

The Pure and the Dirty: Censorship, Obscenity, and the Modern Bookshop

By Andrew Thacker

Introduction: Selling Obscenity

There is a recurring primal scene played out in the story of modern literature and censorship, but it is one that has all too rarely been commented upon in the scholarship around print culture. Someone walks into a bookstore and asks for a certain volume; when the proprietor or clerk hands over the said book to the customer, a legal trap is sprung and the bookseller or clerk is then taken to court for the supply of obscene materials. Thus was the scenario that befell Shig Murao on June 3, 1957, when he supplied a copy of Allen Ginsberg's *Howl and Other Poems* to two undercover policemen in San Francisco's City Lights bookshop. The subsequent trial of Murao, along with Lawrence Ferlinghetti, as the book's publisher and as owner of the bookstore, led to one of the most famous literary cases in U. S. legal history.¹ The scene played out in City Lights is, however, familiar from many other instances: in the 1930s Lou Cohen's antiquarian and second-hand bookshop, The Argosy Book Store, was visited by agents of John S. Sumner's New York Society for the Suppression of Vice who, after buying a cheap paperback with a lurid cover, issued Cohen with a subpoena for selling obscene materials.² Similar incidents occurred elsewhere in New York City, as when the Washington Square Bookshop sold a copy of the modernist magazine, *The Little Review*, containing extracts from James Joyce's *Ulysses*, and ended up in court, or when Sumner brought a case against the Gotham Book Mart for selling Andre

Gide's *If It Die*.³ Sometimes the cases were successful, as when in 1930 another New York bookstore clerk, Phillip Pesky, was prosecuted for selling Arthur Schnitzler's play, *La Ronde*; others were not, such as the case of Raymond Halsey, a clerk in Manhattan's McDevitt, Wilson & Co., who was taken to court for selling Sumner a copy of Théophile Gautier's *Mademoiselle de Maupin*, a novel containing lesbian themes, in 1917.⁴ After being acquitted Halsey sued Sumner and the Vice Society for false arrest and won damages of \$2,500, a verdict upheld at the Court of Appeal.⁵

Using these scenes as a starting point, this article draws upon archival material to examine the role of three bookshops in the censorship of modern literature: Sylvia Beach's Shakespeare and Company in Paris; Charles Lahr and Esther Archer's Progressive Bookshop in London; and Frances Steloff's Gotham Book Mart in New York. The article thus offers a comparative account of how the differing legal and cultural institutions in these countries had an impact upon the booksellers in question. The repeated scenes of ensnarement by the forces of the law testify to the crucial institutional role played by booksellers in debates over what Katherine Mullin calls the "mobile category" of the obscene, whereby the distinction between pornography and works of modern literature containing sexually explicit material was often interpreted by the courts in Britain, France, and the United States as a highly permeable one.⁶ The symbiotic relationship between legal censorship and raids upon bookshops was first demonstrated in the passage through the British Parliament of the pioneering Obscene Publications Act of 1857. This was, in part, prompted by concern over the activities in London's Holywell Street, an area with over fifty booksellers who had become notorious for supplying material full of "lechery and licentiousness" (Mullin, "Poison," 12).⁷ From the mid-nineteenth century onwards, booksellers were thus on the front line of the legal battle against literary obscenity. The so-called Hicklin test, arising from an 1868 case in British law, defined obscenity as "the tendency to deprave and corrupt the minds and morals of those

who are open to such immoral influences, and into whose hands a publication of this sort might fall” (Mullin, “Poison,” 18). As Mullin notes, one important implication of Hicklin was that the test “dismissed the intentions of the distributor as immaterial,” thus rendering booksellers who supplied such material open to prosecution, regardless of whether they thought supposedly “obscene” books by Joyce or Gide possessed literary or cultural merit (18). Another important aspect of Hicklin was that controversial passages in books that were prosecuted could be interpreted independently of the whole book; hence if any excerpt, read alone, was judged obscene, then so too was the entire book.⁸ The Hicklin test became influential in legal rulings on obscenity throughout much of the twentieth century, not only in Britain (where it was not overturned until 1959), but also in the United States, Australia, South Africa, and India (Potter, *Obscene Modernism*, 17–18; Gillers, “A Tendency,” 218–19). As late as 1951, a federal judge in San Francisco cited Hicklin when he ruled that two books by Henry Miller were obscene (Gillers, “A Tendency,” 219).

The impact of the Hicklin test, along with the activities of what Rachel Potter terms “censorship networks,” on modern literature led many twentieth-century booksellers to become engaged in a complex struggle against literary censorship.⁹ By focusing upon case studies of Shakespeare and Company, the Progressive Bookshop, and the Gotham Book Mart, this article makes three main points. The first concerns the dominant narrative surrounding such booksellers and the category of obscenity. Booksellers like Beach, Lahr and Archer, and Steloff have often been praised for their roles in battling against the censorship of modern literature as part of a wider set of modernist discourses that attempted to distinguish the literary depiction of obscenity from the more commercial practice of selling pornographic books.¹⁰ However, many of the practices of these three booksellers indicate a more complex picture and that though they were primarily bookshops specializing in promoting the culture of modernism, they often drew upon publishing networks and

institutions that were dedicated to the production of pornographic material. Though we have long known about the practices of publishers who moved between literary and pornographic networks, including Jack Kahane, Barney Rosset, or Samuel Roth, there has so far been little work that has focused specifically upon the role of *booksellers* and their bookshops in such transactions.¹¹ In his foundational text “What Is the History of Books?,” Robert Darnton identified booksellers as playing a key role in his “communications circuit”; however, Darnton also noted that “more work needs to be done on the bookseller as cultural agent,” a suggestion that this paper develops by discussing their work in relation to questions of censorship and obscenity.¹² Thus Mullin’s “mobile category” of obscene literature is also evident in the practices of booksellers who niftily switched between different publishing networks: from the high modernism of the limited edition of a small avant-garde press to the publisher specializing in books devoted to the “English Vice.”¹³ This argument is illustrated mainly in the first case study of Beach’s Shakespeare and Company, but is also picked up in the other two case studies to a lesser extent.

The second point, analyzed in the case study of Archer, Lahr and the Progressive, concerns the nature of the publishing practices pursued by certain modern booksellers. In total, Beach and Steloff published relatively little, but Archer and Lahr developed an extensive publishing operation, a strategy pursued by many other modern independent booksellers.¹⁴ Often these were limited editions of experimental works, and scholarship has often interpreted this as a strategy by which modernism engaged with the commodification of cultural production.¹⁵ Particularly at issue is Lawrence Rainey’s influential account in *Institutions of Modernism* (1998), which argues that limited deluxe editions should be understood as vehicles for modernist authors and publishers to produce special forms of cultural commodity. This article proposes a different interpretation of the role of limited editions published or sold by booksellers: for a bookseller-publisher such as Lahr, for

example, such publications were primarily a strategy to avoid prosecution for obscenity and to defend free speech.

The third point concerns how the discourses around literary censorship in the twentieth century changed the cultural status and standing of the bookseller. The Hicklin test had opened booksellers, as the primary distributors of obscene material, to intense scrutiny: as the point of contact between the reader and obscene literature, the bookseller, rather than the publisher or author, became the key target of legal discourse. Their role in Darnton's "communication circuit" was thus a perilous one in terms of their openness to the power of the law. To prosecute them for supplying such material also implied that the bookseller was something of an expert in the fields of both law and literature. A bookseller thus had to be able to determine whether a book was obscene and hence not sold openly as it was likely to fall foul of the law. Equally important was their ability to act as something of a literary expert, able to justify in court if a book by Gide or Gautier possessed literary merit or "redeeming social significance," as Judge Clayton Horn decided when acquitting Ferlinghetti and Murao in the *Howl* trial (Morgan and Peters, *Howl on Trial*, 199). Legal discourse around censored books thus highlighted the many roles played by the bookseller: as a distributor of banned materials, whether as bookseller or sometimes as bookseller-publisher; as an agent seen to be promoting the cause of free speech; as an expert on the legal status of the literary and the obscene; or as a friendly guide for a reader seeking "unusual" reading matter. However, as a consequence of several important legal cases around literary censorship in the 1920s and 30s, the notion that the bookseller was primarily responsible, and hence guilty, for supplying obscene materials began to be rejected, and thus the status of the bookseller as quasi-legal and literary expert declined, an argument explored in relation to Steloff's Gotham Book Mart.

