A Howl Against Conformity: The Beat Generation and Publishing Obscenity in 1950s and 1960s America

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Abstract

This paper examines the extent to which the publishing of Allen Ginsberg’s “Howl” (1956) and William S. Burroughs’s Naked Lunch (1959) liberalised the wider publishing industry in the United States. Targeting the taboos and hypocrisies of their time, both texts are considered seminal works of the Beat Generation. Their respective publishers, City Lights Press and Grove Press, were both the subject of landmark legal trials on the grounds of obscenity.

The Beats’ unapologetic exploration of drugs and illicit sexual practices stirred up a moral panic within the establishment, who viewed the publishing of Beat writing as swamping the country with filth and obscenity. Their relentless challenging of the status quo against the backdrop of a deeply conservative and ostensibly sexually repressed milieu led to a mixed critical reception of both works.

In conducting a thorough examination of the censorship and legal proceedings surrounding each text, this paper argues that the extraordinary actions of City Lights Press and Grove Press, in capitalising upon censorship’s ability to both produce and suppress meaning, led to the publishing houses spear-heading a legal revolution which forced the re-examination of the very definition of obscenity and the means of its conveyance in literature.

Keywords

The Beats; Obscenity; Censorship; City Lights Press; Grove Press; Non-conformity.
Introduction

The Beat Generation’s reputation as new “bohemian hedonists” (Busch 2016) in celebrating non-conformity and creativity led to them creating works whose publishing pushed boundaries in an otherwise conservative 1950s American society. Two of this movement’s seminal texts were Allen Ginsberg’s “Howl”, published as part of the 1956 collection *Howl and Other Poems* (the poem will henceforth be referred to as “Howl”), and William S. Burroughs’s 1959 novel *Naked Lunch*. Both authors’ references to illicit drug-taking and forbidden sexual practices resulted in both complete censorship and subsequent legal battles. With both trials ultimately concluding that the respective works did not constitute obscenity, this article will explore the extent to which the publishing of these titles helped liberalise the wider publishing industry in the United States.

Obscenity as a means of social control has an extensive history and, like most evaluative concepts, can be used in a multitude of different ways. Particularly in the modern age, censorship and censors tend to be viewed disparagingly as extinguishers of human creativity. However, Michel Foucault posits that to align censorship exclusively with moralistic puritans is to fall victim to what he calls the “repressive” hypothesis. Volume 1 of his *The History of Sexuality* identifies this hypothesis as reductive in its nullification of sexuality as the subject of public discourse throughout Western society (Foucault 1990). To take this view is to wrongly view censorship as inextricable from the law.

What the “Howl” and *Naked Lunch* cases highlight is the discursive outburst surrounding conversations relating to sex, and thus the relationship between discourse and power. The law’s compulsion to speak about socially determined repressions gives voice to the very subjects it seeks to suppress. Censorship cannot, as Diana Heath argues, be equated with silencing and reduced purely to prohibition (2007, 510). It is therefore imbued with the potential to both produce and suppress meaning.
Akin to Foucault’s argument, the stereotype that the 1950s constituted the most sexually repressed decade is only partly accurate. Public libido, though masked, was undoubtedly as robust as previous decades. Whilst the film and television industry showed husband and wife sleeping in separate beds, Hugh Hefner started a “publishing revolution” with the launch of *Playboy* magazine in 1953 (Sterritt 2013, 14). Thus, although expressed indirectly, sexual discourse had saliency in the public sphere. With their iconoclastic assault on conformity, the anti-authoritarian Beat generation deeply opposed any state imposition of consciousness on society. As a result, critical consensus remained largely condemnatory of Beat literature and culture in the 1950s and 1960s, viewing them as solipsistic, anti-intellectual and, perhaps most significantly, immoral. Their writing was disparaged as being shocking for the sake of it, and thus lacking in merit. One letter sent in by a concerned *San Francisco Chronicle* reader declared:

> If the people who oppose this filth sit quietly by while a minority of liberalities shout to open the gates to obscene books and poems it may well be that this minority will soon swamp the country with the filth and dirt they love so well (Morgan and Peters 2006, 104).

Facing both a two-pronged attack from the literary sphere and governmental efforts to censor their writing on the grounds of obscenity, the Beats were dependent on small literary presses who were unafraid to challenge the status quo. San Francisco-based City Lights and New York’s Grove Press were at the forefront of the publishing industry’s “legal revolution led by determined and extraordinary publishers” (Rembar 1968, vii).

