In New York, as in the rest of the nation, the "Town Meeting" broadcast and revelations of Fredric Wertham reinforced the concerns of the public about comic books. However, the Winters decision, which was announced at the same time, removed a logical weapon in the battle to control comics and other publications regarded as crime inspiring. With a state-wide solution temporarily frustrated, officials and citizens interested in the regulation of comic books were forced to resort to local and often extra-legal controls. Efforts to curb display or sale of comic books in New York also had the potential for effect beyond the state's boundaries because most publishers and national distributors were located in New York City.¹ From 1948 to 1955, New York served as the battleground for an unlikely contest which contained all the elements of absurdity, but which was waged in earnest and frequently hysterical intensity.

On the county and municipal level, action was brisk. In July 1948, cooperation between distributors and publishers resulted in the elimination of over fifty objectionable titles in Monroe County. Later that year, the Rochester city council, also in Monroe County, adopted an ordinance which prohibited the sale of lurid comics to persons under eighteen years of age. Comics which prominently featured accounts of the crimes of arson, assault, burglary, extortion, kidnapping, mayhem, rape, larceny, manslaughter,

¹Of the forty-two comic groups identified by the Senate Subcommittee to Investigate Juvenile Delinquency in 1954, thirty-seven maintained editorial offices in New York, and, of the thirteen national distributors, all but three were located in the city. Senate Subcommittee, Comic Books and Juvenile Delinquency, pp. 44-50.
prostitution or crimes against nature, and obscene illustrations were forbidden. In August, at the fourteenth annual conference of the New York State Sheriff's Association, Louis Yaguda, executive secretary of that group, asked the 200 delegates to take action against comic books because clinical studies had proven the connection between crime and crime comics. On November 17, Westchester County's thirty-nine police departments unanimously adopted a program which established a board of review to study comic books and to regulate titles which dealt with crime and sex. Distributors in Albany County were warned by the district attorney that, in his opinion, sixty-two comics and twenty-three magazines were in violation of state law and would be prosecuted if the publications were not withdrawn. The Schenectady County district attorney, however, announced that he did not intend to take action on the local Catholic clergy's request that forty-seven publications be removed from local newsstands. Chautauqua County's Board of Supervisors, in response to complaints by the Brocton Parent-Teacher Association, announced that it would study means of limiting the distribution of obscene and fantastic comics. Jefferson County announced a similar plan.2

In December 1948, in New York City, a committee of school and city officials was formed to prepare recommendations to make comics more wholesome and constructive. Dr. Frank J. O'Brien, associate superintendent of schools, drafted the guidelines which emphasized the committee's belief that the "'basic purpose for comic magazines should be to bring into play healthy thoughts and constructive emotional experiences on the part of children.'"3 They called

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for the exclusion of incidents of assault and bodily injury, crime, and prejudice of race or sex and stressed the positive values of Americanism, religion, home, school, accepted social behavior, sports, and regard for authority. All children were regarded as susceptible to the negative influences of comics, the least harmful of which were emotional disturbances such as nightmares and antagonisms toward groups or individuals.

At a meeting on December 14, called at the request of the Queensboro Federation of Mothers' Clubs, representatives of National, Dell, Fawcett, Street and Smith, and other non-ACMP members, as well as representatives of the ACMP, met with the committee to discuss problems of regulation. Presiding Justice John Warren Hill of the Domestic Relations Court informed the publishers and distributors that, because comic books were an important part of children's lives, they had to "recognize they are responsible to society for anything that they will do which will tend in any way to injure the mental and spiritual lives of children." The committee stated its preference that institute their own reforms, but warned that regulation would follow if the industry failed to clean house. At a second meeting in February 1949, publishers representing 60 percent of all comics again met with the committee to consider their recommendations, but no agreement was reached.

Legislators in Albany were not insensitive to the sustained state-wide public reaction against comic books. At the beginning of the 1949 session,
several measures were proposed to control crime comics directly and as a part of the general class of publications regarded as crime provoking. Benjamin F. Feinberg, Republican majority leader in the Senate, introduced two of the proposals. At the request of the State District Attorneys Association, he proposed an amendment to Section 1141 of the Penal Law to replace the subdivision declared unconstitutional by the Supreme Court. Under the new bill, any publication which presented "acts of, or pictures depicting sordid bloodshed, lust or heinous acts" would be banned. On April 18, Governor Thomas E. Dewey vetoed the proposed amendment because, he stated, it failed to meet Supreme Court objections outlined in the Winters decision and was, therefore, unconstitutional. Changes in the former statute were minimal. According to Dewey, they consisted of the substitution of the phrase "heinous acts" for "crime" and the addition of "sordid" to describe the type of bloodshed prohibited.