All three case studies thus highlight the unintended consequences for bookshops of becoming involved in high profile cases of censorship. The censorship of works of modern literature was carried out in the name of protecting “the public,” or that part of the public deemed to be susceptible to corruption, as defined by the Hicklin test, which tended to understand those whose minds might be corrupted by obscene material to be young people, women, and the working classes (Potter, *Obscene Modernism*, 17). But such repressive practices have also had several unintended consequences for modern literature. As Celia Marshik notes of British modernism, censorship was not only repressive but also, following a Foucauldian concept of power, had “productive effects” (Marshik, *British Modernism and Censorship*, 4).¹⁶ Modernist texts thus saw their cultural value enhanced as a result of the threat of censorship, and this factor also enabled “writers to construct a public personae—such as that of the martyr . . . or the enfant terrible (as in the case of Joyce)—that exercise a strong hold on the imagination of readers even today” (Marshik, *British Modernism and Censorship*, 4). Writers charged with obscenity could thus see their cultural value raised, as they became positioned as “modern” or in the literary vanguard: as Marshik notes, “charges of indecency and obscenity both enabled and compelled artists to assert their modernity” so that they appeared “prescient rather than pornographic” (5). To adopt the terminology of Pierre Bourdieu, some writers charged with obscenity saw their “symbolic capital” rise, as they became “consecrated” for their willingness to challenge the legal rules, thus obtaining a certain “prestige” for their daring.¹⁷ A similar interpretation can also be made of a bookshop taken to court for distributing such material. Such prosecutions had “productive effects” since it positioned them as defenders of free speech and of being “modern”; it also acted as free publicity, indicating to those members of the public interested in the “dirty” books of modernist literature that these were the places where one might obtain James Joyce, D. H. Lawrence, or Henry Miller. Hence this article builds upon the work of Marshik, Potter,

Mullin, and others by positioning the bookseller more centrally within debates around modernism and censorship, thus adding to our understanding of their role as what Darnton calls “cultural agents.” In her autobiography Sylvia Beach, for instance, notes the benefits for her business of the censorship of *Ulysses*, since “its reputation as a banned book helped the sales” and that after its success “writers flocked to Shakespeare and Company on the assumption that I was going to specialize in erotica.”¹⁸ The “productive effects” of the censorship of *Ulysses* for Shakespeare and Company is thus where we begin.

***Ulysses* and other Paris Editions**

The banning of *Ulysses* in America demonstrates clearly the matrix of power, repression, and productivity that a case of censorship might bring about. In 1920 John Sumner had been alerted to obscene material by a prominent New York lawyer, Edward Swann, who claimed that his daughter had read an issue of *The Little Review* and had been shocked by the extracts from Joyce’s novel being serialized there.¹⁹ Sumner then visited the Washington Square Bookshop, where he purchased *The Little Review* issue for July–August 1920 that contained the “Nausicaa” episode of *Ulysses*. At this point *The Little Review*’s offices were on the top floor of the building occupied by the Washington Square Bookshop, at West Eighth Street.²⁰ The initial case brought by Sumner was thus against the proprietors of the bookshop, but the lawyer and patron of modern art, John Quinn, managed to get the case against the bookshop dropped; however, the trial against the editors of *The Little Review*, Margaret Anderson and Jane Heap, famously went ahead, and it was the successful prosecution of the magazine that led Joyce to abandon book publication plans in the United States with publishers Boni and Liveright. Joyce, then in Paris, one day visited Sylvia Beach, the owner of Shakespeare and Company, to tell her the unhappy news that “My book will never come out now,” to which she unexpectedly replied: “Would you let Shakespeare and

Company have the honour of bringing out your *Ulysses*?" (Beach, *Shakespeare and Company*, 47).²¹ To some extent, therefore, this famous case of censorship, commencing with an offense carried out in one bookshop in New York, had far-reaching transnational consequences since it consolidated the reputation of another bookshop in Paris, Shakespeare and Company, as a key institution in the diffusion of modernism.²²

The publication of *Ulysses* by Beach, however, needs to be placed within a much wider bookselling infrastructure in Paris from 1890 onwards, one that was primarily concerned with the distribution and sale of pornography.²³ Towards the end of the nineteenth century the British government drew upon the Obscene Publications Act to start clamping down on the booksellers in London's Holywell Street and elsewhere. So successful was this government action that by 1910 there was "virtually no British production of pornographic materials" (Colligan, *A Publisher's Paradise*, 20). However, French laws around the selling of supposed "dirty books" were much more liberal, and hence Anglophile booksellers in Paris sprung up, who would publish pornography in France and then distribute it by mail order to customers in Britain. Foremost amongst these was Charles Carrington, a bookseller-publisher of pornography who, along with several others, relocated to Paris in 1895 and allegedly invented the category of "the Paris edition" to describe such books.²⁴ Thus, in addition to his specialization in flagellation literature, Carrington also published at least seven different "Paris editions" of Oscar Wilde's *The Picture of Dorian Gray* from 1901 onwards, as after the Wilde trial British publishers shied away from publishing his works. Beach sold several copies of Carrington's edition of Wilde, but her engagement with booksellers who primarily dealt in "dirty books" went much further.

According to Colette Colligan, Beach dealt regularly with these purveyors of pornography and became a crucial "intermediary" figure "whose foreign bookshop brought together queer, pornographic, modernist, and French literary networks around Paris editions"

(164). In her autobiography, however, Beach played down such links. She did note that publication of *Ulysses* meant that Shakespeare and Company attracted other authors who were having difficulties in obtaining publishers, such as Frank Harris, for his memoir, *My Life and Loves*, Miller's notorious "dirty" book, *Tropic of Cancer*, and, perhaps most famously, Lawrence's *Lady Chatterley's Lover*, which was then only available in a limited edition published in Florence by the bookseller Pino Orioli in 1928.²⁵ Beach was first lobbied by Richard Aldington and Aldous Huxley to publish Lawrence's novel, before the author himself visited the bookshop in 1928 to try to persuade her. Beach said that she felt "sad refusing Lawrence's Lady" and found it difficult to explain to him that—aside from financial constraints on publishing more books—"I didn't want to get a name as a publisher of erotica" (Beach, *Shakespeare and Company*, 93). Instead, Beach suggested he try another Paris publisher, Edward Titus, and then distributed Lawrence's book once it was published, along with other censored volumes such as Radclyffe Hall's *Well of Loneliness* and, indeed, Harris's memoir (Fitch, *Sylvia Beach*, 279–80; Colligan, *A Publisher's Paradise*, 168).

