
Censorship in the Twentieth and Twenty-First Century Publishing Industry

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Abstract

This article will examine the discourses around censorship, and how these have helped to form publishers' sense of identity and purpose, as well as informing industry practice. The traditional conception of state suppression of the written word was contested by Foucault, who suggested the alternative view that networks of power enable individuals to dominate one another. Foucault's inversion of our understanding of power dynamics opened up debate within the industry about the role of publishers. It also called into question how to communicate with, and about, vulnerable social groups such as ethnic minorities and members of the queer community. This article also considers the rise of self-censorship within the industry and potential solutions.

Keywords

Censorship; Self-Censorship; *Lady Chatterley's Lover*; Literary Trials; Foucault; Sensitivity Readers; Milo Yiannopoulos.

Introduction

This article will argue that the publishing industry's attitude towards censorship has transformed over the course of the twentieth and twenty-first centuries. It will also examine how publishers have both encouraged and resisted suppression, and how this relationship with the expression and repression of ideas has been formed by theories around censorship. External intervention in the form of literary trials, as well as looking at internal changes to industry practices such as the introduction of freelance sensitivity readers will be investigated. This article begins by looking at the development of our society's understanding of the meaning of censorship.

Discourses Around Censorship

Our understanding of censorship has undergone a radical change since the latter half of the 20th century. Traditionally, censorship has been perceived as a unilateral force; an intervention by the state to prevent the individual's free dispersal of ideas. This paradigm sees the government as in tight control of all channels that distribute knowledge, and acting with one coherent picture of what may and may not be expressed in the public domain. Such an understanding of censorship is rooted in the historical regulation of the press, as Charles Rembar explains:

In the beginning, censorship-in-advance took care of the matter, and censors, unlike judges, feel no need to explain their actions, or to develop principles that will govern their use of power. Almost from the date of its invention, printing was subject to ecclesiastical and royal control. In seventeenth-century England, the Crown, the Star Chamber and Parliament took turns deciding what might be published. Printing was a licensed privilege. (Rembar [Rembar](#), 1969, 17).

It is therefore easy to see why that which Michel Foucault terms as the repressive hypothesis has been widely accepted. As will be explored later, the consideration of censorship "in terms of *removal and replacement*" is still the default for much of the population (Burt 1998, 17). In spite of this, an alternative perspective became available in

the Seventies and Eighties, clearly articulated by Foucault in his works on the history of sexuality, in which he shows that censorship created “a steady proliferation of discourses concerned with sex [...] a discursive ferment that gathered momentum” (1978, 1503).

Not only did censorship generate more discussion, it also created a language that could be utilised by those subjects being categorised. Foucault finds that “the machinery of power that focused on this whole alien strain [of sexual deviants] did not aim to suppress it, but rather to give it an analytical, visible, and permanent reality” (1978, 1518). For example, once homosexuals were named as a group, the power of naming became available to them as well as to the scientists who had pathologised them, thus enabling the creation of counter-arguments in favour of the inevitability of homosexuality.

Foucault’s work is significant not only because he highlights the discursive nature of censorship, but also because he demonstrates that “the state holds no monopoly of power” (Post 1998, 1). This was a direct reversal of how we conceived of power-relations and social responsibility, both vital considerations for publishers given that the industry is key in controlling the flow of information to much of the population.

Our understanding of censorship is developed and applied in ever more sophisticated ways, with interesting implications for the industry. One increasingly dominant strain of thought - termed the “multicultural paradigm” by Debora Shuger - is that individual liberties conflict with social equality, so that “censorship presents itself as a last-ditch expedient against the insidious ‘freedom’ the dominant culture possesses to intimidate and humiliate marginalised groups” (1998, 89). This idea is now fairly well established in left-leaning society. Where once liberals viewed freedom of speech as paramount and conservatives prioritised governmental intervention for the sake of order, we now witness the former group demanding further state regulation on issues such as hate speech, while the latter agitates for greater freedom to articulate potentially offensive views.

Robert Post ([1998](#)) describes this as a “remarkable disintegration of traditional political alignments” (Post 1998) for which he credits Foucault. This is relevant because, although the

industry's priorities and demographics have shifted dramatically over the time period I am investigating, one constant is that the majority of publishers are socially conscious. Eleanor Blum and Clifford Christians' survey of 400 American publishers in the Eighties found that editors were very concerned with ethics. As one respondent put it:

If one believes that books are powerful conveyers of ideas that affect human lives for better or worse, wrote an editorial director of a large publishing company, then obviously decisions on what to publish have to be based on ethical, as well as practical, commercial decisions. (Blum and Christian 1981, 158).

