



playboy casebook

FREEING THE FOULMOUTHED TWO

in texas taverns, you have to take your clothes off to really be obscene

Not since the days of comedian Lenny Bruce have state authorities seriously attempted to prosecute a performer for using profanity—except recently, in Texas. That case might have gone to the U. S. Supreme Court, but at the last minute, the Dallas County district attorney and the Texas Alcoholic Beverage Commission had sober second thoughts, and therein lies our tale.

John Bowley and John Wilson met in graduate school at Southern Methodist University in 1969 and started putting together a musical-comedy act that has since become a favorite with college-age audiences in Dallas and other Texas cities. Naturally, it's profane. They cavort about the stage singing their own special brand of country-rock, insulting the audience, putting on ridiculous skits and otherwise conducting themselves in an outrageous manner that currently packs their night club to standing room only. They've also cut three albums, which include such Bottom 40 favorites as Stanky (the Texas pronunciation) Finger, Baby Skin, The Fast Song and a now-dated local favorite, Khomrini, Bite My Weenie ("Eat a great big green one for the red, white and blue").

How could good Texans complain about a sentiment so patriotic? "When it comes to a sense of humor, the T.A.B.C. is a few bricks short of a full load," says Wilson. "You might call them a little uptight," says Bowley.

In any event, Texas liquor laws, like those in many states, give the T.A.B.C. authority to close down any establishment that serves not only booze but obscenity, which usually means nudity. Bowley and Wilson were not exactly running loose on-stage with their private parts hanging out, but their casual use of four-letter words convinced somebody they were being obscene. They ignored one warning; after discussing the matter with the local T.A.B.C. chief, who refused to specify what words they could or could not use, they simply smiled and went about their business.

Big mistake. They showed disrespect. Now the T.A.B.C. was backed.

The next night, in the middle of their rendition of the classic Thirties song Cocaine, which included their



Bowley and Wilson at their club in Dallas.

playful dusting of each other with baking soda, the cops hit the fan. Bowley and Wilson were arrested on-stage, placed in handcuffs and carted off to the Dallas County Jail. For a while, the audience thought it was all part of the act.

The scene at the county jail was amusing. According to Bowley, "When the booking sergeant, or whatever he was, stopped saying 'Fuck this' and 'Fuck that' long enough to ask what we were there for, I said, 'Well, sir, they caught us saying fuck.'" That line was not well received, and our obscenity suspects were escorted to a jail cell, where they continued to perform. According to Wilson, "We were covered with white powder from the act, and when we told the other prisoners it was merely cocaine, you should have seen the dollar bills and ballpoint pens suddenly appear. They started snuffing us all over."

By the time they were bailed out by two Dallas attorneys, Kevin Clancy and Bill Branton, the joke was wearing a little thin. Because, meanwhile, the Dallas County district attorney had decided to back-up the T.A.B.C. with a charge of public obscenity. It

seemed that the law under which the T.A.B.C. had acted had already been declared unconstitutional, but the state's obscenity law—which generally applies to books, magazines and movies—was still enforceable.

The really bad news was that Bowley and Wilson were now charged as bona fide sexual perverts, whose mug shots would soon be joining those of rapists, child molesters and pornographers in the book that is shown to every victim of a sex crime.

The good news was that the lawyers Branton and Clancy could not have come up with a better case in which to challenge the Texas law on obscenity. When they called the Playboy Defense Team, they were ready to roll. And so were we.

Alas, it's the foremost obligation of defense attorneys to serve the best interests of their clients, and that's what they did. After the local papers made sport of its piety, the T.A.B.C. backed down. The Dallas County district attorney's office allowed as how it was short on evidence and agreed to drop the charges. Our efforts to get Bowley and Wilson charged with felonies and martyred on the cross of the First Amendment were to no avail. Everybody simply wanted out of the whole mess, so the Playboy Defense Team gunship was rolled back into the hangar and justice was not done.

But John and John are back in business at Bowley & Wilson's Easy Parlor, we're pleased to report. We're only disappointed that we couldn't witness the Dallas County district attorney trying to get an obscenity conviction for a song like Khomrini, Bite My Weenie.