On January 13, Feinberg introduced his second proposal, co-sponsored in the Assembly by James A. Fitzpatrick. It suggested the creation of a comic book division in the State Department of Education. Under the terms of the bill, all comic books were to be reviewed by the division. If they were not "'obscene, lewd, lascivious, filthy, indecent, immoral or disgusting'" or liable to "'encourage breach of law'" a permit would be issued for a three-dollar fee. If the comic book division denied a permit to a title, the

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publisher could appeal to the Board of Regents. In the event of an unfavorable decision, a court determination might then be sought. The measure permitted the distribution of books refused permits. However, a statement that a permit was denied had to be printed on the title page and, thirty days before it was placed on sale, a copy of each publication had to be filed with the district attorneys in the counties where the book was distributed. Feinberg described the bill as "progressive" and asserted it offered a form of regulation free of politics.\textsuperscript{10}

Although restricted to comic books, Feinberg's second proposal aroused more bitter controversy than his earlier, broader measure. On February 23, the bill easily passed the Senate by a vote of forty-nine to six. Four of the six dissenters, all of whom were Democrats, expressed confidence in the adequacy of existing laws to control objectionable comics. They also attacked Feinberg's resolution as a violation of freedom of the press and called for further study before legislative action was approved. Two of the Senators, Harry Gittleson and Harold I. Panken, criticized the bill because it placed the determination of facts in the hands of bureaucrats.\textsuperscript{11} Following Senate passage, Morris Ernst, counsel for the ACLU, warned Governor Dewey that the Feinberg bill could bring about the censorship of daily newspapers and denounced it as "the kind of legislation which a Stalin or a Hitler might have invoked . . .'\textsuperscript{12} In telegrams to several legislators, Charles W. McGraw, president of the American Book Publishers' Council, denounced the bill as "an

\textsuperscript{10}Ibid.; and Ibid., February 24, 1949, p. 17.


unnecessary, illegal and subversive invasion of the constitutional guarantees of freedom of the press'" and as "'a dangerously repressive precedent.'" Nation predicted that, if the bill passed, censorship of other periodicals, books, films, "and everything else will follow." However, the limits of repression remained undefined. The bill failed to pass the Assembly.

On January 18, Senator Panken introduced the third measure addressed to the rising concern about comic books in the 1949 session. Panken, who opposed precipitate action, attempted to preserve the option of legislative investigation as an alternative to Feinberg's more summary resolutions. The proposal noted the widespread public discussion of comic books and allegations of the provocation and inspiration of acts of juvenile delinquency by objectionable comics which were already illegal or should be so designated. He also pointed to deficiencies in existing statutes and the several measures before the legislature or already disposed of by it. Panken, therefore, proposed the establishment of a joint committee to "study and survey . . . the entire subject of publications commonly known and referred to as comic books . . ." On March 29, 1949, both houses adopted the resolution and appropriated $15,000 for the committee's work. Assemblyman Joseph F. Carlino was appointed chairman, Senator Henry W. Griffith served as vice-chairman until 1951, when his term of office expired, and Assemblyman Lawrence F. Murphy acted as

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15Select Committee Hearings, p. 233.

treasurer. Senator Panken and Assemblyman Fitzpatrick were the remaining members.17

The investigations of the Joint Legislative Committee to Study the Publication of Comics were the first systematic study of the comic book industry by a state legislative body.18 In light of the recent Winters decision, however, the committee proceeded cautiously. As one of their first actions, they conducted a nation-wide mail survey of officials and groups interested in the control of objectionable comics. The opinions of the Secretaries of State of the forty-eight states, judges, district attorneys, and probation officers, as well as church and child welfare groups were also solicited by the survey. In addition, officials of communities which had already implemented some form of review or regulatory program were questioned on the mechanisms and effectiveness of their efforts. The responses galvanized the committee's indecision. On January 17, 1950, with less than a month of the committee's life remaining, the members reported that no legislation would be proposed in the 1949-1950 session. Instead, they recommended a series of public hearings to gather further opinions from interested groups and from industry representatives. On March 22, Panken's original resolution was amended to prolong the committee's existence until March 31, 1951.19

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17Joint Committee (1951), pp. 7-9.