A crucial outcome of both trials was the forced re-examination of the very meaning of “obscenity” and its conveyance in literature. As socially determined concepts, obscenity and indecency are dependent on who is reading the work and are therefore not intrinsic to the text. To ban or censor on the grounds of obscenity is therefore largely incongruous with the First Amendment to the Constitution of the United States, which protects the fundamental right to freedom of speech. Both cases questioned what exactly constituted “obscene” material unprotected by the First Amendment whilst clarifying the place of literary
production within its confines: the literary merit of both works were viewed in court as overriding any offense caused by their content.

The “gold standard” of literary affirmation was the 1933 exoneration of James Joyce’s *Ulysses*. Copies of the book were seized by U.S. Customs under Title 19, Section 1305 of the Tariff Act of 1930, which barred “any obscene book, pamphlet, paper [ ... ] or other article which is obscene or immoral” (Goodman 1980, 96). Judge John Woolsey acquitted Random House, ruling that *Ulysses* was neither pornographic nor obscene. This marked an historic landmark for the freedom of expression, enabling, as Loren Glass argues, an alliance between publishers, the law, and literary critics that was crucial in facilitating a mainstream acceptance of literary modernism and its redeeming merits.

The case was thus instrumental in establishing a recognition that both censorship and obscenity evolve in the context of socio-cultural transformations; the antithetical positioning of “high” culture as elite and “low” culture as being predicated on carnal pleasures was no longer so steadfast. Both City Lights and Grove Press were quick to capitalise on this new acknowledgement of the expertise of literary critics in the respective trials of “Howl” and *Naked Lunch*. This article will explore the extent to which the acquittal and publishing of these titles marked the end of obscenity in the United States.

“Howl”, Ginsberg, and City Lights Press

The unapologetic exploration of illicit drugs, sex, and conformity of “Howl” led to Ginsberg being declared the voice of the Beat Generation. An anthem of self-expression, the audacity of Ginsberg’s references to his own homosexuality should not be understated at a time when the medical profession deemed homosexuality a sickness and many states punished it as a criminal offence (Kaplan 2010). Indeed, Ginsberg’s 1959 public performance of the poem at the Six Gallery catalysed a flurry of poetic activity referred to as the San Francisco Renaissance, a movement which propelled the city to the forefront of the avant-garde. Lawrence Ferlinghetti of City Lights Books, himself already garnering a reputation as an
outspoken political thinker, was in the audience that night. Ginsberg received a telegram the following day offering to publish his work. “Howl”, was first published by City Lights as the fourth title in the Pocket Poet series in 1956.

Critical receptions of the work were mixed. An all-important review of work by Richard Eberhart declared: “It is a howl against everything in our mechanistic civilization which kills the spirit, assuming that the louder you shout, the more likely you are to be heard” (New York Times, September 2, 1956). Ginsberg’s voice rejecting paternalistic expectations of social norms was evident not only in the content of his work but also in its form. The rejection in “Howl” of rhyme and meter instigated the creation of a dichotomy between “the Academics” and “the Beats” within the American canon, with the New Poets of England and America anthology disparaging Beat work as only being popular because “gossip has a wider appeal than true literature” (Sterritt 2013, 103).

Grove Press’s reactionary 1960 publication of The New American Poets: 1945-1960 was a further instance of the liberalising significance of the publishing house. The anthology both challenged the establishment’s archaic assessment of what constituted valuable literature, whilst validating Ginsberg in all his obscenity to the forefront of the New American Poetry movement. Unsurprisingly, Ginsberg’s voice was starting to attract national notoriety: on 25 March 1957, 520 imported copies of the poem from the printer in London were seized by Customs officials.

The inherent risks in publishing Ginsberg’s gritty work were not unheeded by Ferlinghetti and City Lights Press. A great deal of the vocabulary used by Ginsberg was undeniably offensive to a largely conservative American society. Indeed, US censorship of sexual discussion led to novels with overtly sexual references – including Ulysses (1922) and Tropic of Cancer (1934) – being first published in Paris (Goodman 1980, 92).

