of appeal and which, in his opinion, “settle[d] beyond any peradventure the adequacy of the legislation in so far as prohibiting the sale of obscene literature is concerned” and demonstrated “quite conclusively that the provision we are discussing is certainly enforceable if there is any serious disposition to enforce it”.³⁰⁵ Fulton was aware of the details and results of the case, but countered that the punishment did not fit the crime and that the fines imposed in it were a “trifling sum compared with the size of the profits made by the corporation concerned”.³⁰⁶ Garson disagreed and proceeded to pick apart Fulton’s proposal for a mandatory flat \$25,000 fine on corporations that violated the law and stated that that proposal would remove the ability of judges to impose even higher fines as punishment – something which the existing law allowed the courts to do. According to Garson, Fulton’s proposal would actually set a limit on the courts and remove power from them to impose even higher fines of whatever amount they saw fit.

The following day, debate resumed on Fulton’s proposed amendment and once again he urged his fellow parliamentarians to read Wertham’s book and lauded its contents as “one of the finest analyses of the problem that I have seen, and one of the best arguments both as to the seriousness of the problem and as to the necessity of dealing with it”.³⁰⁷ He then went on to read into the record a few excerpts from it that in his view “establish the case overwhelmingly for action” against publishers of obscene material.³⁰⁸ According to the Wertham excerpts read to the House by Fulton, children were being actively victimized by profit-hungry corporations that did not care one iota about the negative effects and consequences their products were having on their young consumers and, by extension, the wider world. What was needed then was concerted action to tackle the source of the problem – the big publishers, not the small vendors and retailers – and “to make it unprofitable for a printer or publisher to engage in this

³⁰⁴ Canada, *House of Commons Debates* (1 April 1954), p. 3587 (Stuart Garson, MP).

³⁰⁵ *Ibid.*, p. 3587.

³⁰⁶ Canada, *House of Commons Debates* (1 April 1954), p. 3587 (E. Davie Fulton, MP).

³⁰⁷ Canada, *House of Commons Debates* (2 April 1954), p. 3603 (E. Davie Fulton, MP).

³⁰⁸ *Ibid.*

trafficking, so that first, he would realize that he had better stay out of the business and, second, if he goes into it we can get at him and can deal with him in a way which will effectively prevent him from repeating the offence”.³⁰⁹ Fulton then asked the Minister of Justice to support his new proposal for a mandatory “minimum” \$25,000 fine on violators (instead of his previous day’s mandatory flat fine proposal) – a starting-point for courts which would still preserve their power to impose much higher fines if they saw fit.

Garson stood firm and continued to argue that the existing law was adequate in its present form and that it was not the place of Parliament to “restrict the discretion vested in a judge or magistrate by imposing minimum penalties”.³¹⁰ What was needed was not further tinkering with the law. Instead, he suggested that Fulton should direct his energy and efforts at provincial attorneys general for they were “the only ones who can bring about enforcement of this law that he desires”.³¹¹ Fulton asked the Minister if he really believed the law was satisfactory in its present form and Garson replied without hesitation, “I most assuredly do”.³¹² Garson then advised and urged the House to defeat Fulton’s amendment and carry on with the existing law as is. To Fulton’s deep disappointment, the House subsequently voted to do just that.

Several days later, however, Fulton’s upset was soon alleviated somewhat by a major victory delivered by law enforcement officials: charges were laid against Superior Publishers, Ltd., of Toronto. William Zimmerman, the company’s manager appeared in court on six charges laid jointly against himself and Superior. Zimmerman declared the charges ridiculous and told the press, “they might as well try to stop the sale of Felix the Cat or Jack the Giant Killer – they all have crime elements in them”.³¹³ The case, however, resulted in nothing and was dismissed due to legal technicalities. Later that same month, the BCPTF gathered in Burnaby, British Columbia, for its annual

³⁰⁹ Ibid., p. 3604.

³¹⁰ Canada, *House of Commons Debates* (2 April 1954) p. 3605 (Stuart Garson MP).