18In the 1949 session of the Massachusetts legislature, a bill similar to the one which created the New York Joint Committee was introduced. It would have established a five-man legislative commission to study proposed action to curb objectionable comics. However, it was designated "'next annual session,'" which, in effect, killed it. Two other bills aimed at comics, one which would have established a "'youth's censorship commission'" and one which would have created the position of a special inspector to review publications under the state attorney general, were disposed of in the same manner. "Comics Censorship Bills Killed in Two States," Publishers' Weekly, April 30, 1949, p. 1805.

Outside the legislature, there was little sympathy expressed for the difficulties experienced by the committee and enthusiasm for a cautious assault was nonexistent. Dr. Hilde L. Mosse, acting physician in charge of the Lafargue Clinic and a colleague of Wertham, viewed the delay as a sinister portent. She hinted darkly that "it would be worthwhile to know what has gone on to cause this delaying action.'" Following the committee's report, the Queensboro Federation of Mothers' Clubs protested the vacillation and demanded immediate action on the newsstand sale of objectionable comics.

The Joint Committee remained undaunted and scheduled seven hearings in 1950. At a closed hearing on June 13, 1950, the legislators received testimony from seven witnesses who "'predominately favored some sort of state regulation to curb objectionable comics.'" They included Justice John Warren Hill, who had earlier worked with other New York City officials to develop their own regulatory plan, and Mrs. James McGuire, chairman of the Resolutions Committee of the Queensboro Federation of Mothers' Clubs, which had earlier condemned the committee's inactions. Although unanimous in their call for action, they were divided on the form it should assume. Suggestions included a revival of the Feinberg-Fitzpatrick plan for a state review board and an industry-wide, self-regulatory body.

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21 Ibid., January 27, 1950, p. 27.
22 Advertising Age, June 19, 1950, p. 65.
23 The remaining witnesses were Justice Jacob Panken, one of Hill's colleagues on the Domestic Relations Court [and a veteran of the anti-comic book campaign]; Dr. Reginald Stein, a psychiatrist; Judge Louis Goldstein, Kings County Court; John Cone, Kings County District Attorney; and John Shelly, Kings County Assistant Probation Officer. New York Times, June 14, 1950, p. 29.
Publishers greeted reports of the first hearing with vigorous opposition and were unanimous in their condemnation of suggestions of state regulation. They complained that any proposed regulatory measures would be too expensive and, in comments to *Advertising Age*, vilified the committee. Richard A. Feldon, advertising director for National, expressed a preference for the methods of the Cincinnati committee over official controls. In a more ominous and inclusive tone, Will Lieverson, executive editor of the Fawcett Comics Groups, warned that "'censorship of the comics by legislative measures would prove to be a double-edged weapon, because there's no measure of how far that censorship might be extended.'"\(^25\) In a hearing on August 8, ACMP General Counsel Schultz declared that suggestions of state regulation were "'unfair and unworkable.'"\(^26\)

On December 13, 1950, at the final hearing, Fredric Wertham, who also served as a psychiatric expert for the committee, delivered yet another condemnation of the comic book industry. He charged that crime comics indoctrinated the children of the United States in race hatred. In their pages, the hero was consistently pictured as a pure, white American confronted by a dark, Jewish, Italian, Slavic, or Oriental villain. Because he believed comics instilled the seeds of racism, Wertham pronounced the comic book industry "'one of the most subversive groups in our country today.'"\(^27\) He urged

\(^{25}\) *Advertising Age*, June 19, 1950, p. 65.


the committee to recommend to the Assembly a ban on the sale of crime comics to children under fifteen years of age.\textsuperscript{28}

The committee's conclusions were not calculated to reassure the beleaguered comic book industry. Their report praised the publishers of 75-80 percent of all comic books as "responsible, intelligent and right-thinking citizens" and attributed the continued publication of immoral comics to a "small, stubborn, willful, irresponsible minority."\textsuperscript{29} However, in a partial endorsement of one of Wertham's often repeated indictments, the legislators charged that the "bad" firms employed legal and public relations counsels, prejudiced "pseudo 'educators,'" and "glib publicity agents" to defraud the public.\textsuperscript{30} The committee failed to note that the use of endorsements and other tactics it condemned were practiced almost exclusively by the industry leaders it praised.