Though Beach balked at being labelled a "publisher of erotica" it is clear from her archive that she was an important *distributor* of such works. Colligan indicates that she had "almost exclusive distribution rights in Paris" for banned works by writers such as Hall, Harris, and Lawrence, which she sold to Parisian booksellers specializing in pornography (168). She also purchased works from such booksellers, such as the flagellation porn of *Raped on the Rail*, published by Carrington, and a copy of which she supplied to Joyce, who was well-acquainted with literature on the "English Vice," drawing upon it for episodes in *Ulysses* (159, 167–69).²⁶ In 1921 Havelock Ellis offered his six volume *Studies in the Psychology of Sex* to Beach as part of an exchange for a first edition of the forthcoming *Ulysses*, as the cost of Joyce's book was "rather beyond me"; Ellis also acknowledged that his book was difficult to obtain "through ordinary trade channels."²⁷ This was because, in

another manifestation of the primal scene of bookselling and censorship, the book had been banned in 1898 when a London bookseller sold a copy to a plainclothes detective.

Beach's role here indicates how she too operated beyond the "ordinary trade channels" of literary bookselling. Another example is found in a flyer [Fig.1] in the Beach archive, which can be identified from the address as being that of the Chicago bookseller D. G. Nelson, best known for selling occult books. The flyer is for "LIMITED EDITIONS" and "PRIVATELY PRINTED BOOKS" and lists many works that one might normally associate with booksellers specializing in "dirty books," including Richard Burton's *Arabian Nights*, Pierre Louÿs's lesbian-themed *Aphrodite*, *Poetica Erotica*, Sacher-Masoch's *Venus in Furs*, medical works such as W. F. Robie's *Sex and Life* and *The Art of Love*, and the anonymous *Plea for Polygamy*, published by Carrington as a "Paris edition" in 1898.²⁸ Shakespeare and Company certainly stocked the Louÿs, and the tick alongside the *Arabian Nights* on the flyer indicates another potential purchase by Beach. Such examples confirm Colligan's argument that Beach's disavowals of stocking erotica were somewhat disingenuous given her role as a "participant in the dynamics of production" of such texts, and that Shakespeare and Company was part of an overlapping network of publishing and distributing that nimbly switched between the categories of modernist free expression and pornographic "Paris editions" (170). While the publication of *Ulysses* is the central reason for the "symbol capital" accrued by Shakespeare and Company in accounts of modernism, the bookshop's role in the distribution of other kinds of limited editions was undoubtedly another factor in its success.

Progressive, the radical bookshop run by Charles Lahr and Esther Archer in the Holborn area of London.²⁹



Fig.2 Sign from Progressive Bookshop, London, c.1930, Charles Lahr Papers, Courtesy of Sterling Library, Senate House, University of London

The tone of the sign is ironic, knowing, mildly frustrated, yet also provocative, speaking as it does to the operation of the modern bookshop within the framework of those legal institutions which defined obscenity and enabled literary censorship. Though it is not clear which “dirty” book was available in the Progressive, the fact that it advertised a particular volume in this way—while disavowing the possession of other such “dirty” volumes—is quite revealing. As Christopher Hilliard notes in his discussion of the possible range of meanings that we can attach to this sign, the sign “hints at the complicated workings of the book trade and literary networks” at a time when “dirty books” might refer to pornography or to works such as Lawrence’s *Lady Chatterley’s Lover* or Joyce’s *Ulysses*.³⁰ It thus

demonstrates that, like Beach, Archer and Lahr knew the value as well as the danger of stocking “dirty books” and were, like many Anglo-American bookshops, involved in an intricate *pas de deux* with the legal institutions governing literary production. However, unlike Shakespeare and Company, the Progressive operated in an interwar climate where British obscenity laws were being rigorously enforced by the Conservative Home Secretary and moral campaigner, Sir William Joynson-Hicks.³¹ Joynson-Hicks had banned Radclyffe Hall’s *The Well of Loneliness* in 1928, and Hilliard recounts how he encouraged raids upon booksellers in the 1920s, as in the following anecdote of the suppression of Norah C. James’s novel *The Sleeveless Errand* for using the word “bugger”:

the two biggest exporting booksellers had their stock seized; at eight, two plain-clothes men . . . removed all the copies from 30 Museum Street [offices of the publisher] and noted the name of every bookseller to whom the book had been delivered. Next morning, they lost no time in rounding up the book, both in London and in the provinces. (175)

Against such a repressive background, Archer and Lahr’s work as distributors and publishers of books that Joynson-Hicks would unequivocally label as “dirty” exemplifies the role of the bookseller as a quasi-legal expert on the nature of modernist free speech. Central to their vision of what this entailed was a commitment to publishing limited editions of potentially “dirty books”.

The Progressive had opened in 1921 when Lahr and his wife Esther Archer purchased the shop for £25. Lahr was an émigré from Germany in 1905 who had left to avoid conscription and had become a member of the Wobblies (IWW, the Industrial Workers of the World), before being interned in Britain as an enemy alien during World War I. After

meeting Esther Archer in the early 1920s, Lahr opened the bookshop. As Huw Osborne notes, in some ways the original impetus for the Progressive Bookshop came from Archer as much as from Lahr: it was her money that helped fund the shop and her name (as “E. Archer”) which appeared on the shop and press letterhead; she also oversaw the organization and finances of the shop.³²

The Progressive became a key institution in the circulation of radical literature, voices, and ideas in Britain in the 1920s and 30s. As numerous memoirs testify, the Progressive was more than just a place that sold books: “habitues of Lahr’s shop were called customers only as a courtesy,” noted Kenneth Hopkins, “for it really functioned more as a club” (Osborne, “Counter-Space,” 144). Walter Allen characterized it as “a resort for rebels and eccentrics,” while Caribbean intellectual C. L. R. James claimed that the shop was crucial to his intellectual development and informed the writing of his *World Revolution* (1937) (141, 135, 133). Nancy Cunard and her partner Henry Crowder stayed there in 1931 while she was researching her *Negro Anthology*. As Hilliard argues, the Progressive was a “metropolitan hub” and “the lynchpin of a network of readers and writers throughout Britain . . . it was an entrée into the circuits and institutions of literary London for people from Wales and the English provinces—and to a lesser extent from the empire” (Hilliard, “London Underground,” 166). Rhys Davies, the gay working-class Welsh novelist, for instance, said that when he left South Wales for London he met professional writers for the first time in the bookshop, figures like James Hanley and Liam O’Flaherty (167–68).

As well as selling books, the Progressive also developed a publishing wing in the 1920s, producing works by several modernist authors, as well as two modernist little magazines, *The New Coterie* (1925–1927) and *Seed* (1933), the latter with strong links to avant-garde circles around the film magazine, *Close-Up*. However, it also made available censored books such as Lawrence’s *Lady Chatterley’s Lover* and issued limited editions, one

under the imprint of “E. Lahr”, and another for shorter books and pamphlets, the Blue Moon Press, bringing out work by figures such as Aldington, H. E. Bates, and Beatrice Hastings. The Blue Moon press was part of a network of small presses operating in London in the late 1920s, such as Furnival Books, Mandrake, and Fanfrolico: all specialized in producing editions, with limited print runs (c. 30–100), of small books of poems or a single short story that were expensive to produce and to purchase. For example, the Progressive sold Hanley’s *Sheila Moynihan*, published by the Boriswood Press, priced five guineas: a hardback middlebrow novel at the time would cost around 7s 6d (171). Often these small presses ran into trouble with the laws upon obscenity due to the kinds of publication they brought out: the first publication of Mandrake Press in 1928, for example, was a volume of Lawrence’s paintings, copies of which were seized by the police after they raided a concurrent exhibition of the paintings in a London gallery. No legal action was taken against the edition but, in another illustration of the potential benefits to a bookseller of the threat of censorship, the remaining stock of the book quickly sold out, resulting in a useful profit for the press.³³

