



## The Sporting Pornographer

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# THE SPORTING PORNOGRAPHER

## Shifting formations of the New York men's magazine in the 1920s and 1930s

**Will Straw**

*The unexamined career of Joseph Burten (né Joseph G. Bernstein) allows us to trace the shifting terrain of semi-pornographic publishing in the United States from the 1920s through the 1950s. As a war veteran, ex-football player and resident of Greenwich Village, Burten serves as a link between the bohemian magazine of the mid-1920s and the increasingly pornographic periodical of the 1930s and 1940s.*

**KEYWORDS** pornography; pulp; modernism; bohemia; magazines

In 1960, newspapers and entertainment industry trade magazines reported that a man named Joseph Burten was among several figures indicted for the transportation of pornographic books across the United States.<sup>1</sup> Since the early 1940s, when his name still figured in the titles and mastheads of magazines which are now largely forgotten, Burten had fallen into obscurity, apparently working behind-the-scenes for companies engaged in the distribution of pornographic books and periodicals. From the 1910s through the early 1930s, however, Joseph Burten had moved across a number of cultural fields to an extent that brought him mid-level celebrity. He had been a successful professional football player, a Greenwich Village bohemian, an activist for the rights of World War I veterans, and, for over a decade, a prolific publisher of magazines which engaged with many of the trends observable in low-level, quasi-pornographic magazines produced in New York City.

Joseph Burten's career is interesting in part because its lines of development trace changes occurring across a 35-year history of low-level publishing activity in the United States, most of it involving magazines. As a background figure, particularly in the later phases of his career, Burten was a point of contact between distributors, publishers and content providers who moved in and out of legality, editing and publishing risqué satire magazines, comic books, newspapers and one-shot collections of pornographic materials. Earlier in his career, however, Burten was an editorial figure with a lively public persona which took shape across various terrains of masculinist flamboyance. Tracing the emergence and fluctuations of Burten's persona will allow us to explore some of the ways in which masculinity was performed at the lower levels of US publishing in the 1920s and 1930s.<sup>2</sup> The publishing cultures in which Burten participated left few artifacts which are remembered or written about, but the networks of personnel, firms and formats constitutive of these cultures map one terrain on which the modulations of early twentieth century US masculinity may be glimpsed.

### Modulations of Masculinity

A significant body of scholarship since the 1990s has mapped the range of masculine identity formations forged in reaction to the sensations of late nineteenth-century Western urbanity. Among its many accomplishments, Eve Kossofsky Sedgwick's *Epistemology of the Closet* (1990) proposed a series of performative economies through which male identities took shape in an acquiescence or resistance to the temptations and seductions of public life. In part to raise the question of their female equivalents, historians such as Deborah Epstein Nord and Jane Rendell have contributed to an expanding typology of male agents of urban exploration, going beyond the canonical figure of the flâneur to examine the Rambler, the detective and the gendered walker.<sup>3</sup> Generally, across these works, the personality of the modern, urbane male is seen as taking shape in relation to three sorts of activity: that of exploration, by which the sensations of modern city life are sought out, in order to be understood; that of indulgence, by which the sensory (and sensual) pleasures of the city are sampled and pursued; and that of resistance, through which the solidity of the masculine persona is fortified by the selective resistance to temptation and seduction.

In the early twentieth century, in large cities like New York, these practices were configured within the figure of the urban chronicler. The best known of these chroniclers were Broadway newspaper columnists like Walter Winchell, Mark Hellinger and Damon Runyon. The new versions of urban masculinity enacted by these writers involved, in part, a discarding of those dandyish, literary elements which had marked an earlier generation of society gossip columnists and the assumption of a tough, jaded persona formed in these individuals' circulation through the public spaces of urban sensation. The term 'Runyonesque' was used by the 1930s to designate a masculine urban ethos which found the space of its deployment in the overlapping worlds of rough spectator sports (like boxing), Broadway celebrity and gangsterdom. While the purest exemplars of the 'Runyonesque' were real-life newspaper journalists, the figure was further enriched by fictional characters in films and novels (very often journalists themselves, as in the 1931 film *The Front Page*) and by peripheral figures within the New York periodical publishing scene. One such Runyonesque figure, arguably, was Joseph Burten.

### The Men's Magazine

As the essays collected in this dossier demonstrate, the 'men's magazine' as a category is unstable and subject to transformations over time. The canonical US-based men's magazines of the mid-twentieth century (like *Playboy*, the focus of Laura Saaremaa's article in this issue) interwove forms of visual pornography (in particular, photographs and cartoons) with the documentation, across various categories of written content and advertising, of an imagined masculine lifestyle. (In the case of *Playboy*, the lifestyle constructed was that of the culturally liberal and consuming middle-class male.) If the magazine as a form is characterized by its sometimes incoherent compilations of content formats and its disparate objects of coverage, *Playboy* held in balance a wide variety of forms which have characterized magazines for men for a hundred years or so. Explicitly sexualized imagery of women sat alongside narratives of heteronormative sexual adventure and

other content forms which enumerated, without usually naming these as such, the constitutive features of male homosociality.

As we move outward from the *Playboy* model, we find more specialized magazines offering a more limited variety of its elements. Hendrik Bodker's article on *Wired* magazine, in this issue, provides an analysis of a magazine organized around the technophilic, consumerist elements which were a consistent but minor feature of men's magazines like *Playboy*. Magazines devoted to certain classes of consumer goods, like automobiles or guitars, are men's magazines largely as a result of the homosocial practices of use and devotion in which, historically, such objects have been embedded. A heteronormative address to the male consumer will betray itself only occasionally in these magazines, through the use of images of women in advertisements or the absence thereof in photographs documenting an object's use. In other cases, men's magazines will adopt the narrative genres of the sensational crime tabloid or the men's adventure magazine (the latter discussed by Bill Ogersby in this issue) as pretexts for the elaboration of narratives in which sexualized situations are central. These narratives will serve, in turn, as an alibi for the use of visual, illustrative materials which are, to varying degrees, pornographic. In other cases, of course, men's magazines will dispense with any narrative pretexts for the presentation of sexualized imagery and offer themselves as little more than compendia of such images.

In the magazines published by Joseph Burten, whose career we will discuss in more detail shortly, we find all of these variations of the men's magazine. Burten's longest-lived title, *Burten's Follies* (1923–c. 1934) may be seen as an early example of the *Playboy*-like, slightly above-ground and intermittently respectable men's magazine. Its content combined ribald editorials, 'spicy' cartoons, photographs of nude women, poetry, travel narratives and collections of jokes about such figures as the modern woman (or 'flapper') of the mid-1920s, the Greenwich Village artist and the contemporary athlete. As his publishing activities expanded in the late 1920s, in joint ventures with other publishers and investors, Burten may be seen as having divided the terrain of masculinist interest into its constituent parts. He brought out magazines devoted to boxing and affiliated rough sports (*Self-Defense*, 1928–c. 1930), satirical titles full of sex-oriented cartoons and text (*Koo-koo*, 1932, *Squawkies* and *Razzberries*, the latter both 1933–1934) and, in later stages of his career, one-shot or short-lived titles full of photographs of nude women with little accompanying text (titles such as *Burlesk*, *Manhattan Scandals*, *Argentine Nights*, *Gay Broadway*, *Hawaiian Nights*, *Life in Rio* and *Nudies*).