While most publishers might have welcomed even faint praise from the legislators, the balance of the Joint Committee's report effectively shattered any hint of reassurance. In a devastating assertion, the committee concluded that "widespread regular and habitual reading of objectionable comic books dealing with crime, bloodshed, lust, sex, horror, and violence is a contributing factor leading to juvenile delinquency and crime."\textsuperscript{31} They also denounced the pernicious influences of comic books as greater than that of any other form of reading matter and seconded or equaled only by television.

\textsuperscript{28}New York Times, December 14, 1950, p. 50.

\textsuperscript{29}Joint Committee Report (1951), p. 8.

\textsuperscript{30}Ibid.

Although they conceded the small number of objectionable comics, the committee placed responsibility for the continuing presence of these harmful books on the entire industry. The industry leaders\textsuperscript{32} failed to act decisively in the development of an effective program of comprehensive self-regulation. They were warned that, by their inactivity and tacit sanction of the proliferation of crime and horror comics, their effectiveness as a force for the dissemination of ideas was undermined.\textsuperscript{33}

Despite these broad denunciations, the Joint Committee declined to propose a program of legislation. Instead, they pointed to a "noticeable improvement" in the quality of comic books since 1949, when the committee's investigations were launched, and an even more marked improvement since public investigations began in 1950.\textsuperscript{34} This positive change, they believed, underscored the feasibility of self-regulation, which the committee preferred. State action would be sought "only as a last resort."\textsuperscript{35} In the interim they recommended that the surviving portions of Section 1141 of the Penal Law be invoked against offensive comics.\textsuperscript{36}

On April 26, 1951, Carlino brought the committee's findings directly to the publishers. In an address to third annual meeting of the ACMP, he restated the committee position that, although the abuses were the fault of a few

\textsuperscript{32}The industry leaders were defined by the Joint Committee in terms of the percentage of total sales their production accounted for. Therefore, the twelve leading publishers produced 75-80 percent of all comics sold, while four of these twelve produced two-thirds of the total. The companies were not identified by name. Ibid., p. 15.

\textsuperscript{33}Ibid., pp. 9-10.

\textsuperscript{34}Ibid., pp. 20-21.

\textsuperscript{35}Joint Committee Report (1951), p. 17.

\textsuperscript{36}Ibid., pp. 20-21.
publishers, they were the responsibility of all. The floundering group was warned that, while the committee did not want to drive a national industry from their state, their products were a "'a contributing factor to juvenile delinquency.'" If effective, industry-wide self-regulation was not instituted, censorship and governmental regulation were inevitable. "'It's your headache,'" he concluded, "'the matter is in your hands.'"\footnote{\textit{New York Times}, April 27, 1951, p. 24.}

Earlier, on March 16, the legislature sanctioned the committee's implied promise of extended vigilance and prolonged its existence until March 31, 1952. An additional $15,000 was also appropriated for its work. There were few changes in committee membership or duties. Assemblyman Fitzpatrick served as vice-chairman and Senator J. Stanley Bauer replaced Senator Griffen, who had declined to seek reelection.\footnote{\textit{Ibid.}}

The tenor of the reconvened [renewed] committee was grimmer than that of the previous years and its conception of desirable action altered. Although the industry had been allowed "more than reasonable opportunity" to develop or perfect an industry-wide, self-regulatory body, the committee concluded "with keen disappointment" that "nothing has been accomplished of a constructive nature . . . except that proposals for further delay have been advanced."\footnote{\textit{Ibid.}, pp. 11-12; and House Select Committee Hearings, p. 234.} The prospect of a self-regulatory program remained remotely feasible, the legislators conceded, but the failure of the ACMP emphasized the

\footnote{\textit{New York State Joint Legislative Committee to Study the Publication of Comics, Report of the New York State Joint Legislative Committee to Study the Publication of Comics, Legislative Document No. 64 (1952), p. 9. Hereafter cited as Joint Committee Report (1952).}
difficulties inherent in that course. In a relentless notice to publishers, the committee declared that legislation which authorized state regulation of comics would be proposed following a new series of hearings.41

On December 3, 1951, several witnesses expressed approval of suggested bans on objectionable comics and re-passage of the Feinberg-Fitzpatrick bill to establish a comic book review division. In his second appearance before the committee, Fredric Wertham again urged the formulation of a public health law to prohibit the sale of crime comics to children under the age of fifteen. "My idea of a public health law is totally different [from the "clear and present danger" conception]," he explained. "Anything clear or unclear, present or future, which under any circumstances may cause damage or harm to health can be controlled by legislation."42 Since most of the eighty million comics published each month were steeped in horror, lust, and crime, he contended, self-regulation was unworkable. Publishers were unwilling to alter their product because "'harmless comics don't sell.'"43 Wertham also vilified comic book advertising, dramatically drawing and opening a switchblade knife ordered from a comic book ad to punctuate his attack.44