The limited edition, particular that of the first publication of *Ulysses* by Beach, is central to Rainey’s influential argument in *Institutions of Modernism* that modernism became deeply entwined with a commodity culture to which it proclaimed itself to be opposed, but it is an argument that needs to be challenged further when considering booksellers.³⁴ Osborne’s account of the Progressive, for instance, follows Rainey in arguing that the shop was an instance of that paradox whereby modernists produced limited editions available only via subscription lists (as with *Ulysses*) to avoid obscenity laws, thus producing commodities that attempted to secure a “place in the market by denying the market” (“Counter-Space,” 151). Lahr’s publishing practices, concludes Osborne, operated both as a form of “opposition to consumer culture”, and as an example of “marketing very carefully within that consumer culture” (152). Potter, however, offers a critique of the arguments of Rainey and Osborne,

noting that the “distribution of legally obscene texts by means of private subscription lists predates” *Ulysses* by several decades (*Obscene Modernism*, 62). One example were the limited editions of English translations of the novels of Zola, another writer whose works were often deemed “obscene” by the British courts in the late nineteenth century.³⁵ Modernist writers, argues Potter, simply followed earlier writers in adopting these methods to avoid customs officials, even though they were aware of “the proximity of their own books and the existing trade in obscene writing” (62). Private publication of a limited edition work that was aimed solely at a list of subscribers was, as Hilliard notes, not “technically publication, and so was a way of circumventing the Obscene Publications Act of 1857” (“Literary Underground,” 176). For Potter, the limited edition was thus part of an attempt to carve out a “social space” in which “aesthetic value was connected not with speculation,” as Rainey asserts, “but with freedom of speech” (Potter, *Obscene Modernism*, 62). We should remember that Beach was a bookseller, not a speculator and, as Kotin argues, financial gain was never her goal (“Shakespeare and Company: Publisher,” 121). Booksellers, of course, need to make money because they are businesses, but their motivations for selling certain books are sometimes, maybe often, dominated by concerns that differ from those of Rainey’s speculators. Rainey implies that Beach’s edition of *Ulysses* was not designed to “encourage reading as it renders it superfluous” as the object was designed as a commodity to be collected by dealers (*Institutions*, 56). However, nothing in the accounts of Beach’s life suggests this: she wanted people above all to *read* Joyce, and publication in a limited edition was a tried and tested way for a bookseller to publish material that might be subject to legal prosecution.

Another example that illustrates how booksellers, allied with modern writers, used the limited edition as a strategy to avoid prosecution and defend freedom of speech, rather than just produce a commodity for dealers, was the publication by Archer and Lahr of Hanley’s

The German Prisoner (1931).³⁶ This was available in an edition of 500 signed copies at 10s 6d with an introduction by Aldington and a frontispiece by William Roberts. Hanley's best-known work, *Boy* (1931), a tale of a young working-class sailor, was soon to become a famous *cause celebre* for writers supporting freedom of speech. The novel was initially turned down by Bodley Head who feared being prosecuted but was brought out by Boriswood Press (itself started by a Liverpool bookseller, C. J. Greenwood), in a limited edition of 145 copies, priced at two guineas. It was only when a cheaper edition with a lurid cover appeared that the book ran into trouble. In 1934 the book was seized at a lending library in Bury and the librarian, along with the publisher, were prosecuted and found guilty of obscene publication: copies of the book were then destroyed.³⁷

The publication of *The German Prisoner* by the Progressive demonstrates how limited editions enabled modern writers to avoid the legal charge of obscenity that *Boy* was to later suffer. *The German Prisoner* is a story full of profanities in which two British soldiers in World War I brutally attack, sodomize, and kill a beautiful young German soldier, before they all sink "beneath the sea of mud which oozed over them like the restless tide of an everlasting night."³⁸ Not only the content of the story but also the use of supposedly "dirty words" was likely to result in legal trouble but, as Potter suggests, the use of such profane language by modernist writers was part of "a kind of hostile protest against, or secret circumvention of, censorship" (144).³⁹ In his introduction to Hanley's story, Aldington defended the use of such language, noting that the story does indeed employ "dreadfully dirty words," but to those that might complain he draws upon the experience of war explored in the text: "Gentlemen! Here are your defenders; ladies! Here are the results of your charming white feathers. If you were not ashamed to send men into the war, why should you blush to read what they said in it?"⁴⁰ Aldington had good cause to protest against the censorship of language: his publisher had insisted that certain "dirty" words were removed the text of his

famous anti-war novel, *Death of a Hero* (1929), resulting in him substituting “mucking” for some thirty uses of the word “fucking.”⁴¹ This experience prompted Aldington to write a set of satirical essays against literary censorship that Lahr and Archer published as a Blue Moon Booklet entitled, *Balls and Another Book for Suppression* (1930).

The publication by the Progressive of this pamphlet, along with another anticensorship work by John Arrow, *J.C. Squire v. D. H. Lawrence* (1930), demonstrates how the establishment was “intimately engaged in publishing, printing, and bookselling practices that directly thwarted the suppression of literature” (Osborne, “Counter-Space,” 149). Central to these practices was the distribution or publication of limited editions by the bookseller as indicated by the promotion of Lawrence. In August 1929 Archer and Lahr brought out an unexpurgated edition of Lawrence’s volume of poems, *Pansies*, typescripts of which had already been destroyed by British postal authorities earlier in the year (Worthen, *D. H. Lawrence*, 397). The Progressive had already been involved in selling imported copies of the Florentine limited edition of Lawrence’s *Lady Chatterley’s Lover*. However, in 1929, Lahr, along with P. R. Stephensen of the Mandrake Press, corresponded with Lawrence and arranged to publish the first edition of *Lady Chatterley’s Lover* to appear in England, the so-called “secret third edition” of 1930, with a false date and place of publication, which for many years was suspected of being a pirated edition.⁴² The Progressive’s role in publishing and distributing works by Hanley, Aldington, and Lawrence thus demonstrates its commitment to fighting against legal censorship and the promotion of modernist free speech. Limited edition publication of supposed “dirty books” was crucial to this fight, and the use, therefore, of expensive limited editions was part of a struggle against censorship rather than merely an endorsement of a commodity culture for books as suggested by Rainey. Archer and Lahr thus exemplify the evolving role of the bookseller-publisher as cultural agent, figures whose actions intervene crucially in debates around free speech in modern literature. Where

the Progressive developed extended publishing operation, Frances Steloff's Gotham Book Mart, which began roughly contemporaneously with the Progressive, did not develop an extended publishing operation; this fact, however, did not help it escape the prurient scrutiny of the censor searching for "dirty books."

Vice in Gotham

According to Paul Boyer, the "Clean Books" Crusade of the early 1920s, led by New York Society for the Suppression of Vice, was perhaps the "most far-reaching challenge to American literary freedom" in the twentieth century.⁴³ Again, the impetus came from a scene in a bookstore, when in 1922 a Manhattan bookseller lent a copy of Lawrence's *Women in Love* from the shop's lending library to the daughter of John Ford, a justice of the New York Supreme Court. When Ford read certain passages in the book, he contacted the police, only to be outraged that the book had recently been cleared of obscenity in court. Ford then contacted John Sumner and others, and together formed a "Clean Books League," which then proceeded to campaign for an amendment (the Jesse-Cotillo bill) to state legislation around obscene books (Boyer, *Purity in Print*, 102–5). Initially, booksellers and the publishing industry reacted cautiously to the bill, with the National Association of Book Publishers and the trade journal, *Publisher's Weekly*, both refusing to condemn outright the proposed legislation. At the Detroit convention of the American Bookseller's Association in 1923, one bookseller argued that "It behooves each one of us . . . to take a stand for clean books . . . to sell nothing but wholesome books" (Boyer, *Purity in Print*, 113). However, when a revised version of the bill was proposed in 1924 the book industry appeared to have changed its attitude and bookseller organizations, along with many individual booksellers, authors, and critics now vocally championed the cause of anticensorship and the promotion of free speech. Boyer's account offers another instance of how a campaign for censorship resulted in

unintended consequences for bookshops, as the “Clean Books” crusade only served to mobilize a “firm anticensorship coalition” of booksellers, publishers, and authors (125).