³¹¹ Ibid.

³¹² Ibid.

³¹³ Quoted in “Charge Toronto Firm With Publishing Crime Comics”, *Ottawa Journal*, 12 April 1954.

convention and debated some proposed new resolutions and strategies aimed at combating the renewed threat of crime and horror comics.

Eleanor Gray stood before the convention to present her committee's latest report and noted in it that they had actually found "[a]pathy on the part of the Public toward these comics" and that "[f]ew people will read or study their contents".³¹⁴ As such, continued campaigns of public and, in particular, parental education were needed to alert Canadians of the dangers these materials posed to young people. Without citing any sources, Gray also repeatedly told the eight-hundred delegates that juvenile delinquency had increased by twenty per cent in Canada and the United States since 1947. And, as she and other PTA activists had been doing since the days prior to the passage of the Fulton bill, she insisted that the root causes of juvenile delinquency "are complex and deep, and usually there are multiple factors involved, the reading of an objectionable [comic book] may be an important factor in precipitating the anti-social acts of a child".³¹⁵ Encouraging all delegates to read Wertham's newly-published book *Seduction of the Innocent* – "our most authoritative source" – she also told the general public via an interview with reporter Eric Lindsay of the *Vancouver Sun* that the best defence of all against crime and horror comics was to take note of where they were being sold and alert law enforcement officials immediately.³¹⁶

At the very same time as the BCPTF convention was being held and discussing what to do next about the renewed threat of crime and horror comics and their dangers to young people, the US Congress was also taking new action of its own. An important new US Senate subcommittee began an investigation into the links between crime and horror comics and juvenile delinquency and would, as a result of the media publicity generated by its hearings, have important consequences for the comic book publishing industry in the United States and, by extension, for Canada.

³¹⁴ Report of Special Provincial Parent-Teacher Federation Committee on Crime Comics, Eleanor Gray fonds, BCA, MS-0962, file 2.

³¹⁵ Ibid.

³¹⁶ Eric Lindsay, "P-TA Told Method of Attacking Comic", *Vancouver Sun*, 22 April 1954; Eleanor Gray fonds, BCA, file 6.

The US Senate Subcommittee on Juvenile Delinquency

The Senate Subcommittee on Juvenile Delinquency was established by the United States Congress on 27 April 1953 to investigate the problem of young people and criminal behaviour.³¹⁷ Created by a motion of Senator Robert Hendrickson, a Republican from New Jersey, it was a subcommittee of the Senate Judiciary Committee. In 1954, it turned its attention to comic books and it held high-profile public hearings in New York City (due to New York's status as the prime location of comics publishing) on 21 and 22 April, and then a few months later on 4 June 1954. During those hearings, the subcommittee's focus was exclusively on crime and horror comics and their potential impact on juvenile delinquency and they "were the first US Senate subcommittee investigation of mass media effects".³¹⁸

These subcommittee hearings were also broadcast on television and radio, and consisted of Senators calling up and questioning various witnesses. All of the major big-name comics publishers – Marvel Comics, DC Comics, Dell, EC Comics, and others – had representatives present at the hearings. None, however, chose to testify (no doubt anticipating being thoroughly grilled), with the exception of William Gaines of EC Comics, who had an exceptionally bad experience and was subsequently forced out of the comic publishing industry as a result. There were also a variety of "experts", most prominent of all being Fredric Wertham, himself, who also served as the subcommittee's advisor, who testified on the first day of the hearings. He also happened to testify shortly after his new book was published and, by far, his most infamous quote before the subcommittee was his declaration, "I think Hitler was a beginner compared to the comic-book industry".³¹⁹ Some national distributors, regional wholesalers, and newsstand vendors also appeared and were questioned about how comic books were circulated. The anti-comics witnesses were allowed to have their say and not thoroughly scrutinized. The few pro-comics witnesses called upon were ones that were easily discredited as being little more than "paid apologists".