We may see this proliferation of men's magazine types, within the careers of Burten and other publishers, as an ongoing machinery of configuration and reconfiguration. In this machinery, the constituent features of a primarily heterosexual masculinity are sometimes brought together, in eclectic men's magazines which highlight the variety of their content within the broader construction of a male, urbane lifestyle. In other cases, categories of content are separated from others and expanded internally, to become a magazine's specialized focus. *Burten's Follies*, his flagship magazine of the 1920s, set the visual forms of pornography amidst other genres which together conveyed a sexual liberalism and an urbane, satirical relationship to contemporary morality. As his career unfolded, and an expansion of his publishing activities took him into more specialized market niches, some of his publications (like the picture magazines he published in the 1940s) became more exclusively pornographic, while others (like the sporting magazines of the late

1920s and 1930s) retreated from the conventionally pornographic in order to construct exclusive domains of masculine performance, like boxing.

### The Emergence of Cap'n Joey

Joseph Burten was known, at various points in his career, as Jo Burten, Joe Burten and, in the editorial persona he had constructed for himself, 'Cap'n Joey.' He was born on November 23, 1893, in Elmira, New York, and given the name Joseph G. Bernstein, variations of which were used in copyright and ownership notices at least until the 1940s.<sup>4</sup> In World War I, he rose to the rank of lieutenant in the US Army, then attended Louisiana State University, where he played college football during the years 1915–1919. In 1921, Bernstein played with the New York Giants in the America Professional Football League, and, in 1923–1925, with the Rock Island Independents, an Illinois-based team which was part of the National Football League. (The NFL, in 1922, had replaced the American Professional Football League.<sup>5</sup>) Whatever fragmentary information on Burten's early life and career survives is partly due to the documentation, by amateur historians such as Bob Wechsler, of the careers of Jewish athletes.<sup>6</sup> Football history sources refer to him as 'Joe Burten,' suggesting he had changed his name prior to moving into magazine publishing in the early 1920s.

In 1922 and 1923, Joe Burten appeared in print in two very different magazines, which together drew the contours of a public personality which persisted until the end of the decade. The more minor of these appearances was in the *Veteran's Service Magazine*, a periodical which fought for the rights of World War I veterans and which had passed through the hands of various editors and publishers since its founding c. 1920. Copies of the *Veterans Service Magazine*, it appears, were sold by veterans as a source of revenue, and references to the title may be found as late as the mid-1940s (when, an advertisement claimed, it had been in existence for 25 years<sup>7</sup>). While most issues of this magazine from the 1920s identify no editors or contributors, the January 1923 issue (Figure 1), nominally edited and published by someone named Fred J. Bradley, is full of texts by 'Jo Burten.' He signs a short story, 'The Question of the Doughboy,' a humorous theatrical sketch with the title 'Why Men Leave Home,' and two poems, 'The Deserter's Last song' and 'The Crock of the Whiffenpoof.' The same issue contains an advertisement for the magazine Burten had recently launched with himself as editor, *Cap'n Joey's Jazza-Ka-Jazza*, noting that it was published by a 'World War Veteran.' Burten's connection to the *Veterans Service Magazine* appears to have been short-lived, though in the periodicals with which he was associated throughout his career he would identify himself as a veteran fighting for the rights of ex-soldiers.

The more dramatic turn in Burten's career was his emergence as the editorial persona behind the Greenwich Village-based magazine *Capt. Joey's Jazza-Ka-Jazaa*, whose first issue was dated February 1922 (Figure 2). The magazine's inside front cover announced that it was 'Dedicated to the elimination of the Blue Laws. Strong for personal rights of men and women. Edited by a World War Veteran.' In the masthead, Burten identified the magazine (or himself) as 'The Jazz Hound among Jazz Kickers,' and indicated that it was edited 'From His Den in the Wilds of Greenwich Village' (at 39 Seventh Avenue). Across the magazine's first five issues, all from 1922, the variety of content categories stabilized quickly. Burten's own, signed editorials range from reflections on the football culture

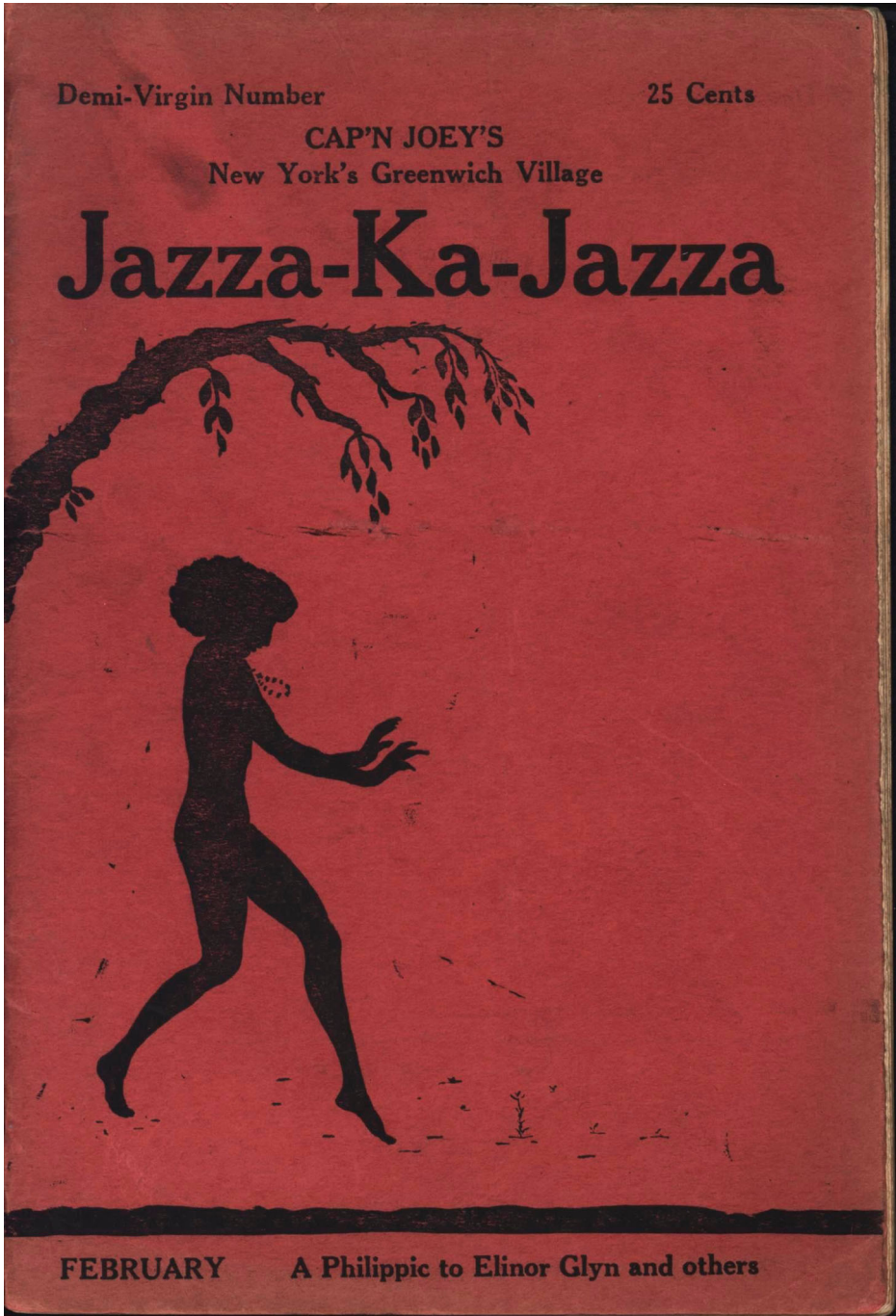


**FIGURE 1**

*Veteran's Service Magazine*. January 1923. Front cover.