It was against this contentious backdrop that the Gotham Book Mart opened in 1920. Until its eventual closure in 2007 the Gotham developed a reputation as the leading bookseller in New York for supplying modernist literature, particularly the works of the European avant-garde, and for promoting James Joyce in the United States.⁴⁴ Steloff’s bookstore was never involved in such a famous legal case as that of *The Little Review* and *Ulysses*, but its entanglements with Sumner’s Society for the Suppression of Vice were equally productive for the bookstore. In 1928 Sumner seized 460 “obscene” books from David Moss, Steloff’s husband and co-owner for a brief period in the 1920s. These included the *Decameron*, Joyce’s *Ulysses*, and Harris’s *My Life and Loves*. The recent successful case against *Ulysses* and *The Little Review* meant that when Moss appeared in court, he had little choice but to plead guilty and be fined \$250 (Rogers, *Wise Men*, 100). Then, in 1931, a member of the Society who was on the Gotham’s mailing list received one of their catalogues and believed that certain titles on it were obscene: these included Lawrence’s *Women in Love*, Hall’s *Well of Loneliness*, and Gautier’s *Mademoiselle de Maupin*. Strangely, given the notoriety of these volumes, the Society chose none of these for its legal case but instead picked *From a Turkish Harem* and *The Adventures of Hsi Men Ching*, both translations of classic works readily available in public libraries. As Steloff wryly noted, “I suppose there were too many books for the court to read, so they selected the two titles which sounded most wicked” (Steloff, “In Touch,” 767). The case was eventually dismissed, with Judge Brodsky ruling that although *Turkish Harem* did discuss sex, “it does so in a harmless and delectable manner.” He also indicated that a more tolerant attitude towards such works was beginning to appear in American courts:

Through the march of the ages, dealing more particularly with the work of art and literature, the courts and the people have slowly turned from an unrelenting and intolerant attitude to one of graceful acceptance and recognition. The works of writers, too numerous to attempt to set forth here, once regarded as most shameful, lewd and indecent, have gained for themselves places in the hearts and on the library shelves of most self-respecting individuals. (Rogers, *Wise Men*, 150)

Sumner complained bitterly about the decision in a press release, berating the judge along with newspaper coverage of the trial, which had tended to side with the bookshop. Such reports in the press were “encouraging dealers in obscenity,” Sumner argued, “giving them aid and comfort in the carrying on of a nefarious and degrading trade,” ensuring that (drawing upon the Hicklin test) “obscene volumes could now be openly and indiscriminately displayed and sold to persons of any age, sex or mental state.”⁴⁵ Steloff considered suing Sumner for the costs (she had spent \$1000 on the case), but was advised against it. Partly Steloff’s annoyance stemmed from the perceived hypocrisy of the censorship campaigners for, as she claims in her memoirs, “The name of one of the sponsors on the letterhead of the New York Society for the Suppression of Vice is a well-known collector of erotica, who had a man searching all over Europe for rare items to add to his collection.”⁴⁶ Steloff’s revenge was to prepare a mailing list for her customers of those books upon which Sumner had been defeated in court. Here again we see how the attempted prosecution of a bookseller can be utilised for other purposes, in this case the court appearance serves as an advertisement for the bookstore’s own stock.

In 1936 Sumner once again took the Gotham and Steloff to court, this time for the sale of André Gide’s autobiographical *If It Die*. In court Sumner handed a copy of the book to the Judge and stated that the charge was “Buggery!” The magistrate looked at Steloff who

wondered to herself: “What on earth is buggery?” (Rogers, *Wise Men*, 151). Steloff was then detained by the court until she was able to get Bennett Cerf at Random House, the publisher of the book, to send an attorney to argue for her release. This was a wise choice of ally, as it had been Cerf who had brought the famous test case, *United States v. One Book Called Ulysses*, which allowed Random House to publish Joyce’s novel in 1933.⁴⁷ In another sign of the changing climate around literary censorship, the case against Steloff was eventually dismissed by Judge Perlman, though the bookshop received much publicity with her arrest being widely reported in the press. *The Saturday Review of Literature* devoted three columns to the case, with Christopher Morley (a friend of Steloff’s) writing that Sumner’s methods were “an indecent way of attempting to protect public decency” (Steloff, “In Touch,” 768). Morley also offered a powerful defense of the bookseller’s right to avoid prosecution for obscenity:

It would be more impossible for the trader in books to read every volume in his stock than for the grocer to sample every package of food on his shelves. If I were to be made ill by a can of my favorite mushroom soup, surely my recourse would lie against the canner, not against the neighborhood store. But the procedure in these accusations is more fantastic still. The vendor is arraigned . . . on the assumption that someone *might* be made ill. Can the law penalize possibilities? (Rogers, *Wise Men*, 153)

Clearly booksellers were well aware that the content of particular volumes might be considered obscene, as the “dirty books” sign in the Progressive indicated, but few indeed are the proprietors who have read the entirety of their stock, although since the Hicklin test this was seen as an irrelevant point in the eyes of the law. And the possible effect upon a reader of an item obtained from a bookshop is even less within the control of the bookseller.

Masturbation, moral corruption, or aesthetic pleasure: can the bookshop owner who supplies,

for example, *From a Turkish Harem*, to a customer really know which of these effects (or possibly all three simultaneously) are produced by the volume? Morris Ernst, the free speech lawyer employed by Random House in the 1933 *Ulysses* trial, used a similar argument in an influential 1928 book, coauthored with another lawyer, William Seagle: *To the Pure...: A Study of Obscenity and the Censor*.⁴⁸ In the book, which had a major impact on censorship debates, Ernst suggests that when the law seeks to identify who is liable for producing an obscene book, it is the bookseller, rather than the printer, author, or publisher, who is most often “chosen for arrest” and thus becomes “the critical expert in the case” (Ernst and Seagle, *To the Pure*, 231). This is manifestly unfair, argues Ernst, since the bookseller has so many books on their shelves that they know “not of what to beware,” particularly given the “present unknown rules of literary decency”; even reading “trade notices and book reviews can make him only slightly acquainted with their character” (231). Unless it can be demonstrated that the bookseller knew that the contents of a book were definitely obscene, then “the bookseller should certainly be allowed . . . to transfer the guilt where it belongs,” which for Ernst should be the publisher and the author who act as experts in the judgment of obscenity (232). Ernst’s defense of the bookseller is emphasized in the dedication to the book: “THIS BOOK IS DEDICATED TO THE PERPLEXED BOOKSELLERS who, under the unknown rules of literary decency, cannot insure themselves against imprisonment, even by reading all the volumes on their shelves” (Ernst and Seagle, *To the Pure*, frontispiece). What is most intriguing in the arguments both of Morley and of Ernst and Seagle is the way in which the defense of the bookseller in the *legal* realm also results in a diminution of the bookseller in the *cultural* realm, for they are now no longer to be seen as a “critical expert” in the judgment of obscenity.