Comic book publishers remained solidly arranged against any suggestion of state regulation and Wertham's analysis of the industry. Whitney Ellsworth, editorial director of National Comics, challenged Wertham's findings and contended that only 5 percent of all comics were of questionable

41 Joint Committee Report (1952), p. 11.
44 Wertham, Seduction of the Innocent, p. 348.
nature. Allen Stearns, promotion director of Dell, which produced 35 percent of all comics sold, agreed and reminded the committee that his company had never been criticized. Ellsworth also warned that any attempt to impose censorship would be opposed by the publishers in court. Other publishers argued that present laws were adequate to police offensive publications. It was even submitted that the committee had already accomplished its purpose by frightening the industry to the point where it would be willing to adopt self-regulation. ACMP President Lev Gleason was more belligerent, however. He accused the committee of being "'unfair and biased toward a great industry'" and questioned "'the good faith and competency of Wertham.'"\(^{45}\)

Most publishers agreed that self-regulation was the only acceptable solution, but the example of the ACMP continued to darken this receding hope. Most of the larger publishers maintained that their standards surpassed those of the ACMP and described the regulatory group as an attempt to "'whitewash'" the industry.\(^{46}\) In his second appearance before the committee, ACMP General Counsel Henry Schultz painted a dismal picture of the decline of the organization which confirmed the committee's earlier pessimism. By 1951, the ACMP still represented less than 25 percent of the comic book industry. Schultz and one assistant constituted the regulatory machinery and, in the absence of an effective review policy, material was inspected while it was still on the drawing boards. The general counsel also admitted that he had approved

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\(^{45}\)Advertising Age, November 23, 1953, pp. 86-87; and New York Times, December 5, 1951, p. 37.

\(^{46}\)New York Times, December 5, 1951, p. 37.
some unsuitable material and confirmed the defection of two members, Avon and EC, because he had denied the seal to their publications.\textsuperscript{47}

Altogether, ten publishers or their representatives appeared before the 1951 sessions of the committee. The legislators were unimpressed by their performance and labeled their attitude "untenable."\textsuperscript{48} Whatever effect the publishers had hoped to have, the committee report concluded that all testimony and evidence submitted "served to buttress and the support the 1951 conclusions of the Committee . . ."\textsuperscript{49} Comic books in general were pronounced "even worse than before."\textsuperscript{50} Shielded by constitutional guarantees and emboldened by legal vagaries, the willful minority would continue to publish offensive comics as long as they proved lucrative. The larger, responsible publishers were again chided for their "ostrich-like attitude" and aversion to cooperation in a program of self-regulation.\textsuperscript{51}

The committee abandoned its attitude of hopeful expectation in the 1952 report and was explicit in its recommendations to the legislature. In a scathing declaration, the report insisted that objectionable comic books were a definite threat to the health, welfare and ethical development of . . . children . . .

The Committee refuses to believe that the founding fathers intended by the sacred guarantees written into the Constitution, to protect

\textsuperscript{47}Ibid.


\textsuperscript{49}Ibid., p. 12.

\textsuperscript{50}Ibid.

\textsuperscript{51}Ibid., p. 17.
ruthless individuals or groups of individuals, in their quest of money and profits gotten at the expense of the health and safety of little children . . . 52

The committee concluded, therefore, that, as a form of entertainment, comic books were not a part of the free press protected by the Constitution. 53

A broad program of "urgently needed" and "strongly recommended" legislation was suggested by the committee. 54 A revived Feinberg-Fitzpatrick bill which called for a comic book review division in the State Department of Education was resubmitted. The troublesome Section 1141 of the Penal Law was the target of an amendment which proscribed fictional accounts of "crime, bloodshed, lust or heinous acts, which tend to incite minors to violent or depraved or immoral acts." 55 In addition, resolutions were proposed which extended the jurisdiction of the county courts of Chautauqua and Ontario counties, the domestic relations court of New York City, and the children's court of New York State to try adults accused of contributing to the delinquency or neglect of minors. 56