Changing notions of censorship have altered attitudes and, with them, industry practices. Publishers are gradually making the book trade more welcoming to minority groups, for example through the introduction of sensitivity readers, which will be examined in greater detail below. Before considering modern attitudes, it is necessary to investigate those of publishers in the 20th century.

Censorship and Publishing in the 20th Century

This section will explore the concept that early twentieth-century publishers were largely resigned to, but not necessarily happy about, external interference. Here, censorship refers to action taken by the government to prevent anti-war ideas from reaching all but the most highly educated. This paper refers to censorship as it was understood at the time: straightforward intervention by the state into free speech.

During the First World War many British publishers actually welcomed state action, disguising propaganda from the government's own Wellington House imprint as work published by their own disinterested houses. According to Jane Potter, those involved included big names such as Hodder & Stoughton, Heinemann and Macmillan. She attributes such attitudes to their "imperial, Edwardian/Georgian outlook, an outlook that is not as inclined to question authority and the established order as later generations would be" (Potter 2007, 24).

Even outspoken critics of censorship, such as Stanley Unwin, were able to justify this kind of behaviour to themselves, seeing it as a matter of “individual conscience” or of “public duty” (Potter, 2007, 24). This paper argues that publishers tolerated external intervention because it did not much interfere with their own interests. First, houses like Hodder & Stoughton were known for publishing patriotic literature even prior to the war, and so their list and image were not much altered by their collaboration with Wellington House. Second, propaganda and censorship were intended to influence a general audience, so publishers could continue to print more controversial material provided that it was in a form that would reach only the highly-educated upper classes, most of whom were already aligned with nationalism and empire.

This is a common theme throughout the early 20th century: publishing was a gentleman’s profession, and so the emphasis lay on printing literary works for an educated audience over publishing for the masses and making a profit. As a result, publishers largely tolerated occasional external suppression of obscene literature because it was not considered to be of literary value anyway.

‘I feel that obscenity is always a foe to art, because it inevitably distracts the mind from a worthy artistic content – which explains why so few important works of art have been continuously or predominately obscene. For this reason I don’t think that the publication of the unexpurgated edition [of *Lady Chatterley’s Lover*] could be justified as being for the public good.’ (L.P. Hartley 1960).

Before we continue, it is important to clarify what obscenity is. This is a notoriously difficult matter to agree on, as sensibilities evolve along with culture. As Deana Heath puts it, “terms like *obscenity* and *indecenty* are socially determined concepts that [...] change according to who is reading or viewing the work in question, and when and where they are doing so.” (2007, 509).

A major theme of literature prosecuted for obscenity in twentieth-century Britain is the frank depiction of sexuality, especially in combination with class discussion, or publication in

formats that made such works widely available. This concern for the “public good” is significant because controversial matters discussed in an open forum had the potential to reach vulnerable readers – specifically, women and members of the lower classes. Should obscene literature fall into these hands, the elite seem to have anticipated an increase in extra-marital sexual activity and resistance to contemporary class structures. Publishers and politicians shared a cynicism about the capacity of the average reader to rationalise what they read and so, to avoid controversy, expensive formats were chosen for literary works.

In peacetime, publishers begrudgingly submitted to governmental interventions so long as it did not interfere with the output of what they deemed to be quality literary works. Protest against literary censorship began in earnest as it started to affect the works available to the upper classes, and gradually became more pronounced as social ideas around the treatment of women and the working classes came into question. By the 1950s [1950s](#), publishers were increasingly resisting attempts to suppress such works, as demonstrated by the prosecution of Kauffman’s *The Philanderer* in 1954. Frederick Warburg “astonished both the British publishing world and the legal profession by pleading Not Guilty when he was arraigned before a magistrate” (Kauffman 1988, 177).

This was followed by Justice Stables’ insistence that the novel be read in full rather than cherry-picking explicit quotations. The course of the trial anticipated the shift in mood that accompanied the 1959 amendment of the Obscene Publications Act, as well as “later judicial attitudes to fiction as a type of writing pretty much exempt from everyday diktat” (Cummins *The Guardian*, 12th March 2010). Interestingly, Warburg wondered “whether [Edmund Gosse] was not going a bit too far” when he stated “that he ‘would rather see English literature free than decent’” (Rembar 1969, 16). Here we can see that publishers were still ambivalent about the role of censorship in the industry. Remarkably, Gosse was a former puritan and Librarian to the House of Lords, and had been making compelling arguments against censorship around the turn of the century.