Perhaps aware of this paradox, Morley’s article also suggested that bookshops such as the Gotham occupied a quite different position in the cultural field than establishments whose

rationale was principally to supply “dirty” books. Morley thus attempted to uphold the role of such booksellers such as Steloff as arbiters of cultural tastes:

The Gotham Book Mart, known to many readers of the *Saturday Review*, happens to be a shop of artistic and mature clients. It deals not only in current books but in first editions, rare and out of print items, works on drama and the arts. Bookstores of this kind make generous contributions to public taste and culture. They are the last places likely to be visited by the callow hunter for tripe and smut. (Rogers, *Wise Men*, 153)

Recalling Lahr’s sign about the availability of “dirty books” in his shop and Beach’s distribution of pornographic texts, we might treat with skepticism Morley’s point that bookshops such as the Gotham never attracted those hunting for “tripe and smut.” Morley’s claim that the Gotham contributes to “public taste and culture” can also be understood in Bourdieu’s terms as a “consecration” of the bookshop for the type of symbolic capital it sells (Bourdieu, *Field of Literary Production*, 75). Arguably, however, the symbolic capital of the bookseller as an upholder of free speech challenging literary puritanism—as in the case of the Lahr for example—is somewhat undermined by a legal argument, as outlined by Ernst and Seagle, that sought to exculpate the bookseller by diminishing their standing as a “critical expert.”

The statement of Judge Perlman when dismissing the 1936 case against the Gotham has become something of a landmark legal case, along with the lifting of the ban on *Ulysses*.⁴⁹ In his summation Perlman noted that in judging a work to be obscene, we have to ask the following questions: “From what is the public to be protected? Who are to be protected? What test shall be applied? Shall we consider the opinion of literary critics? Are ‘de-luxe’ editions exempt from the provisions of our law?”⁵⁰ His answer to the last question was to robustly dismiss the idea that limited editions should be exempt from prosecution, thus

rejecting any attempt to discriminate, as Morley had suggested, between bookshops that supplied expensive items of high cultural capital and those that merely distributed cheap “tripe and smut”:

Counsel for the defendant urge as factors to be considered by me that the book in question sells for \$5 and is part of a very limited edition. Such evidence is immaterial. I cannot say that a 50 cent book is obscene but, that a \$5 book or a “de-luxe” edition is respectable. Such a view gives rise to two contrary implications: First, that the rich and extravagant have a monopoly of good manners and morals, which is not true; or, second, that the rich and extravagant had either already been corrupted or were not worth saving, which is also not true. (Perlman, “People v. Gotham Book Mart,” 105)

Returning to the other questions he posed, Perlman suggests that it is the literary critic, rather than the legal profession, who might be better disposed to make judgements upon the supposed obscenity of books, and he cited a recent case in which “a court considered a large number of testimonials from people eminent in the literary life of this city and country, holding that this group of people collectively, has a better capacity to judge of the value of a literary production than one who is more apt to search for obscene passages in a book than to regard the book as a whole” (104). Here Perlman indicates that the law should be guided by literary critics rather than, say, booksellers, but also suggests a shift away from the Hicklin test, which focused legal attention upon isolated passages of supposed obscene material to be found in books. Thus, he noted that though Gide’s book has a “few paragraphs dealing with isolated instances of inversion, which, taken by themselves, are undoubtedly vulgar and indecent,” they form an “essential part of, the main theme” of the book and the book, depicting Gide’s life as a whole, must therefore be considered in its entirety (105). Perlman

thus rejected the notion that judges should draw up lists of what books are obscene, as “Books, like friends, must be chosen by the readers themselves . . . It is no part of the duty of courts to exercise a censorship over literary productions or to regulate manners or morals” (104).

Perlman’s notion that books are like friends to be chosen by the reader points to an important aspect of bookselling sometimes missed in accounts of the practice. If booksellers were, in legal terms, no longer to be regarded as literary experts or “people eminent in the literary life” of the country, they might still play a role as, in Morley’s phrase, shapers of “public taste and culture” by means of acting as friends to their customers. The correspondence found in many archives of bookshops, such as that of the Gotham, demonstrates how the proprietor often acted as a friend offering personal advice to prospective readers and authors, advice that might not validate the bookseller as a legal expert but often indicated a clear knowledge of what might be judged as an obscene book.

Throughout the mid- to late 1930s one of the literary friends distributed by the Gotham that Sumner seemingly failed to notice was Miller. There is extended correspondence between the Gotham and Miller on how they might supply the demand in the US for *Tropic of Cancer* and *Black Spring*, both published in Paris by Kahane’s Obelisk Press. In 1936 Miller wrote to Steloff asking her advice on US bookshops because he was “trying to push a few books printed abroad and would like to circularize the right bookshops.”⁵¹ By 1938 the Gotham wrote to Miller that they were “frantic” for copies of *Tropic of Cancer*, after a *Time* article on Miller stirred up demand: however, customs officials were holding up all copies.⁵² Various schemes and subterfuges were thus concocted by Steloff to avoid the scrutiny of U. S. customs, such as routing the books via Mexico or posting the volumes ordered by customers to Miller’s father in New York since “he is so near to us would it not be a good plan to use his address for TROPIC OF CANCER and BLACK

SPRING? We can pay him immediately upon receipt or send the money to you.”⁵³ Miller was not keen on this plan and instead they conspired to send out the volumes from individual addresses rather than use the address of the publisher, Obelisk Press, as customs were already aware of the reputation of Obelisk books. With war looming in 1939 Miller wrote to see whether the Gotham could take twenty-nine copies of *Tropic of Cancer* and twelve of *Black Spring*. The bookshop was keen to take the volumes, but the logistics of transporting were difficult, so they offered to pay him \$200 for the collection and requested that he ask Sylvia Beach “to keep them for us until we find a way of getting them over.”⁵⁴ Steloff then proposes that Miller smuggle the volumes into America enclosed in the book jackets of popular novels. Unfortunately the final letters from 1939 between Miller and Steloff indicate that the books have been impounded and held in the customs’ “segregation storeroom” which, notes Steloff, is “a comfort to know that at least the books have not been destroyed.”⁵⁵ In these exchanges Steloff might not act as a literary expert, but she does demonstrate another key aspect of bookselling: satisfying the demand of customers “frantic” for books such as those by Miller. Here we see the bookseller as promoter of modernist free speech coalesce with that of the bookseller satisfying the commercial imperatives of public taste, with both aspects confirming their significant role as cultural agents within the communication circuit of modern book history.

As seen previously in the cases of Archer, Lahr, and Beach, being known as a bookshop that stocked censored literature clearly benefitted the Gotham, and the publicity surrounding the legal cases of the 1930s cemented its reputation as a key location from which to obtain controversial modernist works. This can be seen in the letters received by the Gotham from readers requesting copies of “banned” books. For example, in 1938 a Mr. R. M. Barry, of the Cole Petroleum Company, Laredo, Texas, enquired whether the Gotham has a copy of Miller’s *Tropic of Cancer* that they can supply him, referring to the *Time* article on

the book.⁵⁶ In 1941, the Director of the Memorial Library, Amherst College, wrote to Steloff requesting an unexpurgated edition of *Lady Chatterley's Lover*, a text banned in the US for another eighteen years.⁵⁷ At times, however, Steloff is keen to distinguish—like Lahr and Beach—the precise nature of the “dirty” books available from the Gotham. In 1939 a W. E. Boyle, from Detroit, wrote to say that the Obelisk Press has “informed me that you usually have on hand a copy of THE BLACK BOOK by Laurence [sic] Durrell”.⁵⁸ Boyle also requested a quotation for an illustrated edition of the erotic classic, *The Perfumed Garden*. Steloff replies that they do not have the Durrell at the moment, as it is difficult to get through customs: “As for the other title, it is definitely taboo (illustrated or otherwise) not only customs but locally.”⁵⁹ While unwilling to supply this “taboo” volume, Steloff clearly wants to satisfy the specialist interests of this customer and so, in the mode of bookseller as friend, instead recommends Miller’s *Tropic of Cancer*, *The Chinese Decameron* and, ironically, that old favorite of John Sumner, *Tales from a Turkish Harem* (illustrated). Here we see yet again a bookseller trying to police the uneasy boundaries between the obscene and the literary, while also keeping an eye on her sales figures. In her memoir Steloff noted that she tended to distinguish between different categories of “dirty” books (recalling a similar claim made by Beach in her biography): “I had always been pretty much of a prude myself and might have co-operated with the censors if they hadn’t been so unbelievably stupid and without one ounce of discrimination. It makes all the difference in the world if work of this nature is done by an artist or a smut peddler” (Steloff, *Memoirs*, 3). Steloff’s views here, combined with the information in her correspondence, yet again demonstrate the mobile category of the “dirty book” for the modern bookseller: though she refuses to supply Boyle with *The Perfumed Garden*, she is quite willing to act as a “literary friend” and recommend other books that she believes might appeal to his or her tastes, much in the same way that Beach supplied flagellation pornography to Joyce.