The committee measures met with varying degrees of failure. On March 6, 1952, the Assembly's Ways and Means Committee quickly killed the Feinberg-Fitzpatrick bill. The attempt to amend Section 1141 enjoyed more immediate success. On March 12, it passed the Assembly by an overwhelming vote of 141 to four and, the next day, was easily approved in the Senate. Opposition

53Ibid., p. 15.
54Ibid., pp. 17-18.
55Ibid., pp. 19-20.
56Ibid., pp. 21-24.
to the measure outside the legislature was equally firm. In messages to Governor Dewey, both ACMP General Counsel Schultz and the New York Civil Liberties Union asserted the bill was unconstitutional and appealed to the governor not to approve it. On April 14, Dewey vetoed the proposed amendment. In his justification to the legislature, the governor described the wording of the measure as "'vague and devoid of specificity'" and "'subject to the same constitutional infirmities'" which plagued the earlier versions. A disillusioned Wertham commented on the veto that "Superman has many disguises."

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Although the failure of this legislation in the 1952 session represented a massive defeat for the Joint Committee, the committee received its annual lease on life on March 19, 1952. It was also authorized to study the effects on minors of television and radio programs, picture magazines, and pocket books, as well as comic books. The effect could only be one of dissipation. Assemblyman Carlino again introduced several resolutions in the 1953 session which dealt with comic books. Two measures were aimed at tie-in sales—a practice in which distributors forced retailers to stock unwanted items, such as crime or horror comics, in order to display best-selling books and magazines. Carlino also submitted three additional amendments to Section 1141 of the Penal Law. In a compromise move, legal advisors of the governor met with legislators to draft a composite bill to satisfy Governor Dewey's objections to earlier revisions.\(^{59}\) None of the measures was successful.

In the face of this remarkable series of repulses, the committee obstinately persisted. On March 21, 1953, the life of the committee was routinely extended for another year. Several changes in position and membership were effected, but the committee remained essentially a closed group. Assemblyman Fitzpatrick replaced Carlino as chairman, although Carlino remained a member. Senator Bauer served as vice-chairman and Senator Mario M. DeOptatis replaced Senator Panken.\(^{60}\)

Since the legislators' attention was divided among radio and television programs, picture magazines, pocket books, and motion pictures, the 1954 report devoted less consideration to comic books than previous reports. Their

\(^{59}\)New York Times, February 18, 1953, p. 31; and Joint Committee Report (1954), p. 3.

\(^{60}\)Joint Committee Report (1954), p. 8. DeOptatis was one of the six Democratic Senators who originally opposed the Feinberg-Fitzpatrick plan. See n. 11 above.
conclusions, however, were unaltered. With regret, they observed "that the situation with respect to the publication and sale of objectionable comics remains substantially unchanged" since the 1952 report. The steady increase in the incidence of juvenile delinquency reinforced "the unanimous opinion that the type of comics freely printed and distributed throughout this State and throughout the United States . . . contribute in large measure to this juvenile delinquency."  

Most of the legislative recommendations in the 1954 report were not specifically applicable to comic books. Several amendments to Section 1141 of the Penal Law were again proposed, however, and the phrase "comic books" was conspicuously inserted. Once again, the legislation uniformly failed. Since the enactment of new measures had proven virtually impossible, the committee turned to the statute books for a partial solution. They berated law enforcement officials for their failure to utilize more vigorously the surviving portions of Section 1141 to control obscene comics. Increased use of Section 22-a of the Code of Criminal Procedure as a weapon against crime and horror publications was also suggested.  

In five years of investigations, the Joint Committee had proposed numerous bills intended to deal with the menace of objectionable comics. By 1954, however, all efforts had been frustrated by legislative inaction or executive veto. The consensus among committee members had changed from favoring self-regulation and a passive role by the legislature to a fixed

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61Ibid., p. 34.
62Ibid., p. 13.
63Ibid., pp. 39-40.
determination to impose controls on a segment of an industry perceived as an increasing threat to the welfare of the state. By its own inaction, the comic book industry reinforced the legislators' resolve. Inter-company rivalries in a fiercely competitive and unstable business prohibited cooperation and allowed only limited accord. Publishers were also encouraged by the repeated failure of the legislative measures to regard the annual challenges as little more than nuisances. The contending forces had battled to a stalemate and settled into a futile ritual of legislative repetition and opposition. Resolution of the deadlock awaited substantive change either within the state or from outside it.

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65Jacobs, p. 99.