³¹⁷ David Park, "The Kefauver Comic Book Hearings as Show Trial: Decency, Authority and the Dominated Expert", *Cultural Studies* 16, 2 (2002): 259-288.

³¹⁸ *Ibid.*, 265.

³¹⁹ Quoted in Nyberg, 63.

What subsequently became renowned as the most notorious testimony of all delivered before the Senate subcommittee occurred thanks to comics publisher William Gaines. When Gaines insisted that he sold only comic books of “good taste”, Senator Estes Kefauver held up a copy of one of Gaines’s very own recently published comic books: *Crime Suspense Stories* #22 (April-May 1954), which depicted on its front cover a gruesome crime scene of a woman’s decapitated head being held aloft by her murderer. This led to a full-blown news story on the front-page of the *New York Times* the following day, complete with a printed transcript of the key exchange between Gaines and Kefauver:

Chief Counsel Herbert Beaser asked Gaines: “Then you think a child cannot in any way, shape, or manner, be hurt by anything that the child reads or sees?”

William Gaines responded: “I do not believe so”.

Beaser: “There would be no limit, actually, to what you’d put in the magazines?”

Gaines: “Only within the bounds of good taste”.

Kefauver: “Here is your May issue. This seems to be a man with a bloody ax holding a woman’s head up which has been severed from her body. Do you think that’s in good taste?”

Gaines: “Yes sir, I do — for the cover of a horror comic. A cover in bad taste, for example, might be defined as holding her head a little higher so that blood could be seen dripping from it and moving the body a little further over so that the neck of the body could be seen to be bloody”.

Kefauver: “You’ve got blood coming out of her mouth”.

Gaines: “A little”.³²⁰

Later on, Gaines privately confessed to being under the influence of prescription medication at the time of his testimony, but the damage was done and now infamously so.³²¹

³²⁰ Peter Kihss, “No Harm in Horror Comics, Issuer Says”, *New York Times*, 22 April 1954.

³²¹ Nyberg, 60; Park, 274.

The Senate subcommittee hearings were originally intended to last for only two days, but a third day came about two months later partly because of the issue of so-called "tie-in sales". Newsstand vendors insisted tie-in sales were the reason why they were selling crime and horror comics: the distribution companies would not provide them with the better-quality magazines unless they accepted and sold the crime and horror comics, as well. Distributors insisted there was no such thing as tie-in sales and that such comics could easily be returned. The two sides went back and forth on this issue. In addition to examining this issue the subcommittee also brought in two particular politicians that either tried banning or had banned the sale of crime and horror comics in their respective jurisdictions and treated them with enormous respect.³²² The first was James A. FitzPatrick, chair of the New York state legislature's committee on comic books. The second was E. Davie Fulton.

With tremendous interest and enthusiasm, the subcommittee called upon E. Davie Fulton and invited him to attend their hearings and share his valuable experience and perspectives. Fulton accepted the invitation and travelled to New York City to deliver testimony as an expert star witness and he appeared before the subcommittee on 4 June 1954. His testimony began by discussing the Dawson Creek Watson murder case (which he inaccurately referred to it as having occurred in Yukon Territory) before moving on to extoll the important value he placed upon his professional relationship with Fredric Wertham.

I also would like to pay my tribute to a noted expert in your own country, and, indeed, in your own city of New York, Dr. Fredric Wertham. I have read extensively from Dr. Wertham's articles and, of course, I read with great interest his latest book, *Seduction of the Innocent*. I have had considerable correspondence with Dr. Wertham and I think it is fair and accurate to say that insofar as I myself, made any contribution to this matter and to the enactment of our legislation that I used and found Dr. Wertham's opinions, his quotations, of great assistance and I found they were generally accepted as authoritative in our country in a discussion of this matter. I am not again saying that opinion was unanimous, but I think

³²² Nyberg, 78.

it is fair to say that Dr. Wertham's views were given great weight in our country.³²³

Fulton moved on to discussing some of the problems and challenges that had emerged since the passage of his bill and, in particular, the rise of horror comics – the new and more gruesome forms in which crime comics were now appearing in Canada:

Then there crept back into circulation in Canada the crime comic again in its original form, but it also began to appear in other alternative forms and there the alternative form I have in mind is what I think you have described generally as the horror comic. I would venture the opinion that the reason the crime comic to a lesser extent and the horror comic to a greater extent reappeared and began to appear respectively, was in part because of the lack of prosecution of any publisher or printer or vendor under the new crime comic section. There were no prosecutions until about a year ago. And partly perhaps due to the fact that the public and myself and other similar interested persons included may have felt, now we have done our job, we can sit back and relax, with the result that there wasn't the same vigilant supervision of the newsstands to pick out offensive publications, bring them to the attention of the authorities and demand prosecution. Whatever the reasons, anyway, the crime comic in its original form began to reappear and the horror comic in a much exhilarated form – I mean it is now circulating to an extent even greater than the present circulation of the crime comic and it is in Canada at any rate relatively newer in form and appearance. It has made its appearance later than crime comics. I think it would be fair to say it made its appearance only after the enactment of legislation in 1949.³²⁴

Chief Counsel Herbert Beaser asked Fulton: "Would you care to comment on what impression and what effect crime and horror comics in Canada are having on the children's ideas of what the United States of America is like?"³²⁵ Fulton diplomatically replied:

I would say that their effect in that regard is not very serious in Canada. We live too close to you not to know that our way of life and yours are very much the same. It would be my opinion, therefore, that a Canadian child reading this type of magazine would not – reaction on him would not be what dreadful things go on in the United States of America as distinct

³²³ United States, Senate, *Juvenile Delinquency (Comic Cooks): Hearings before the Senate Subcommittee on Juvenile Delinquency*, 83rd Cong., 2nd sess., 4 June 1954.

³²⁴ Ibid.

³²⁵ Ibid.

from what goes on in Canada. Rather, the undesirability from our point of view certainly is that it portrays these as natural and everyday occurrences.³²⁶

Afterwards, Senator Robert Hendrickson wrote a letter to Fulton warmly thanking and commending him for his testimony, describing his contribution as “a particularly valuable one for us”.³²⁷

In the immediate aftermath of the subcommittee hearings, several publishers were forced to drastically edit or even outright cancel many popular long-standing comic series. As a result of the widespread negative media coverage resulting from the subcommittee hearings and particularly William Gaines’s notorious testimony, the comic book publishing industry formed the Comics Magazine Association of America (CMAA) and established a new Comics Code Authority, a regulatory ratings code symbolized by a new Seal of Approval official stamp.³²⁸ The Seal of Approval would appear on the cover of every comic book that conformed to the standards and guidelines of the new Comics Code. The Comics Code Authority was instrumental in at least toning down the content of comic books and made them much more child-friendly over the following decades.

Between May and September of 1954, British Columbia PTAs scored a major victory when magazine distributors in Victoria, Vancouver, and the Southern Interior of British Columbia, all of whom had been subjected to PTA lobbying, agreed to discontinue the sale of forty-five “objectionable” titles that included the likes of *Tales from the Crypt*, *The Vault of Terror*, and *Weird Chills*, among others. PTAs in the other regions of British Columbia, particularly the north, were strongly urged to monitor their local newsstands. That fall, the headline “PTA Banishes 45 Crime Comics” blared across the front page of the *Victoria Daily Times*, and a member of the BCPTF’s special committee on crime comics was careful to emphasise that the comics in question were not censored but merely “taken off the sale list through the co-operation of agencies and

³²⁶ Ibid.

³²⁷ R.C. Hendrickson to E.D. Fulton, 7 June 1954. E. Davie Fulton fonds, LAC, vol. 17.