out of which he had emerged to raunchy narratives of his travels (to places like Cuba) and defenses of American flappers against their condemnation by British moral critics.<sup>8</sup> These editorials were followed by ribald poetry, short jokes and a variety of other forms of miscellany and brevity, usually but not always of a sexual character. The imagery in these





**FIGURE 2**  
*Cap'n Joey's Jazza Ka Jazza*. Vol. 1, no. 1. February 1922. Front cover.

issues is sparse, with silhouettes of possibly naked women on the covers of the first two issues and strings of such images used to separate sections. By the fifth issue, the magazine contained full-page photographic publicity shots of female theatrical stars interspersed throughout, with no connection to editorial content.

From one perspective, *Cap'n Joey's Jazza Ka Jazza* was like certain other magazines of its period, in which a coherent male editorial personality hovered over assortments of miscellany. The template for these magazines was offered by *Capt. Billy's Whiz Bang*, launched by William Fawcett in 1919 in Minneapolis, in which folksy commentary on contemporary morality wound its way between lewd poetry, 'sexy' cartoons and humorous brevities. Across a series of such magazines, we may measure a shifting economy of sexual explicitness and proximity to contemporary urbanity: *Capt. Billy's Whiz Bang*, *Hot Dog: The Regular Fellow's Monthly* (launched in Chicago in 1919 by Jack Dinsmore) and *Quirt* (born c. 1920, edited in Minneapolis by J.M. Near) offered a male editorial voice marked by a musty roguishness and wide-eyed distance from cultural changes occurring in the 1920s. In contrast, magazines launched slightly later, like *Glynn's Jamboree* (launched in 1922 by Harry A. Glynn of New York City), *The Flapper* (likewise begun in 1922, edited by Thomas Levis in Chicago) and Joe Burten's *Cap'n Joey's Jazz Ka Jazza*, offered male editorial personalities seemingly at home in the liberalizing environments of modern US cities. Joe Burten's personality, in *Cap'n Joey's Jazza Ka Jazza* and its successor titles, was that of a man toughened in the physical regimes of football and the military but bohemian in his embrace of the aforementioned 'personal rights' for women and the non-conformity which he found in New York City.

Set alongside the other magazines just mentioned, with their prominent male editorial voices, *Cap'n Joey's Jazza Ka Jazza* seems considerably more vibrant and tantalizing. In part this is an effect of Burten's Greenwich Village location, which would be leveraged with increased regularity in the magazine's content, as Burten remained there and his connections to circles within Village bohemia solidified. *Cap'n Joey's Jazza Ka Jazza* was not a Greenwich Village literary magazine in any real sense, but its editor could claim to move on the hedonistic, even libertarian fringes of that culture. Burten's distinctiveness stemmed from the ways in which his proximity to this bohemia was tempered with a worldliness steeped in his military and sports backgrounds. This background distanced him from the more exclusively artistic bohemian formations gathered around a magazine like *Quill* (the Greenwich Village magazine edited, in the early to mid-1920s by Robert Edwards), with which Burten apparently exchanged advertisements for his own magazines.<sup>9</sup> *Quill* itself would garner only part of the cultural prestige which attached itself to an earlier generation of literary 'little magazines,' like *The Masses* and *The Little Review*, however, and Joe Burten's Greenwich Village magazines accrued even less.

On January 19, 1922, Burten was arrested after a complaint to police by the New York Society for the Suppression of Vice. The arrest was in relation to *Cap'n Joey's Jazza Ka Jazza*, which was deemed to contain 'indecent humor.' A newspaper report several days later refers to the seizure and confiscation in Syracuse, New York, of Burten's magazine and two other titles published by others: a magazine called *Pan* and the aforementioned *Hot Dog*. The New York Society for the Suppression of Vice's own records refer to Burten as 'Joel Burton,' another of the names which would attach to him throughout his career, and they note that 601 magazines and 20 circulars (presumably materials advertising



the magazine) had been seized from him. Burten was convicted on April 19, 1922 and sentenced to 30 days imprisonment or a fine of \$250. (It is unknown which option he chose.<sup>10</sup>) In any event, publication of *Cap'n Joey's Jazza Ka Jazza* continued, seemingly without interruption, through the rest of 1922.

In 1923, Burten changed the name of *Cap'n Joey's Jazza Ka Jazza* to *Cap'n Joey's Follies*, continuing the numbering of the earlier periodical in unbroken sequence. This newly renamed magazine arrived marked with the signs of increased resources and a more elaborate set of corporate connections. The publisher of *Cap'n Joey's Follies* was identified as the Bohemian Magazine Co., located at 1416 Broadway Avenue in New York, an affiliation that would be attached to the *Follies* until 1927. A generally authoritative pulp magazine history website maintained by David Saunders suggests that the Bohemian Magazine Company was founded by three individuals: Broadway music publisher John F. Edwards, print distributor Theodore Epstein and Burten himself.<sup>11</sup> Epstein was one of the most notorious figures at the low ends of New York publishing in the 1920s and 1930s, a distributor of 'spicy' periodicals which were regularly seized by police and to which the New York Society for the Suppression of Vice paid particular attention. Epstein was also the publisher of horse racing newspapers for which he was convicted, in 1936, on charges of running an illegal 'tip sheet' service involving racing activity in Saratoga, New York.<sup>12</sup> If these new connections served to integrate Burten's publishing ventures more fully within the infrastructures of New York's periodical industry, at least at its lower ends, they also brought him closer to figures who had frequent run-ins with the police.

By the end of 1923, Burten's magazine had been renamed once again, this time as *Burten's Follies*, a title it would retain until at least 1934, the last date for which I have found any issues (beyond a brief resurrection in the 1940s).<sup>13</sup> We may see *Burten's Follies* as the most significant achievement of Burten's career, and the vehicle through which his editorial personality was able to shine most strongly. This magazine was certainly the last in which Burten would exploit the achievements of his youth, as football star and war veteran, even as his publishing career was drawing him into the sleazier and more criminalized margins of New York City publishing. From 1923 until 1934, the year in which the magazine ceased publication in its original incarnation, *Burten's Follies* was crisscrossed by tendencies and content categories operating at multiple levels of the New York magazine industry.