Steloff's final brush with the "unbelievably stupid" Sumner and the Vice Society came in 1945 and concerned a window display for a book that reveals a final example of how attempted censorship could actually present new opportunities for bookshop owners. The window display objected to by Sumner was organized by Charles Henri Ford, editor of *View*, to announce the publication of a new book by André Breton, *Arcane 17* [Fig. 3]. The surrealist display was prepared by Breton and Marcel Duchamp, and included a headless figure with a tap on its thigh called "Lazy Hardware."

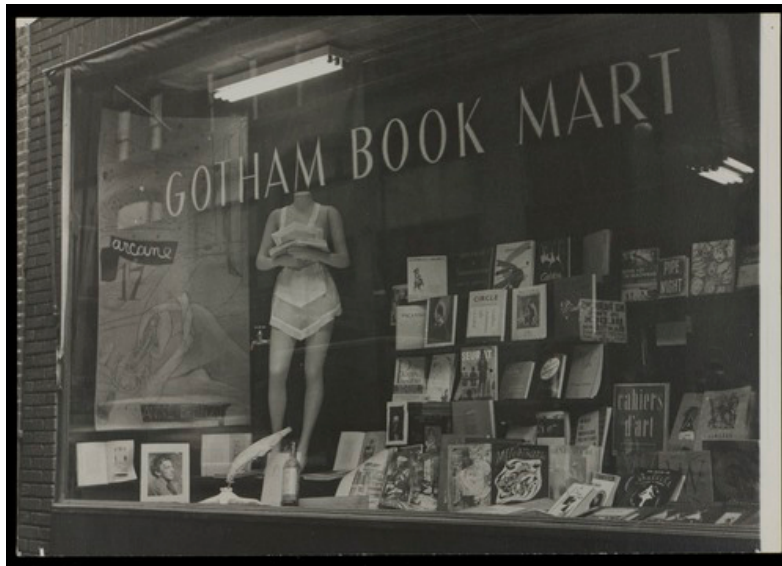


Fig.3 Shop window of “Gotham Book Mart”, organized by Marcel Duchamp for the publication of “Arcane 17” by André Breton, New York (1945) @ Association Marcel Duchamp/ADAGP and the Bibliothèque Kandinsky, RMN-Grand Palais/Fonds Breton.

The day after the window display was finished, Sumner appeared at the shop: “I have a complaint” he said, pointing at the window. “But,” said Steloff, “she has an apron on!” (Rogers, *Wise Men*, 155). However, Sumner’s objection was not to the model but to the painting on the poster for the book’s cover, which included two small figures, one with her

breast showing. “But it’s by [Robert] Matta!” said Steloff, “He is in the permanent collection of the Museum of Modern Art!” “It can’t be helped,” said Sumner. “It will have to come out.” Steloff’s final retort was to say to Sumner that “One must have a dirty mind to see obscenity there!” (156). Sumner then left, leaving his card, and requested that she let him know her decision the next day. Steloff’s exasperated response was to attach Sumner’s calling card to the objectionable part of the poster on which in large letters she wrote “CENSORED.” This, Steloff notes, “drew larger crowds than before, and the display remained in the window a full week” (Steloff, “In Touch,” 770). Such a tactic draws from the visual culture of advertising, with the discourse of censorship only increasing interest from the passing public in the controversial contents of the bookshop.

Conclusion

This article has argued that bookshops and bookseller-publishers have often been ignored by scholarship on literary censorship, yet they are central to the complex encounters between modernism and the institutions of the law; in the accounts of Sylvia Beach, Charles Lahr and Esther Archer, and Frances Steloff, we can thus trace some of the principal issues surrounding print culture and obscenity in the twentieth century. For example, influenced by Rainey, scholarship upon the limited edition, published or supplied by independent bookshops, has tended to understand these as instances of the commodification of modernism as part of a market economy. Looking at the limited edition from the point of view of the bookshop threatened with prosecution for obscenity, however, presents a slightly different view, where the values of protecting artistic freedom against the forces of censorship often seem of primary consideration, and where the reliance upon the expensive limited edition was a calculated strategy to circumvent the perceived injustices of the law. The encounter of a particular bookshop with the power of the law could indeed threaten their very livelihoods,

but it might also function constructively by generating publicity and support: such were the “productive effects” of a supposedly repressive operation of institutional power. Bookshops are also interesting for the individual interventions and discriminations within the cultural field shown by their proprietors, as demonstrated by the wishes of Beach and Steloff to distinguish, however precariously and problematically, between the literary and the obscene, the dirty words of modernism and really “dirty books.” Melanie Micir, in her book on women and archives, *The Passion Projects*, suggests that Beach’s work displayed an “archival consciousness” because she was a “collector, curator, [and] chronicler of modernism.”⁶⁰ In this sense we might understand Steloff and Beach as cultural agents committed to curating and promoting modernist writing that appeared at risk of being labelled obscene.

However, we have also seen how the borders between these categories were often blurred by the actions of booksellers who might balk at publishing “dirty books,” but who were more than happy to distribute them to their customers. In the accounts of bookshops that became entangled with the law relating to the censorship of obscene materials we also see the shifting status and role of the bookseller themselves: from a legal subject who knowingly distributes obscene materials, to someone who no longer possesses the status of a “critical expert” able to judge whether a book is obscene, to a literary “friend” who nevertheless navigates the categories of the obscene and the literary in the advice they offer readers and authors. This changing status is clearly demonstrated in the *Howl* trial of 1958, with which this article commenced: none of the expert witnesses called upon to debate the merits of the book were booksellers, with the majority of the witnesses being academics or professional critics (Morgan and Peters, *Howl on Trial*, 126).

A final example of the primal scene with which we opened demonstrates how booksellers have not only encouraged literary free speech but sometimes used ingenious tactics to outwit the censor. Sumner and some accomplices once visited Harry Gold’s

Aberdeen Book Company on New York's Book Row (Fourth Avenue), posing as regular customers in search of certain "specialist" kinds of material. The proprietor thus suggested a copy of John Cleland's classic, *Fanny Hill, or Memoirs of a Lady of Pleasure*, bound in high-quality leather, priced at \$100. As the book was sold, Sumner triumphantly began the process of arresting the seller of yet another "dirty" book. At which point Gold opened the pages of the volume to reveal the purity of the page rather than the anticipated "dirty" book: though it said *Fanny Hill* on the spine, it was merely a dummy copy containing blank pages (Mondlin and Meador, *Book Row*, 122). Sometimes a "dirty book" only exists in the eyes of those seeking to ban them; or, as Steloff replied to Sumner: "One must have a dirty mind to see obscenity there!"

Notes

I would like to thank the Leverhulme Trust and British Academy for support that enabled me to visit various archives that contributed to the writing of this article. I would also like to thank David McKnight for an invitation to present an earlier version of this material at the Kislak Center for Special Collections, University of Pennsylvania, and Catherine Clay for her astute advice on a draft of this article.