³²⁸ Nyberg, 109-14.

dealers handling them”.³²⁹ Another PTA activist praised the “wonderful co-operation [they had gotten] from local agencies and shop operators and it’s the same picture in Vancouver and elsewhere in B.C.”³³⁰ This particular victory was hailed as a landmark success story and proof positive of the success of the PTA campaigning efforts. “REAL PROGRESS has been made since the 1954 convention”, declared a report produced that autumn from Gray’s committee, “British Columbia may soon be the first province in Canada to be free of the worst comics”.³³¹ This speculation instead soon proved to be excessively optimistic.

Much to Gray’s disappointment, the PTAs were showing signs of losing interest in continuing the fight against crime and horror comics and, in a letter to Fulton written in May of 1954, she noted growing divisions and disagreement within PTA ranks over the issue. She complained, for example, that the new convenor of the national children’s reading committee of the CHSPTF “thinks we are alarmists here in BC”.³³² Despite soldiering on, by the spring of the following year, however, Eleanor Gray had at last run out of energy for the fight. It was daunting enough taking on crime and horror comics, but even more so when the very organizations previously dedicated to the fight were increasingly disinterested in it. On 14 April 1955, she wrote to Fulton informing him of her impending plans to resign as chair of the BCPTF special committee on crime comics and she complained that, “There was no mention of comics at our [most recent BCPTF] convention”.³³³ PTA activists, it seemed, were no longer keen on devoting any more substantive time and energy to matters of new legislative action against crime comics. In June she followed through with her decision and resigned as chair of the special committee on crime comics. The importance of her hard work and tenacity and the tremendous contribution it had made was recognized in a letter from the provincial executive of the BCPTF: “We feel sure that the publicity given to the problem of Crime Comics across Canada has been due largely to your efforts, as has the legislation which

³²⁹ “PTA Banishes 45 Crime Comics”, *Victoria Daily Times*, 23 September 1954.

³³⁰ *Ibid.*

³³¹ Report from Special Provincial Committee on Crime Comics, Eleanor Gray fonds, BCA, file 2.

³³² E. Gray to E.D. Fulton, 2 May 1954, E. Davie Fulton fonds, LAC, vol. 17.

³³³ E. Gray to E.D. Fulton, 14 April 1955, E. Davie Fulton fonds, LAC.

endeavours to curb this menace”.³³⁴ This acknowledgement did not change her decision to withdraw from her leadership role in the fight and Wertham’s fear expressed two years earlier that they had “lost” now seemed to be affirmed at least somewhat by her decision to withdraw from the frontlines of the battle.

Meanwhile, in the United States, after having held a grand total of just three days of hearings on comics, the Senate Subcommittee on Juvenile Delinquency adjourned without any subsequent resumption and eventually published a report containing no recommendations for legislative action against crime and horror comics – much to the chagrin and deep disappointment of Wertham. Instead it proposed that the comic book publishing industry undertake steps to self-regulate which is precisely what they did with the founding of the Comics Code Authority. Wertham and Gray continued to correspond from time to time and even directed the attention of one another to the potentially adverse influences of other areas of popular culture (such as television).³³⁵ Meanwhile, the outbreaks of social anxiety over juvenile delinquency and sex crime and deviancy had also somewhat subsided by the end of the 1950s.

In April of 1955, a public meeting was held at Forest Hill collegiate in Toronto to discuss the impact of comic books upon children and Fulton was the guest speaker. The Forest Hill Junior High home and school association was one of the organizers of the meeting which called upon the Attorney General of Ontario to more effectively prosecute printers, publishers, distributors, and sellers of crime and horror comics. The meeting passed a resolution calling on Parliament to review the Fulton bill “to more effectively make it a punishable offence to print, publish or sell” crime and horror comics and urged an increase in customs personnel to combat the importation of comic books from the US.³³⁶ More noteworthy was the proposal for PTAs and HSAs to establish permanent committees on comic books and to inform the Attorney General’s department of any found being distributed. Fulton told the meeting that his legislation should be amended to provide greater punishment of publishers of crime and horror comics: “They are the ones

³³⁴ Mrs. D. Ryckma to E. Gray, Executive Secretary, 21 June 1955. Eleanor Gray fonds, BCA, file 1.