In Figures 3 and 4, we see the covers of two issues of *Burten's Follies* from the mid-1920s. In the first of these (for the September 1924 issue), we find an illustrative style convergent with that of other periodicals of the period of higher prestige and circulation, like *Vanity Fair* and *Collier's*, in which the figure of the flapper had become prominent. This cover assembles multiple signifiers of female modernity—smoking, solitude, the consumption of modern media—in an image which is slightly more explicit in its titillation (through the exposure of the women's legs) than those common in more prestigious magazines. One edge of the sensibility of *Burten's Follies* was in close proximity to these more mainstream conventions for representing the female body in the 1920s. Another edge, which marks the cover for the November 1926 issue, brings *Burten's Follies* closer to the corpus of exploitation magazines offering 'art studies'—elaborately aestheticized paintings or photographs of female nudes—as vehicles for pornographic imagery. The De Mirjian



FIGURE 3

*Burten's Follies*. Vol. II, no. 11. September 1924. Front cover.

Studio, to which this cover image (and much of the interior content of this issue) is credited, supplied pictures of naked or semi-nude women to a variety of magazines during this period, including *Art and Beauty Magazine* and the more explicitly pornographic title *Broadway Nights*.





**FIGURE 4**  
*Burten's Follies*. Vol. V, no. 12. November 1926. Front cover.

In fact, the multiple visual styles of *Burten's Follies* sit within a complex network of emerging and residual styles for the representation of women's bodies. Regularly, until the end of the 1920s, the magazine's images evoked the vaguely *art-nouveau*-ish 'Parisienismes' which were part of the widely copied cultural heritage of the French magazine *La*

*vie parisienne* (1863–1970), and within which the figure of the flapper had found one ground for its deployment. Such imagery usually set flapper figures within elaborate, looping lines representing trees, plants or ornate architectural structures, in a manner that evoked French visual styles of two decades earlier. (Indeed, the August 1929 issue of Burten's *Follies* is subtitled 'La Vie Parisienne number.'). Other illustrations, both covers and interiors, were by ascendant commercial illustrators like Worth Carnahan and John Decker, both of them (and particularly the latter) influential in the stabilization of conventions for representing the flapper against more minimalist backgrounds. In the 1920s, as well, *Burten's Follies* published paintings of female figures by Alberto Vargas, a key figure in the consolidation of styles of pin-up illustration which would become more prominent in the 1930s and 1940s in magazines like *Esquire*.<sup>14</sup>

*Burten's Follies* participated in a broader economy of circulation of images of women. Its 'seasonal' issues (such as those commemorating the New Year, Christmas or Easter) often contained visual content clearly intended to be detachable, in a manner that anticipated the fold-out pin-ups of *Playboy* and later magazines. Figure 5 is the back cover of the January 1927 issue of *Burten's Follies*, featuring a year-long calendar and a pin-up figure drawn by Alberto Vargas. Figure 6 is one of several 'Yuletide Prints,' individual sheets taken from Christmas issues of *Burten's Follies* but reprinted on heavier paper stock for separate sale.<sup>15</sup> Later in the 1920s, as more and more categories of magazine came to include pornographic images inserted in their center sections, with no clear relationship to specific textual content, the sense that a separate industry (organized around photographic studios and marginal distribution networks) was the source of these pictures would become clearer. By the 1940s, as we shall see, Burten's remaining publications were little more than carriers of such imagery.

As Joseph Burten's editorial voice developed during the 1920s, it was marked, particularly near the end of the decade, by an expanded mythologizing of Burten's own circle of friends and collaborators, and an enlarged vision of New York City and the broader cultural environment in which the magazine operated. From the early 1920s onwards, Burten's editorial content made reference to a female figure who would be identified, later in the decade, as the editor's wife. 'Celestine Vichy' was the credited author of a recurring feature, in 1922–1923, titled 'Celestine Vichy Sportlets,' and the May 1922 issue of *Cap'n Joey's Jazza Ka Jazza* would refer to her, in the caption to a photo, as 'the demure prize-fighting "deb".' In later appearances, her name would be tied to categories of content more stereotypically associated with female contributors. She would be listed as editor of the June 1924 'Bridal Number' of *Burten's Follies*, and as the author of later feature articles on sex and fashion. 'Celestine Vichy' was also the name of a brand of mineral water popular in high-class New York City restaurants early in the 1920s century,<sup>16</sup> and it is unclear whether this was the pseudonym of a real collaborator (and possibly, indeed, of Burten's spouse) or a fictional presence invented to introduce a female voice into a magazine in which such voices were scarce.

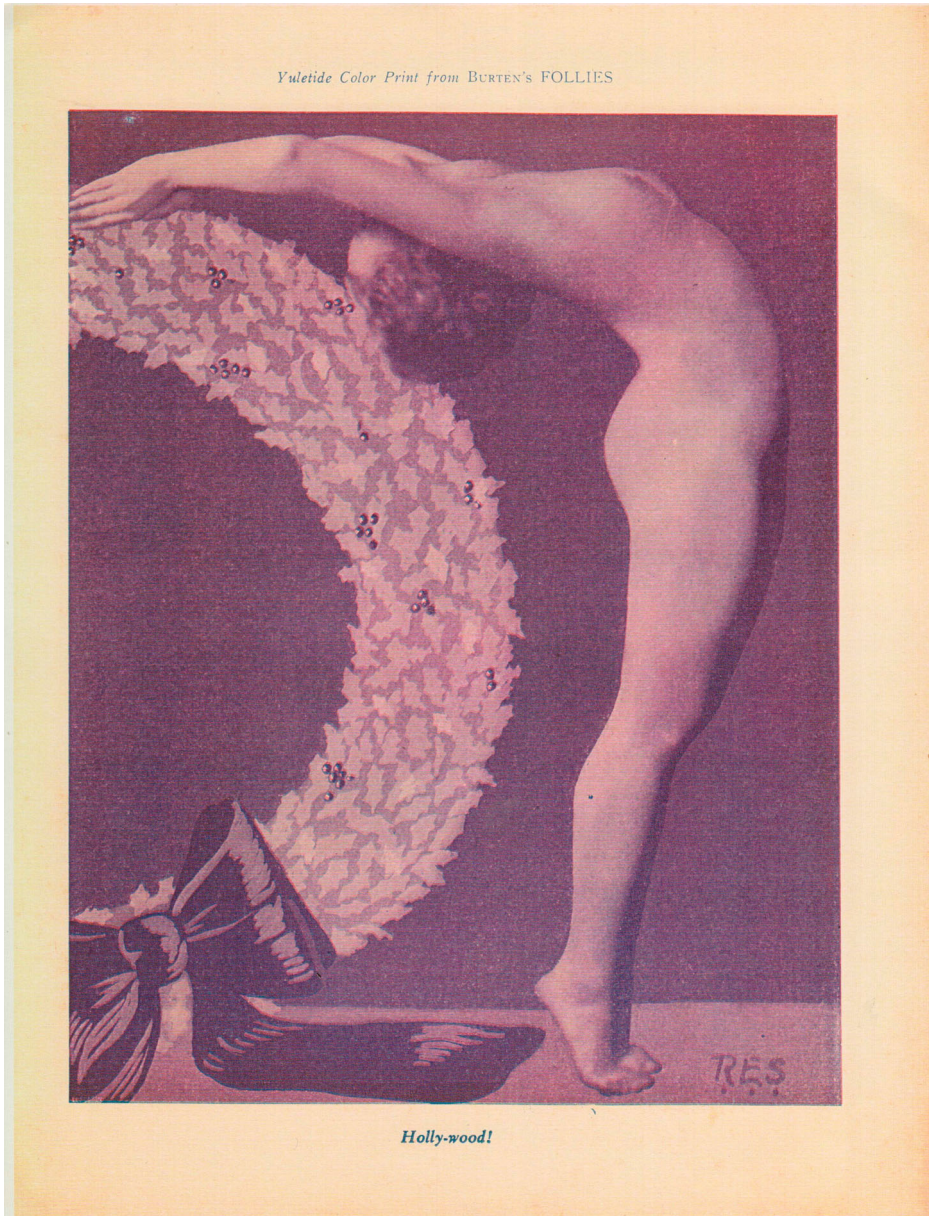
The other figure named consistently in Burten's magazines was Wayne Sabbath, identified first as Assistant Editor of Burten's *Follies* and later given credit for various functions within the increasingly pornographic magazines published by Joseph Burten in the 1930s and 1940s. Sabbath's name is so consistently linked to that of Burten, from this point on, and through changes of firm and geographical location, that it is tempting to



