

NOTES FOR QUERIES

An easily observable manifestation of what has variously been called the counter, hip, or freak culture is the frequent borrowing of costumes from the past or from other cultures. Such borrowings run the gamut from granny glasses and bibbed overalls to Indian head bands and beaded belts. No matter how bizarre a costume might be in the context of contemporary American society, nor how exotic the culture from which it was borrowed, it is permissible as long as certain taboo portions of the human anatomy are covered. While definition of the tabooed areas is gradually changing, any costume which is thought to publicly expose the genital areas does not go unquestioned, at least not in Bloomington, Indiana.

The degree of permissibility in cultural borrowing was tested in court in August, 1971, in Bloomington in a case in which the State of Indiana brought a resident of the city to trial on the charge of indecent exposure for having appeared in public while attired in nothing but a loin-cloth. The defendant in the case, a student at Indiana University, was arrested at one of the local shopping centers while viewing a public attraction set up in the shopping center parking lot. He was taken to the county jail and charged with indecent exposure. When the case came to court, the State attempted to prove that the defendant had, by wearing nothing but a loincloth in public, subjected the public to a display of public hair.

The defendant selected a number of witnesses to testify as to the use and acceptability of the loincloth as an item of wearing apparel. As a member of the Folklore Institute of Indiana University, I was requested to testify as to the traditionality of the loincloth, and to its permissibility in selected contexts. At the trial I pointed out that even in highly advanced cultures such as that of Japan, loincloths of a style similar to that used by the defendant are commonly worn as a summer costume. I, as well as other witnesses, mentioned the use of loincloths by Boy Scout troops who present public displays of dances adapted from the American Indians, in which loincloths and feathers form the major part of the costume. We concluded that a properly adjusted loincloth, in whatever culture it is worn, allows for no greater display of public hair than the brief swim suits worn at public swimming pools and beaches, and that it was the unfamiliarity of the police officers with the construction and use of the loincloth which led them to conclude that they had sighted an unacceptable amount of public hair.

The prosecution was unable to produce any witnesses who claimed to have been offended by the sight of the loincloth, other than the arresting officers. This is perhaps an indication that the folk are willing to accept costume variations which the official culture feels it must question. The arbitrating judge sided with the folk and declared that the defendant was not guilty of indecent exposure.

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