³³⁵ Eleanor Gray fonds, BCA, file 1.

³³⁶ “Demand Stronger Action In Crime Comic War”, *Toronto Star*, 21 April 1955.

who first put this poison into circulation and they should bear a greater share of the guilt than the distributor or retailer”.³³⁷ Furthermore, the “only way to eliminate these publications is to dry them up at the source” and this could be achieved by instituting minimum fines so heavy that repeat violations would be unprofitable.³³⁸ Fulton also placed strong emphasis on the importance of his audience for an “aroused and active public can do much to bring about better enforcement of this law”.³³⁹ He also denounced the American comics publishing industry’s new Comics Code Authority as “a failure” and said of its chairman, “Either he does not read what he puts his stamp of approval on or he has a lower standard of morality and proper conduct than those common to Canada and the United States”.³⁴⁰

Two months later, in June of 1955, Fulton made what ended up being his last parliamentary attempt from the Opposition benches to tackle crime and horror comics. Yet again he stood in the House of Commons to inform parliamentarians that “on the newsstands of Canada there are still disturbingly large quantities of this undesirable material which is going into the hands of juveniles without sufficient check”.³⁴¹ This time, to ensure those directly responsible would be held accountable – specifically the publishers and not the local retailers – he suggested

some amendment which would make it impossible merely to proceed against the local vendor, so that in every case prosecution would be carried back as far as possible along the chain of distribution and the person most responsible for the offence – that is, the man who first put it into circulation – would be bound to be proceeded against.³⁴²

Fulton went on to review the recent court case against Superior Publishers, Ltd., in Toronto and pointed out that “special mention” was made of them at the US Senate subcommittee hearings the previous year due to their export of crime and horror comics

³³⁷ Ibid.

³³⁸ Ibid.

³³⁹ Ibid.

³⁴⁰ Ibid.

³⁴¹ Canada, *House of Commons Debates* (24 June 1955), p. 5275 (E. Davie Fulton, MP).

³⁴² Ibid.

into the United States.³⁴³ As he had so often done several times in previous debates, Stuart Garson disagreed with Fulton and this resulted in some rather heated exchanges between the two politicians. Fulton resented being told that the matter was settled and pointed to an example of inspiring recent action on the part of the British Parliament, the newly-passed *Children and Young Persons (Harmful Publications) Act*, which he lauded as exemplary.

The *Children and Young Persons (Harmful Publications) Act* was introduced and subsequently passed after just one day of parliamentary debate in response to a growing grassroots campaign against horror comics which had emerged in the early 1950s.³⁴⁴ This campaign, however, had been much slower to grow, especially in comparison with the earlier Canadian campaign. It also drew influence from *Seduction of the Innocent*, which Wertham claimed had been a positive influence on the Home Secretary who guided the bill through the British House of Commons.³⁴⁵ The legislation was quite similar to the contents of the Fulton bill of 1949 with one of the key differences being, according to Fulton, that the UK Act went “one step further” and outright banned the importation of plates from which crime and horror comics and other such harmful publications were often printed.³⁴⁶ As he had frequently done before, Garson continued to insist that what was needed was not new legislation but, rather, “a heavier concentration of public opinion upon the provincial enforcement officers. Surely that is the real solution”.³⁴⁷ Fulton insisted that bringing in minimum fines was worthwhile and workable and would deliver the successful prosecutions and court results he desired. But his latest pleas for new action yet again fell on deaf government ears and it was left at that. No further legislative action on this issue was taken by Parliament – that is, until after Fulton, himself, became Minister of Justice two years later.

³⁴³ Ibid.

³⁴⁴ Martin Barker, *A Haunt of Fears: The Strange Case of the British Horror Comics Campaign* (Jackson, MI: University Press of Mississippi, 1992); “Getting a Conviction: Or, How the British Horror Comics Campaign Only Just Succeeded”, in *Pulp Demons: International Dimensions of the Postwar Anti-Comics Campaign*, edited by John A. Lent (London: Associated University Presses, 1999).