**FIGURE 5**  
*Burten's Follies*. Vol. VI, no. 1. January 1927. Back cover.

see him as a cipher standing in for Burten himself. In any case, I have found no separate references to Sabbath in judicial accounts of legal action against Burten's magazines, nor in periodical trade magazine coverage of Burten's various ventures.<sup>17</sup> In the early 1950s, nevertheless, Sabbath's name appeared on its own as the editor of pocket-sized magazines, full of nude imagery of women, which disguised themselves as photographer's advice manuals.<sup>18</sup>





**FIGURE 6**  
*Yuletide Color Print from Burten's Follies. No date.*

The focus of *Burten's Follies'* written content moved, in the second half of the 1920s, to include the theatrical words of Broadway and, increasingly, those of radio, cinema and other electronic media. Even as Burten continued to recount the adventurous travels whose frequency was central to his persona, other parts of the magazine (in particular, columns like 'Broadway Bunk' or 'Metropolitan Nightlife') trafficked in the figure of the

jaded, metropolitan night-life columnist, a newly toughened journalistic figure whose prototype, since the early 1920s, had been the newspaper chronicler Walter Winchell. This version of masculinity would come more and more predominant in *Burten's Follies*, as Burten's own self-performance seemed, increasingly, to cast him as a figure of New York publishing, rather than in relation to the military background invoked so frequently in his earlier publications.

In the late 1920s, as well, the sporting side of Joseph Burten's biography and persona found expression in the magazine *Self-Defense*, which Burten edited for a company called Ringside Publishers from 1927 through the early 1930s (Figure 7). (Burten's brother, Morris Bernstein, is listed as the magazine's publisher.) Seemingly richer in its journalistic resources and production values than *Burten's Follies*, *Self-Defense* concerned itself principally with boxing, though it included the football player and track-and-field Olympian athlete Jim Thorpe among its Associate Editors (along with well-known boxer 'Philadelphia Jack' O'Brien). In the pages of *Self-Defense*, Burten regularly reflected on his experience as a professional football player, while commenting on the probable outcomes of upcoming boxing matches and other sporting events.

Burten occasionally wrote about sports in *Burten's Follies*, and *Self-Defense* regularly ran plugs for *Follies* and other non-sporting publications in which Burten was involved. In his study of the New York-based periodical *Police Gazette*, Guy Reel has traced the modulations of urban masculinity which ran through (and linked) criminality, sports and pornographic forms (like sexualized images of women and stories of urban sexual intrigue) generated on the margins of the theatrical worlds of large cities.<sup>19</sup> This configuration of themes and content categories had earlier marked the New York sporting weeklies or 'flash press' of the 1840s, whose preoccupation with the city's 'sexual underworld' was a pretext for joining together the domains of sport, theatre, criminality and sexual commerce.<sup>20</sup> *Police Gazette*, which began a half-century later, was, by the 1920s, and despite its title, principally concerned with boxing, horse racing and other forms of sport, even as its covers featured pin-up like images of female stars of theatre and cinema. *Burten's Follies* and *Self-Defense* each efficiently packaged the different contours of Burten's persona—the worldly libertine, on the one hand, and the habitué of tough masculinist domains, on the other. These constructions of male urbanity were commonly joined, in the cultural imagination, in popular figures of urban masculinity whose itineraries included both the theatrical backstage and the ringside seat at sporting events. At the same time, the closeness of both sports and show business to criminal rackets (like those involving pornography) defined a broader cultural space in which magazine publishers like Joseph Burten would become ever more deeply enmeshed.

At the end of the 1920s, we find both *Burten's Follies* and Burten himself moving within magazine networks which occupied the lower strata of prestige and legality in New York. Three tendencies at the lower ends of the New York-based magazine industry c. 1930 provided the magazine forms and commercial connections in which Burten now worked. One of these was the rise of fiction magazines full of spicy stories accompanied by crude, drawn illustrations. A large number of magazines of the late 1920s and early 1930s were launched and sold under titles promising narratives of sexual encounter and intrigue. These titles included *Broadway Follies*, *Broadway Nights*, *French Follies*, *Gay Parisienne*, *Gay Stories*, *Hollywood Nights*, etc.<sup>21</sup> Known today in fan collector circles as the





**FIGURE 7**  
*Self-Defense*. Vol. 2, no. 2. April 1928. Front cover.

'smoosh,' 'girlie' or 'saucy' pulps, these magazines typically offered nothing in the way of an editorial voice, and their content was written by prolific freelance writers, like Jack Woodford or Frank Kenneth Young, who contributed across large numbers of titles. A second

strain of magazine during this period consisted of periodicals which, while offering themselves as Hollywood fan magazines, recycled those publicity stills of movie stars and chorus girls which most resembled pin-up imagery and thus functioned as vehicles for sexualized photographs of women. The best known of these, in the 1930s, were *Film Fun*, *Movie Fun* and *Movie Merry-Go-Round*, all of which employed pin-up illustrators like Enoch Bulles to produce 'spicy,' painted covers featuring posed, semi-naked female figures. Finally, in 1932–1933, the New York magazine industry was marked by a significant vogue for satirical magazines, filled principally with cartoons, which mocked contemporary sexual habits and the perceived excesses of show business media like radio and the cinema. Magazines participating in this vogue included *Bunk*, *Hooey*, *Aw Nerts!*, *Boloney*, *Ballyhoo* and *Hokum*.<sup>22</sup>