Anticipating legal troubles before the poem was even published, Ferlinghetti submitted the manuscript to the American Civil Liberties Union (ACLU) as a precaution before sending it to the London printers. Aware of the potentially crippling costs of a court case to a small
publisher like City Lights, Ferlinghetti thus sought assurance that he could ensure their support. Furthermore, as a means of circumventing Customs jurisdiction, Ferlinghetti arranged the printing of an entirely new edition within the United States whilst the copies from Britain were still impounded.

The seizure of the book by Customs’ officials, combined with the arrest of Shigeyoshi Murao, manager of City Lights Bookstore on obscenity charges after a copy of the book was sold to undercover officers, fuelled the clash between police and public. The *San Francisco News* on 4th August 1957 ran with the headline: “Cops Don’t Allow No Renaissance Here”. As per prior arrangement, bail was posted by the ACLU who also secured the city’s shrewdest defence lawyer in Jake “never plead guilty” Ehrlich (Ferlinghetti 1957, 170), who defended Ferlinghetti and City Lights pro bono. The case came before Municipal Court Judge Clayton W. Horn on 16 August 1957.

Perhaps what is most significant is the tremendous amount of critical support for “Howl”; it would not be misplaced to read this support as a wider protest against the principle of censorship itself. Captain William Hanrahan, who ordered the arrests, clearly had lofty censorship ambitions should Ferlinghetti be found guilty (Perlman 1957). Such ambitions would have proven catastrophic to the radically open-minded conversation initiated by the San Francisco Renaissance.

The case bore witness to several impassioned testimonials, evidencing just how seriously Ginsberg and his chosen medium was taken by both sides of the establishment: of the nine witnesses speaking in defence of “Howl”, six were English professors (Holladay 2017, 155). Whilst the defence’s principal witness, chairman of graduate studies at the University of California, Mark Schorer argued that “Howl’, like any work of literature, attempts and intends to make a significant comment on or interpretation of human experience as the author knows it” (Perlman 1957), and Gail Potter, an English instructor and radio personality, asserted that the poem both made her feel unclean and utterly failed in possessing any literary merit (Raskin 2004, 219).
Whereas Potter refers to the poem’s content as a means of vilifying Ferlinghetti and City lights for disseminating fundamentally immoral content to wider American society, Schorer invokes the poem’s use of Surrealism as a means of asserting its literary prowess. Yet Gail Potter’s reliance on content as a means of diminishing the poem’s literary merit proved to be a crucial flaw in prosecuting attorney Ralph McIntosh’s case. Representing the so-called people’s case, McIntosh’s attempt to utilise content as a means of leading the prosecution was indubitably myopic. Ginsberg’s chosen art form was clearly ignored by McIntosh, who continually demanded an impossible translation of the poem into prose. His closing statement, as relayed by David Perlman, asked Judge Horn:

“I would like you to ask yourself, Your Honor, in determining whether or not these books are obscene, would you like to see this sort of poetry printed in your local newspaper? [...] In other words, Your Honor, how far are we going to license the use of filthy, vulgar, obscene, and disgusting language? How far can we go? (The Reporter, 12 December 1957).

This statement illuminates another crucial flaw in McIntosh’s case. By 1957, mere vulgar language was not enough to constitute obscenity, as evidenced in the Federal Court’s 1933 decision in the case of United States v. One Book Called Ulysses. Despite Joyce’s overt treatment of sex and use of expletives, the novel was ruled as not obscene. Indeed, this case proved crucial in the two weeks it took Judge Horn to come to a decision and deliver a verdict. Recognising obscenity as a socially determined concept with a flexible definition, he closed the case with a statement that “the law does not undertake to punish bad English, vulgarity, or bad taste,” reminding the prosecution that “no matter how objectionable one may consider the book on these grounds, there is no right to convict on account of them” (Horn 1958). “Howl” was ultimately judged as having “redeeming social importance” and Ferlinghetti and City Lights were acquitted.

Unsurprisingly, perhaps the largest irony surrounding the attempt to censor Ginsberg’s “Howl” is the amount of publicity it generated for the poem. Having previously enjoyed modest sales, the demand for the now unforbidden fruit outstripped supply. Propelling
Ginsberg into stardom, it had sold 800,000 copies by his death in 1987 (Kaplan 2010). Ferlinghetti himself offered an ironic thanks to the San Francisco Collector of Customs in the May 19, 1957 *San Francisco Chronicle*: “It would have taken years for critics to accomplish what the goods collector did in a day, merely by calling the book obscene”.