³⁴⁵ F. Wertham to E. Gray, 18 February 1955, Eleanor Gray fonds, BCA, file 1.

³⁴⁶ Canada, *House of Commons Debates* (24 June 1955), p. 5277 (E. Davie Fulton, MP).

³⁴⁷ Canada, *House of Commons Debates* (24 June 1955), p. 5279 (Stuart Garson, MP).

Conclusion

On 10 June 1957, John Diefenbaker led the Progressive Conservatives to a stunning electoral upset over Prime Minister Louis St. Laurent's Liberal government. The Liberal Party was defeated in the general election held that day and returned to the Opposition benches for the first time in over two decades. Diefenbaker became Canada's new Prime Minister and appointed none other than E. Davie Fulton as his Minister of Justice and Attorney General of Canada. Fulton was now in a position to make precisely the kinds of legislative changes to the Criminal Code he had previously advocated two years earlier. However, it was not until 1959 that any action was taken. A revision of the section was made attempting to provide a clearer definition of obscenity: "For the purpose of this act, any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence, shall be deemed obscene". Fulton informed the House of Commons that the wording was designed specifically "having in mind the type of pulp trash that appears on the newsstands".³⁴⁸ It was hoped that this detailed definition would provide law enforcement with greater strength and ability to enforce the Criminal Code. The House passed the amendment on 6 July 1959.³⁴⁹ Throughout the rest of his terms as a Member of Parliament, Fulton made no further attempts to amend the sections dealing with crime comics or obscenity.

By examining historic periods of social anxiety on a case by case as opposed to a sweeping generalized basis, historians can gain insights into the internal and external forces shaping a society in a given time-period; and by examining in greater detail the

³⁴⁸ Canada, *House of Commons Debates* (6 July 1959), p. 5542 (E. Davie Fulton, MP).

³⁴⁹ Forty years after he first raised crime comics in Parliament, Fulton was asked to write a reflection piece for the *Ottawa Law Review*, which he did – and in which he remained remarkably unchanged from his original views. E.D. Fulton, "Comments on Crime Comics and Pornography", *Ottawa Law Review/Revue de droit d'Ottawa* 20, 1 (1988): 25-31.

post-war anti-comics campaign, historians can also see some of the flaws in Cohen's moral panic paradigm. In the case of the anti-comics campaign in Canada, Eleanor Gray and the PTAs were driven by a concern for the mental health and social well-being of children – widespread in the post-war era and part and parcel of the fundamental purpose of the PTAs – and responded accordingly to what they perceived was a violent medium of popular culture that was harmful. They employed a basic central argument, backed it up with (what they considered) the expertise of a distinguished psychiatrist of their day and a template example in the form of the murder of James Watson in Dawson Creek, and actively sought a law to address their concerns and fears.

The passage of the Fulton bill and the PTA-led campaign to censor crime and horror comics illustrates an interesting example of post-war women's social and political activism as well as provides a case study as to the flaws in Cohen's moral panic paradigm. What is needed on the part of historians is not an immediate labelling of the anti-comics campaign as just another moral panic but rather an examination of the broader historical context in which the campaign took place and the various social, cultural, economic, and political factors influencing it in its immediate time. As Springhall and other scholars have also argued, violent forms of popular culture and the controversies they spark are not historically unique, but the public reaction in any given historical age most certainly is.³⁵⁰

The anti-comics campaign in Canada was not a moral panic in and of itself but rather is better described as an example of moral enterprise and a direct product of wider social anxieties over the very future of Canadian society. These social anxieties over juvenile delinquency and sex crime and deviancy were part of a broader effort on the part of grass roots community and social movements and the state alike to ensure a rebuilding of the "natural" and "normal" social order in post-war Canada and the proper development of the mental health and social well-being of children and adolescents – and the Fulton bill and the PTA-led campaign to censor crime and horror comics was one of many direct results of this.

³⁵⁰ Springhall, *ibid.*

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