In the early 1930s, Joseph Burten participated in all of these tendencies, within a shifting set of commercial and collaborative relationships typical of this turbulent period within New York publishing. David Saunders' pulp magazine history site suggests that Burten was one of four partners who, in 1931, launched the Follywood Publishing Company of Jersey City, New Jersey, publishers of the saucy pulps *Parisian Life*, *Hollywood Nights*, *French Follies* and *Real Art Studies*.<sup>23</sup> Burten's identity and editorial persona receded within the general air of anonymity which marked these magazines, though he continued to publish *Burten's Follies* through the early 1930s, albeit with a series of publishers whose names and locations changed with almost every issue. In a different commercial venture, this time in collaboration with the disgraced figure Stephen G. Clow, one-time publisher of the gossip magazine *Broadway Brevities* (1916–1925), Burten ventured into the realm of magazines which satirized (and exploited) the atmosphere of rampant sexuality which had come to surround Hollywood cinema and, to a lesser extent, commercial radio, in the 1930s. With Clow, he edited the titles *Hollywood Squawkies* and *Radio Razzberries* (both launched in 1933 and defunct by 1934), which offered elaborate photographic spreads, photo-montages and full-page drawings displaying sexual situations supposedly characteristic of these media industries<sup>24</sup> (Figure 8). In the third of his commercial arrangements during this period, Burten joined with publisher Harry Donenfeld (later a key person in the founding of DC Comics) in an enterprise called the Burdon Publishing Co., which launched *Koo-Koo*, one of the aforementioned cartoon magazines which flourished in 1932 and 1933.

Joseph Burten's name receded from public view in the mid-1930s. In 1934, as *Burten's Follies* seemed to disappear (along with *Radio Razzberries*, *Hollywood Squawkies* and the other magazines launched the previous year), *Variety* announced that 'Joe Burten, who used to issue a number of sexy mags, is back in the publishing biz with a weekly sports mag. Calls it Every Week Sports.'<sup>25</sup> I have been unable to locate any issues of this magazine, though this may reflect the generally poor condition of archival holdings of ephemeral sports magazines. A certificate from the New York County Clerks Office, dated October 18, 1937, announces Burten's founding, with his brother (Morris D. Bernstein), of the Burten Magazine Distribution Co., on West 44th Street in Manhattan.<sup>26</sup> The specific activities of this operation remain unknown, though the first (and seemingly only) issue of a 1944 comic book, *Miss Liberty*, carries the information that it was published by the Burten Magazine Distribution Co. of Dearborn, Michigan.

In the 1940s, Joseph Burten's name would be attached to two bodies of low-level print ephemera aimed at a male readership. One corpus consists of a series of magazines full of image of nude or semi-nude women, some of them apparently publicity stills from





**FIGURE 8**  
*Squawkies* (aka *Hollywood Squawkies*). Vol. 1, no. 2. October 1933. Front cover.

theatrical agencies and others probably produced by studios specializing in pornographic photography. In some of these magazines, black and white photographs on slick paper were interspersed with cartoons and brief jokes. Others contain photographs exclusively. The titles of some of these publications, such as *Argentine Nights* (Figure 9) and *Life in*



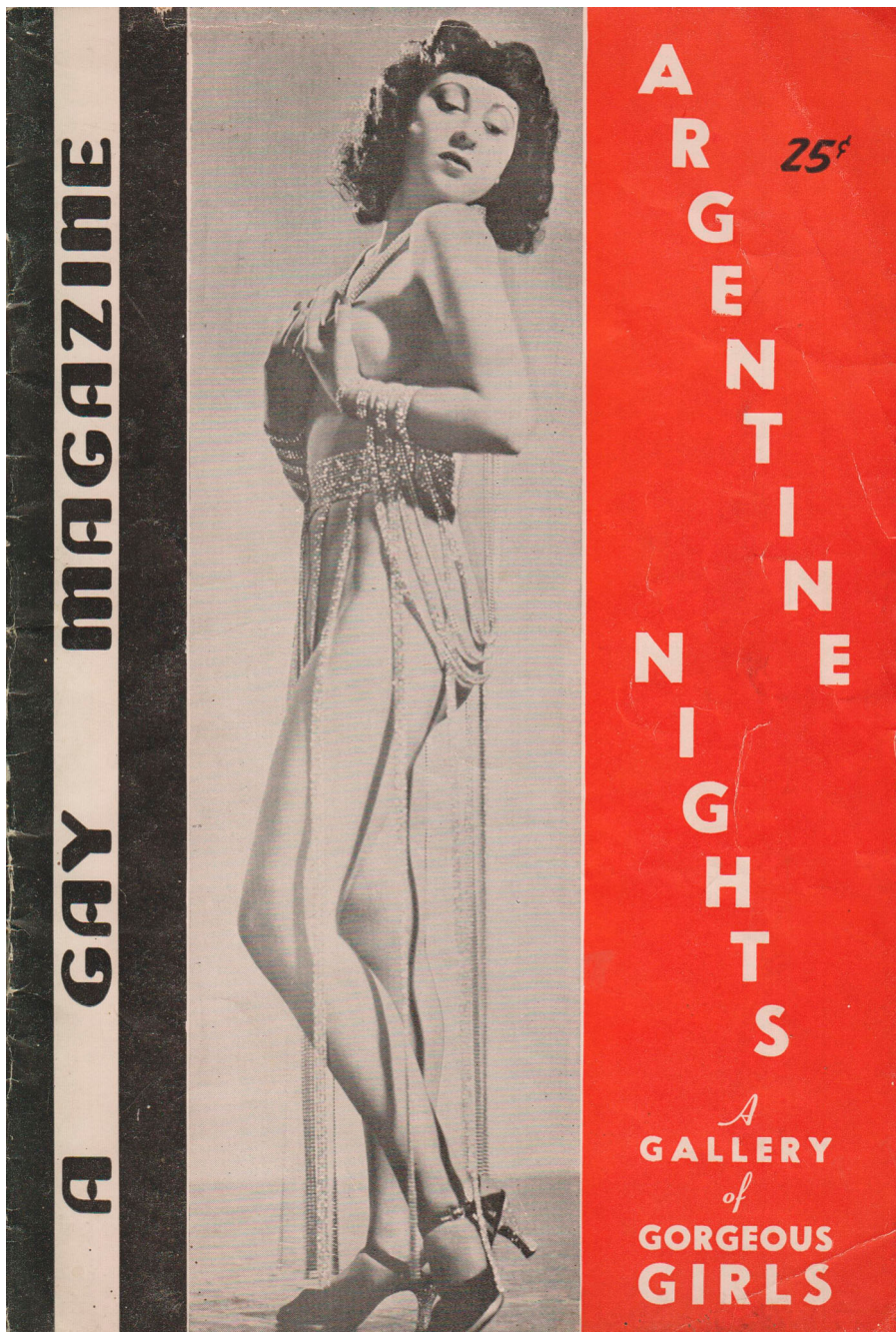


FIGURE 9  
*Argentine Nights*. Vol. 1, no. 2. No date. Front cover.