The significance of the case in landing the first significant challenge to the established protocol cannot be understated. Judge Horn’s ruling caused both a major codification to obscenity laws both in California and nationwide whilst emphasising the importance of each case being judged individually. With City Lights now established as a nucleus of radically progressive thought, Ginsberg utilised his new-found fame to act as an “amateur literary agent” (Sterritt 2013, 68) for other writers challenging consensus through provocative poetry and prose.

**Naked Lunch, William S. Burroughs, and Grove Press**

First published in 1959, William S. Burroughs’s *Naked Lunch* is fervently obscene in its confrontation of illicit sex, violence, and addiction. Read as an acerbic satire of American society from consumerism to capitalism, the novel was the subject of continual editing both from Burroughs himself and his close friends Jack Kerouac and Allen Ginsberg (Miles and Grauerholz 2001, 233).

Indeed it was Ginsberg, Burroughs’s close friend and occasional lover, newly bolstered by the fame conferred upon him as a result of the “Howl” trial, who was key in facilitating *Naked Lunch*’s publication. Ginsberg initially suggested that Burroughs send his manuscript to Ferlinghetti. However, the publisher was not enamoured by the material; City Lights was also only publishing poetry at this point. Recognising the work’s merit, Ginsberg was undeterred and fragments of the manuscript began appearing in magazines.
Yet critical reception was not wholly positive and many accused Ginsberg of sensationalism, cheapening poetry as an art form through his advertising of it (Mortenson 2017, 83). Nevertheless, the significance of his championing providing previously inaccessible platforms to radical writing that, although controversial, possessed literary merit cannot be ignored.

Newspaper columnist Jack Mabley, upon reading the autumn issue of *The Chicago Review*, blasted the novel as “one of the foulest collections of printed filth I’ve seen publically [sic] circulated” (*Chicago Daily News*, October 25 1958). With the University of Chicago suppressing further Beat works, the editors of *The Chicago Review* reprinted the material in a reactionary magazine entitled *The Big Table*. The press coverage of the ensuing hearing, scheduled to determine the magazine’s “mailability” under Section 305 of the Tariff Act (1930), came to the attention of Maurice Girodias at Paris-based Olympia Press. Wanting to capitalise on the case’s publicity, Girodias reconsidered his previous rejection of the manuscript. The English-language French edition of the book was published in July 1959.

Olympia Press, launched in 1953, specialised in publishing explicitly provocative works “designed to induce popular titillation” (Whiting 2006, 159), the likes of which could not be published without repercussions in more conservative English-speaking nations. Girodias’s New York counterpart was Grove Press’s maverick publisher Barney Rosset. Grove Press, like its San Franciscan contemporary City Lights, was gaining a reputation for pushing publishing boundaries in the blurring of high and low brow, enjoying commercial success from publishing both literary fiction and “a very profitable line of Victorian spanking porn” (McGrath 2008).

Identifying potential where others saw only risk, Rosset discerned the incongruous saliency of sexual discourse in his politically conservative milieu, recognising that the regime of censorship and sexual suppression established by the ultra-conservative 1873 Comstock Act (the nation’s first federal anti-obscenity law) was collapsing, and there was profit to be
found in challenging it (Glass 2013, 6). After ardently pursuing the rights for Henry Miller’s *Tropic of Cancer*, Girodias persuaded Rosset to publish *Naked Lunch* to the US market. The contract between Grove and Olympia Press was made in November 1959.

Grove Press’s first legal success came in 1960 when Rosset was given freedom to publish D.H. Lawrence’s previously banned *Lady Chatterley’s Lover*. The victory proved groundbreaking for the publishing house, imbuing them with a reputation that was key to their subsequent legal successes, all the while proving that censorship sells books. The mass-market edition became Grove’s first bestseller, with 2 million copies being sold by the end of 1960 (Glass 2013, 106).

In her 2013 book *Counterculture Colophon*, Loren Glass argues that Grove Press was not conceived of as a business, but a profit driven by passion. Whilst there is an element of truth in this, it is also undeniably true that Rosset and Grove Press recognised the commercial potential in publishing provocative material. Drawing on Darnton’s communication circuit, Glass understands the actions of City Lights and Grove Press as networks as opposed to circuits, extending out from Ferlinghetti and Rosset to globally connect authors, booksellers, printers, editors, and readers in the forging of socio-economic allegiances against censorship. This is evidenced in both Rosset’s agreement to indemnify booksellers against legal costs for selling “obscene” books and the subsequent request for a copy of the English-language French edition of *Naked Lunch* when attempting to publish in the US.