Publishers began to realise that they could print quality works for a wider audience, a commercially savvy move that brought in controversy alongside profit. Penguin, intended as

a “University Press in paperbacks” ([Allen Lane, quoted in Hare, 2010](#)), aimed to democratise literature for those whose formal education ended at 16. As publishers’ target markets expanded to include vulnerable readers, external scrutiny intensified, ~~and~~; for the first time in the 20th century there was a serious clash between industry interests and those of conservative statesmen.

The trial of *Lady Chatterley’s Lover* in 1960 acted as a catalyst for change in the industry’s relationship to censorship. Penguin positioned themselves as being “firmly on the side of the common man” (Hare 2010), and articulated an explicit move away from paternalism towards marginalised groups. Although various reactions to testifying from potential witnesses demonstrate that literary merit remained a higher priority than freedom of speech to many, Gerald Gardiner’s closing address showed where the industry was headed for the rest of the century.

Isn’t everybody, whether earning £10 a week or £20 a week, equally interested in the society in which we live, in the problems of human relationships including sexual relationships? In view of the reference made to wives, aren’t women equally interested in human relations, including sexual relations? (Hare 2010)

Publishers were moving towards social inclusion and away from conservative ideals about power sitting with the state. With the democratisation of literature came resistance to external censorship, and increasingly intense soul-searching about the morality of publishers as so-called gate-keepers of information.

In an article for *The Guardian* dated 22nd October 2010, Geoffrey Robertson claims that of all the Old Bailey’s trials, that of *Lady Chatterley’s Lover* is the most culturally significant, securing freedom of the written word “at least for works of literary merit (works of no literary merit were not safe until the trial of *Oz* in 1971, and works of demerit [...] 1977)”. Freedom of the written word assured and the publishing industry has become fiercely resistant to external intervention, as shown by the furore over anomalies such as the Irish Censorship Board’s first ban in 18 years (an example being O’Connor’s article for the *Irish*

Independent on 12 March 2016). In light of this, it is interesting to see that publishers have created their own internal systems of self-censorship, which will be explored below.

Censorship in Contemporary Publishing

This section will consider the different forms of self-censorship enforced within the publishing industry. Here, unless otherwise stated, censorship refers to the Foucaultian understanding of powerful people suppressing marginalised groups through a variety of discursive arenas, with no one person holding the monopoly on power. It is this concept which has, in recent years, helped to create a strong sense of the industry's social responsibility. If power and its abuse are not limited to institutions such as the government, but are distributed across networks, then they exist in every situation and every act of communication.

This makes publishing, an industry that survives on the production and dissemination of ideas, a potential minefield. Indeed, Frederick Schauer points out that “[w]e may find that there is no subset of human behaviour that we can identify solely because it restricts our communicative possibilities, since all human behaviour both constitutes and restricts our communicative possibilities” (Schauer 1998, 149).

The popularity of the multicultural paradigm and other modern theories around censorship has left many publishers insecure about their own capacity to commission and edit works in a manner that is sympathetic to minority groups, with particular emphasis on racism, homophobia and transphobia.

A resulting rise in internal censorship has led Nicola Solomon, chief executive for the Society of Authors, to “[plead] with publishers ‘please don’t troll our authors for cultural appropriation every time they put a black face in their book if they are not black [as the issue is] coming up in every meeting’” (quoted in *The Bookseller* by Cowdrey on 24th January 2017).

As well as suppressing the inclusion of minority (and already under-represented) characters in books, according to *The Washington Post* publishers such as Lee & Low have made the use of sensitivity readers company-wide policy (Mason, 15 February 2017). These are individuals from marginalised groups who will read manuscripts and advise on inauthentic and offensive content, for a fee of around \$250 according to their website www.writeinthemargins.org. In an article for the *National Review* on the 9th of February 2017, Katherine Timpf describes them as “[a]n assault on art in the name of PC”, but this paper does not assert that they are as undemocratic as such commentators would have us believe. Instead it may be suggested that they have overtaken a significant part of what used to be an editor’s job: identifying badly written or unacceptable content and working to improve it. However, they do carry considerable clout in that they represent a definitive voice on representation, which is not true of the average editor. Sensitivity readers are complicated in that one person is being asked to, or indeed staking the claim that they, represent the views of an entire demographic. They seem to be a superficial solution to a much wider problem with largely hiring white, middle class professionals. The decision to reach out to readers from outside of the industry in order to make difficult decisions reflects a lack of self-confidence, and an unwillingness to engage with controversy.