*Rio*, mobilized the tropes of the exotic vice capital, a longstanding feature of pornographic print culture product but one which acquired new pertinence under the conditions of war-time travel by members of the military. At least two of these publications (*Cap'n Joey's Follies* and *Burten's Follies*, both undated but almost certainly from the 1940s) invoked, in their titles, whatever might remain of Joe Burten's earlier reputation and that of the magazines on which that reputation had been founded (Figures 10 and 11). Occasionally, these publications were numbered in a way that suggested seriality but they seem, for the most part, to have been one-shots which circulated outside of subscription or mainstream newsstand sale systems.

The other corpus of materials with which Burten name was associated late in his career is more anomalous. In 1939, Burten's name was invoked in the title of a one-shot publication based in Toronto, Canada, *Cap'n Joey's Tattler Winter Annual*, which recycled cartoons and bits of humorous miscellany from a variety of US magazines (though, curiously, not from Burten's own titles). While it is unknown whether Burten had any direct involvement in this publication, its editorial is signed 'Cap'n Joey' and reference is made therein to the figure of Celestine Vichy.<sup>27</sup> An even more unusual publication is a one-shot, undated digest-sized book with the title *The Book of Pleasure*, credited on its cover to a 'Lucy the Trollop' and published by 'Burten Publications' of Montreal. While its cover suggests the sort of fake sex manual common in the pornographic trade, 'The Book of Pleasure' consists almost exclusively of cartoons and jokes reprinted from *Capt. Billy's Whiz Bang* and other magazines from the Fawcett publishing concern which had grown out of *Whiz Bang's* success. Whether Burten participated in these Canadian ventures, in a commercial or personal sense, cannot yet be determined.

### *Burten's Eclipse*

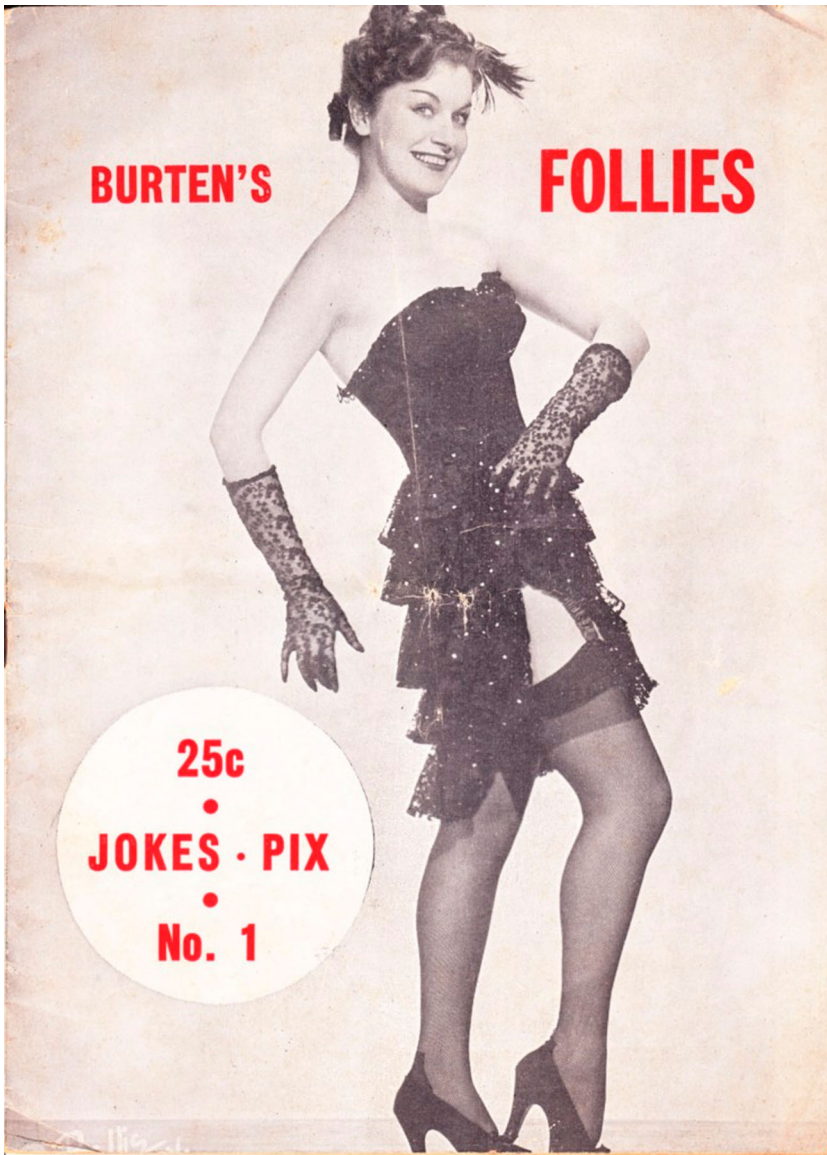
In 1960, a syndicated news report listed Burten among several distributors of pornographic materials who had been indicted in Dallas, Texas, on charges of sending materials through the mail to newsstands in that city. 'The book distributors,' the report stated, 'are Max Goldstein and Dominion News Company, Inc., of Newport News, and the W. F. Hall Printing co., and Joseph Burten of Chicago.' *Variety's* coverage of this story noted that Burten made his home in Oxford, New Jersey (in the state in which he would die, in 1967).<sup>28</sup> Little is known about Burten's activities during the 1950s, and he was entirely absent from that historical transformation through which the bohemian men's magazine of the 1920s was later reconfigured in the glossy formats of magazines like *Playboy* and its many imitators. These glossy magazines, like *Burten's Follies* itself, constructed colorful editorial persona (like those of Hugh Hefner and *Penthouse* editor Bob Guccione) as the pivots around the which the various content genres (from nude imagery through celebrity interviews) of the mainstream men's magazine were organized.

Conversely, the spicy magazines of the late 1920s and early 1930s, in which Burten's decline to the role of pornographer may be traced, had themselves given ground to publications, typically sold in adult bookstores, whose status as simple carriers for photographic pornographic imagery was almost complete.<sup>29</sup> From the early 1920s through the early 1930s, Burten's publishing career had leveraged his unusual past as football star, war veteran and resident of the 'wilds of Greenwich Village.' These biographical





**FIGURE 10**  
*Cap'n Joey's Magazine*. No date. Front cover.



**FIGURE 11**  
*Burten's Follies*. No. 1. No date. Front cover.

elements rendered the sexualized content of his early magazines legible as accoutrements of a modernizing, urbane masculinity. Thereafter, this personality disappeared from his magazines, which became little more than carriers of pornographic images circulating within low-level circuits of uneven legality. From the mid-1930s through the time of his indictment, in 1960, Burten's career followed the downward path of those segments of the men's magazine industry that became increasingly criminalized, hidden and anonymous.



## Disclosure Statement

No potential conflict of interest was reported by the author.