It became clear that Grove Press’s mail was being monitored by Customs when copies sent both to the office address and personal addresses of employees failed to arrive. Whilst the seizure of French books was not uncommon, this routine monitoring violated both Section 1305 of the Tariff Act – which calls for a random examination of three percent of packages – and the American Tradition as per the First Amendment that each person and instance of obscenity be judged individually.

The text being marked as contraband without judicial acknowledgement constituted yet another scenario in which government officials carried out their duties as if they were the
judges and moderators of public taste (Goodman 1980, 92). Such unwelcomed paternalism being unveiled as standard practice proved both welcomed and worrying to Grove Press; whilst the ensuing publicity generated interest in the book, and thus revenue, it also foreshadowed yet another expensive court battle. Again, censorship is evidenced as both producing and suppressing meaning in a context wherein cultural values were shifting from paternalism to an importance placed on freedom of speech and expression.

The fears of Grove Press were not unfounded. In January 1963, Boston police arrested a bookseller, Theodore Mavrikos, for selling *Naked Lunch* to undercover vice-squad officers. In 1965, the novel was ruled as obscene in Massachusetts. With Grove Press having appealed the decision to the Massachusetts Supreme Court, the merits of the work were defended by literary heavy-weights such as the novelist Norman Mailer and Ginsberg himself. Again, debating who exactly should decide what constituted suitable reading material for the average American, the trial presented a pitching of tradition against reason. Mailer’s testimonial relied on the flexible definition of obscenity to reassert that a work being brutal or disgusting is not mutually exclusive from it possessing merit:

There is a kind of speech that is referred to as gutter talk [ … ] and Burroughs captures that speech like no other American I know. His poetic images are intense. They are often disgusting; but at the same time there is a sense of collision in them, of montage that is quite unusual (Mailer 1965).

Aided by the skilful defence of Edward de Grazia, himself a writer and free speech activist who had previously supported Grove Press, the court ruled *Naked Lunch* as not obscene on the grounds of the novel possessing “redeeming social value”. Rosset and Grove Press were free to publish the book and the publicity generated by the trial secured the text a place in the post-war American canon having sold more than a million copies worldwide. Furthermore, in constituting the last instance of total literary censorship in the United States, Grove Press’s publishing of *Naked Lunch* further distanced “obscene” literature from the confines of the First Amendment’s formal restrictions.
Conclusion

The publishing of Allen Ginsberg’s *Howl and Other Poems* (1956) and William S. Burroughs’s *Naked Lunch* (1959) undoubtedly acted to liberalise the wider publishing industry in the United States. Indeed, Nicole Moore believes the lifting of the profound censorship of homosexual content to be the most dramatic shift in literary expression of the last 200 years (2015, 4).

Although the complete eradication of censorship is arguably a nigh on impossible task – after all books are still occasionally censored in America’s more conservative states – the fact that Beat literature is now taught and read alongside canonical texts is evidence of its success in challenging myopic conceptions of what exactly constitutes literary merit. Furthermore, the legal acquittal of both texts in being judged as not obscene catalysed the redefining of obscenity to material utterly lacking redeeming social value; a decision that effectively excluded future publishers printing obscene works from legal repercussions. The daringness of City Lights Press and Grove Press were clearly instrumental to this process.

Although the success of City Lights Press and Grove Press promulgated a widespread acceptance of an anti-censorship culture, many viewed the Beats’ endorsement of a *laissez-faire* lifestyle as irresponsible and damaging to the masses exposed to their works. Ironically, however, the establishment’s open disparagement and paternalistic attempts at intervention only acted to further publicise the Beat subculture. It seemed that the majority viewed the actions of the censors as obscene as opposed to the content of the texts. The trials of “Howl” and *Naked Lunch* thus proved that the law’s compulsion to speak about socially determined repressions gives voice to the very subjects it seeks to suppress.
The Beat Generation and Publishing Obscenity in America

References


http://www.ala.org/advocacy/intfreedom/censorshipfirstamendmentissues/ifcensorshipqa