On the other end of the spectrum, we have Simon & Schuster’s aborted deal with Milo Yiannopoulos, a decision likely based as much on commercial opportunities as standing ‘unequivocally for freedom of speech’ (CEO Carolyn Reidy quoted in *The Bookseller* by Cowdrey, 19th December 2016). Like much of America, Reidy is working with the traditional understanding of censorship, as articulated in the First Amendment: the government is forbidden from “abridging the freedom of speech, or of the press”, a matter of paramount importance to Americans. For such people, it is genuinely worrying that Yiannopoulos is being prevented from writing about his belief-system, regardless of his record of hate speech.

This is a common trait in proponents of Yiannopoulos: his agent Thomas Flannery Jr wrote in his defence that “[t]he right to speak freely, even if your opinions are unpopular, should be

the bedrock of our industry” (*Publishers Weekly*, 15th February 2017). Given that the publishing industry is responsible for the flow of validated information to much of the population, it is important that literature should reflect a range of ideologies. As Ruth Gavison puts it, a variety of mechanisms exist that effectively silence, “these include self-restraint by speakers themselves [...] and the systematic marginalization of groups of people who are discouraged from speaking their minds” (1998, 43-44).

Arguably, if the publishing industry refuses to publish on certain topics then they are silencing whole sections of society. However, as Roxanne Gay explains: “Milo has every right to say what he wants to say, however distasteful I and many others find it to be. He doesn’t have a right to have a book published by a major publisher” (quoted by Clarisse Loughrey for *The Independent*, 26th January 2017). In the age of social media, publishers no longer provide the platform for free speech, instead they validate the authors.

Constance Grady criticised Simon & Schuster’s deal because they have taken “a figure who is reviled in some corners of the culture and adored in others — a kind of threshold figure — and they are saying that they consider him to be legitimate. They are not just describing; they are prescribing.” (*Vox*, 3 January 2017).

The backlash against Yiannopoulos’s book deal was vociferous and from all corners of the industry, with the Chicago Review of Books tweeting “[i]n response to this disgusting validation of hate, we will not cover a single [@simonschuster](#) book in 2017” (29 of December 2016).

The modern understanding of censorship allows widespread resistance to hate speech, as it grants the knowledge that the refusal to publish Yiannopoulos is not the same as suppressing his rights. Even calls for greater regulation of hate speech are not conceived of as undemocratic: in the words of Henry Louis Gates, Jr “[t]oday, the aim is not to resist power, but to enlist power” (1994, 42). Ultimately, we have moved from one extreme to the other: from the oppressive state to the government as protection from the powerful

individual. Post (1998, 2) comments that the most striking aspect of this turnaround is the “trust of government action”.

Conclusion

Censorship is an inevitable part of free speech, in that when we say one thing we discard the alternatives. As the concept of censorship continues to be debated and to evolve, it can be easy to view all forms of interaction with suspicion. Schauer points out that “too often, what is at times characterised as censorship seems to be quite similar to what at other times is characterised as editing, or choice” (Schauer 1998).

Much of the publishing industry, and [the](#) left-wing, is currently preoccupied with concerns about how to prevent oppressive behaviour, which is certainly a conversation worth having. However, the problem with the idea of silenced groups is that it “presupposes the existence of the unsilenced”, which would seem to be an impossibility (Schauer 1998, 153). The expansion in discourses around censorship does not seem to have been productive: on the one hand the industry invites authors to speak on BAME diversity panels, and on the other Crystal Mahey-Morgan “suggested that Travis is ‘possibly’ the only male black British debut novelist published in 2016” (quoted by Onwuemezi in *The Bookseller* on 6 November 2016).

According to Post (1998, 4) we have purchased our understanding of censorship at a price: “the space between, where most people still live their lives, was persistently and scrupulously effaced” by Foucault It is surely this area on which the industry should set its sights. Rather than self-flagellating talk about how our current publishing culture can remove offensive material, we need to look at how we can change the culture overall to manufacture a wider range of material, thus reducing the impact of any negative ideas which may end up in print.

So, what does all this mean for the publishing industry as a whole? Publishers remain committed to publishing high-quality literature, and to negotiating the power imbalances inherent to all forms of communication. We know that current anxieties about the editorial role are making it harder to produce literature that we consider to be valuable. The

introduction of self-silencing to avoid damaging others is an unsustainable short term solution, unless editors are willing to see their role reduced even further. The incitement to remove minority characters from texts will only contribute further to the lack of representation available to members of such groups. If such processes become more popular within the industry then the result can only be an increase in the number of bland and white-washed works being published. The most viable, long-term solution to self-censorship and concerns about offensive materials in literature is quite simply to make a serious effort to employ more diverse staff, and to contract and commission works from a wider variety of authors.

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