## Notes

1. 'Texas "Obscenity" Indictments,' *Variety*, November 23, 1960, 69.
2. Holdings of Burten's magazines in libraries are scarce. All magazines discussed here are in the author's personal collection. While every attempt has been made to locate copyright holders, this has proved impossible, as is typical of magazines of this period and this level within the publishing industries.
3. Nord, *Walking the Victorian Streets*; Rendell, "Bazaar Beauties."
4. Fan and collector sites which mention Burten and seek to reconstruct his biography sometimes confuse him with two others whose names are variations of Joseph Bernstein. One was a boxer from the Lower East Side of New York known, in the 1890s, as the 'Pride of the Ghetto,' and another was an Irish comedian who performed with a troupe called the 'Musical Comedy Merry Makers.' The single identity of the Bernstein who was football player, World War I veteran and magazine publisher can be confirmed by Bernstein's 1942 draft card, which gives the same date and place of birth as that associated with the football player and provides his address as 'Burten Magazine Co., 145 Front St., New York.' This identity is confirmed less officially by numerous references on Bernstein's part, in his magazines, to his career in football and background as a soldier.
5. Pro Football Archives. Entry for Joe Burten. Accessed June 1, 2015. <http://www.profootballarchives.com/burt00700.html>.
6. Wechsler, *Day by Day in Jewish Sports History*, 328.
7. The issue of *Veterans Service Magazine* for January 1923, states that it was 'Sold by Ex-Service Men as a Means of Support' (1). Advertisements in the entertainment industry magazine *Billboard* from 1942 to 1944 sought ex-soldiers to sell the publication as 'service men's joke and story books,' and noted that this activity was protected by a Supreme Court decision. See the advertisement, 'Veterans, Big Money—Outside Work' *Billboard* July 15, 1944, 53.
8. See, respectively, on football, 'Jazzitorial: The sinister finger of professionalism has at last fallen on college football circles,' *Cap'n Joey's Jazz aka Jazza*, no. 2 (March, 1922), 3–7; on travel to Cuba, 'Jazzings from Burton,' 'Vol. 1, no.' [sic] (May, 1922), 3–4; on British criticism of American flappers, 'Idiotorials,' no. 1 (February, 1922), 1–2.
9. Advertisements for *Burten's Follies*, the successor magazine to *Cap'n Joey's Jazza Ka Jazza*, appear in the July 1924 and May 1926 issues of *Quill*, while advertisements for *Quill* appear regularly in *Burten's Follies* between 1924 and 1926.
10. 'Names and Records of Persons Arrested on Complaint of the New York Society for the Suppression of Vice, during the year 1922,' *Records of the New York Society for the Suppression of Vice*, container 4 mss 19359 reel no. 2, 28. See also 'Weekend Chit Chat,' *Amsterdam News*, January 28, 1922, 4.
11. *Field Guide to Wild American Pulp Artists*. 'Henry Marcus, 1881–1952.' Accessed January 15, 2015. <http://www.pulpartists.com/Marcus.html>.
12. Epstein was arrested in the same 1922 raids which resulted in Burten's conviction; in Epstein's case, it was his distribution of the magazine *Hot Dog* which led to judicial



- action, though Epstein was given a suspended sentence. 'Names and Records of Persons Arrested on Complaint of the New York Society for the Suppression of Vice, during the year 1922,' 28. Coverage of Epstein's arrest and conviction for race-track racketeering in Saratoga, New York was extensive during 1935–1936, but see, for example, '2 More Seized Here in Race-Track Drive,' *New York Times*, December 7, 1935, 38.
13. A claim repeated in dealers' offerings of Burten's magazines, but impossible to substantiate and, in my view, probably inaccurate, is that *Cap'n Joey's Follies* and its successor, *Burten's Follies*, were continuations of the magazine *The Parisienne*, started in 1915 by H.L. Mencken and George Jean Nathan as a way of cross-subsidizing their publication of their literary magazine, *The Smart Set*. This account involves the documented sale of *The Parisienne* to Eugene F. Crowe in 1916, but suggests that it somehow was transformed into *Burten's Follies* in 1923, a claim which overlooks the continuity of the latter title with *Cap'n Joey's Jazza Ka Jazza* and *Cap'n Joey's Follies*. I first encountered this claim in an Ebay listing for the November 1915 issue of *The Parisienne*. Ebay listing Accessed April 21, 2005. <http://cgi.ebay.com/ws/eBayISAPI.dll?ViewItem&item=6956764418&fromMakeTrack=true>.
  14. *Esquire* magazine helped to popularize the term the 'Varga Girl' [sic] in the 1940, when Alberto Vargas was a regular contributor. See, among many sites devoted to Vargas' work, *The Pin-Up Files*. Accessed June 15, 2015. <http://www.thepinupfiles.com/vargas1.html>.
  15. Indeed, I have bought several of these from Ebay dealers who sell them separately and with no link to the magazine indicated in the auction description.
  16. See, for example, the analysis of frequency of appearance of 'Celestine Vichy' on New York city menus at New York Public Library, *NYPL Labs: What's on the menu?* Accessed June 10, 2015. <http://menus.nypl.org/dishes/15054>.
  17. The one exception is a reference to Sabbath serving as editor of the magazine *Razzberries*, in 1933. 'Literati: Here's Clow Again,' *Variety*, September 26, 1933, 57.
  18. Those in my collection with Sabbath's name as editor bear the titles 'Outdoor Edition. Girls. Lighting and Technical Data' and 'Models: Lighting and Technical Data.' Both were published at 6411 Hollywood Blvd., Hollywood, California in 1952. Another one-shot publication which lists Sabbath as editor is titled *White Slave Confessions*, published in New York in 1944.
  19. Reel, *The National Police Gazette*.
  20. Cohen, Gilfoyle, and Horowitz, *The Flash Press*.
  21. Coverage of this wave of magazines abounds on the internet but see, in particular, Beau Collier, 'Birth of the Girlie Pulps,' *The Pulp Magazine Project*. Accessed July 1, 2015. [http://www.pulpmags.org/contexts\\_pages/girlie\\_pulps/history.html](http://www.pulpmags.org/contexts_pages/girlie_pulps/history.html).
  22. For a slightly longer discussion of this wave of humor magazines, see Straw, 'Squawkies and Talkies,' 26.
  23. Field Guide to Wild American Pulp Artists. 'Henry Marcus, 1881-1952.' Accessed January 15, 2015. <http://www.pulpartists.com/Marcus.html>.
  24. The career of Stephen G. Clow is the focus of a larger project of which this article constitutes one piece. See Straw, "Traffic in Scandal."
  25. 'From Sex to Sports,' *Variety*, July 31, 1934, 49.
  26. State of New York, County of New York, *11288 1937 Certificate New York County Clerks Office*.
  27. For a more extended discussion of this magazine, see Straw, "Constructing the Canadian Low-Brow Magazine."

28. 'Texas "Obscenity" Indictments,' *Variety*, November 23, 1960, 69.
29. For one account of the rise of the adult bookstores in the United States, and the proliferation of 'girlie' magazines after World War II, see Bianco, *Ghosts of 42<sup>nd</sup> Street*, 121. Bianco notes columnist Earl Wilson's description of buying a copy of *White Slave Confessions* on Broadway in 1944 (see note 17).

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