¹For an account of the trial see Bill Morgan and Nancy J. Peters, ed. *Howl on Trial: The Battle for Free Expression* (San Francisco: City Lights Books, 2006).

²Marvin Mondlin and Roy Meador, *Book Row: An Anecdotal and Pictorial History of the Antiquarian Book Trade* (New York: Carroll and Graf, 2005), 74.

³These two incidents are discussed in detail below.

⁴Stephen Gillers, "A Tendency to Deprave and Corrupt: The Transformation of American Obscenity Law from Hicklin to *Ulysses 2*," *Washington University Law Review* 85, no. 2 (2007): 215–96, 271, 266.

⁵Leslie A. Taylor, "'I Made Up My Mind to Get It': The American Trial of Well of Loneliness, New York City, 1928–9," *Journal of the History of Sexuality* 10, no. 2 (2001): 250–86, 273.

⁶Katherine Mullin, “Poison More Deadly than Prussic Acid: Defining Obscenity after the 1857 Obscene Publications Act (1850–1885),” in *Prudes on the Prowl: Fiction and Obscenity in England, 1850 to the Present Day*, eds. David Bradshaw and Rachel Potter (Oxford: Oxford University Press, 2013), 11–29, 19.

⁷Alex Cochrane, “Lost London: A Victorian Street for Friggers and Radicals,” www.unofficialbritain.com/lost-london-a-victorian-street-for-friggers-and-radicals/

⁸Rachel Potter, *Obscene Modernism: Literary Censorship and Experiment 1900–1940* (Oxford: Oxford University Press, 2013), 17.

⁹For the concept of “censorship networks” see Potter, *Obscene Modernism*, 13–40.

¹⁰Key works upon the relationship between modernism and obscenity include David Bradshaw and Rachel Potter, ed. *Prudes on the Prowl: Fiction and Obscenity in England, 1850 to the Present Day* (Oxford: Oxford University Press, 2013); Celia Marshik, *British Modernism and Censorship* (Cambridge: Cambridge University Press, 2006); Adam Parkes, *Modernism and the Theatre of Censorship* (Oxford: Oxford University Press, 1996); Allison Pease, *Modernism, Mass Culture, and the Aesthetics of Obscenity* (Cambridge: Cambridge University Press, 2000); and Potter, *Obscene Modernism*.

¹¹See, for instance, Jack Kahane, *Memoirs of a Bootlegger* (London: Michael Joseph, 1939) and Neil Pearson, *Obelisk: A History of Jack Kahane and the Obelisk Press* (Liverpool: Liverpool University Press, 2007); Barney Rosset, *Rosset: My Life in Publishing and How I Fought Censorship* (New York: OR Books, 2016) and Loren Glass, *Rebel Publisher: Grove Press and the Revolution of the Word* (New York: Seven Stories Press, 2018); and Jay A. Gertzman, *Samuel Roth: Infamous Modernist* (Gainesville, FL: University Press of Florida, 2013). Roth, infamous for publishing pirate editions of *Ulysses* and *Lady Chatterley’s Lover*, also briefly ran a bookshop in New York, the Poetry Bookshop; see Gertzman, *Samuel Roth*, 39–43.

¹²See Robert Darnton, “What Is the History of Books?” in *The Book History Reader*, second edition, eds. David Finkelstein and Alistair McCleery (London: Routledge, 2006), 9–27, 20.

¹³See Ian Gibson, *The English Vice: Beating, Sex and Shame in Victorian England and After* (London: Duckworth, 1978).

¹⁴For the role of Beach as a publisher see Joshua Kotin, “Shakespeare and Company: Publisher,” in *Publishing Modernist Fiction and Poetry*, ed. Lise Jaillant (Edinburgh: Edinburgh University Press, 2019), 109–34.

¹⁵See Lawrence Rainey, *Institutions of Modernism: Literary Elites and Public Culture* (New Haven: Yale University Press, 1998).

¹⁶As Foucault argues: “If power were never anything but repressive, if it never did anything but to say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn’t only weigh on us as a force that says no, but that it traverses and produces things . . . It needs to be considered as a productive network which runs through the whole social body.” See Michel Foucault, “Truth and Power,” in *The Foucault Reader*, ed. Paul Rabinow (London: Penguin, 1984), 51–75, 61.

¹⁷Pierre Bourdieu, *The Field of Literary Production: Essays on Art and Literature*, trans. Randal Johnson (Cambridge: Polity Press, 1993), 75.

¹⁸Sylvia Beach, *Shakespeare and Company* (Lincoln, NE: University of Nebraska Press, 1991), 90–91.

¹⁹There are many accounts of prosecution of *The Little Review*. See, for example, Jackson R. Bryer, “Joyce, *Ulysses*, and *The Little Review*,” *South Atlantic Quarterly* 66 (Spring 1967): 148–64; Gillers, “A Tendency to Deprave and Corrupt,” Parkes, *Modernism and the Theatre of Censorship*, 65–106; Paul Vanderham, *James Joyce and Censorship: The Trials of “Ulysses”* (Basingstoke: Macmillan, 1998); and Clare Hutton, *Serial Encounters: “Ulysses” and “The Little Review”* (Oxford: Oxford University Press, 2019).

²⁰Margaret Anderson, *My Thirty Years War: The Autobiography* (New York: Horizon Press, 1969), 209.

²¹Kotin notes that there is some ambiguity over whether Joyce suggested to Beach that she publish the book or if it was Beach herself who first offered to publish it; see “Shakespeare and Company: Publisher,” 115.

²²The most detailed account of the significance of Shakespeare and Company bookshop remains that of Noel Riley Fitch, *Sylvia Beach and the Lost Generation: A History of Literary Paris in the Twenties and Thirties* (New York: Norton, 1985).

²³Here I draw upon the excellent account offered in Colette Colligan, *A Publisher’s Paradise: Expatriate Literary Culture in Paris, 1890–1960* (Amherst, MA: University of Massachusetts Press, 2014). For a related account of the interwar period see Hugh Ford, *Published in Paris: American and British Writers, Printers, and Publishers in Paris, 1920–1939* (London: Garnstone Press, 1975).

²⁴For discussion of Carrington see Colligan, *A Publisher’s Paradise*, 67–140.

²⁵John Worthen, *D. H. Lawrence: The Life of an Outsider* (London: Penguin, 2006), 372–73.

²⁶And see Richard Brown, *James Joyce and Sexuality* (Cambridge: Cambridge University Press, 1985).

²⁷Havelock Ellis, letter to Sylvia Beach, July 11, 1921, Sylvia Beach Archive, Box 18, folder 36, Firestone Library, Princeton University. The records in the Beach Archive indicate the success of the transaction, as Ellis received copy number 295 of the first edition of *Ulysses*.

²⁸D. G. Nelson, "Flyer," c. 1922, Sylvia Beach Archive, Box 60 folder 4, Firestone Library, Princeton University.

²⁹Placard, Charles Lahr papers, Sterling Library, Senate House, University of London.

³⁰Christopher Hilliard, "The Literary Underground of 1920s London" *Social History* 33, no. 2, (2008): 164–82, 164.

³¹For accounts of Joynton-Hicks ("Hix") see Bradshaw and Potter, *Prudes on the Prowl*, 71–89; Potter, *Obscene Modernism*, 159–61; and Hilliard, "Literary Underground," 174–75.

³²Huw Osborne, "Counter-Space in Charles Lahr's Progressive Bookshop," in *The Rise of the Modernist Bookshop: Books and the Commerce of Culture in the Twentieth Century*, ed. Huw Osborne (Farnham: Ashgate, 2015), 131–61, 135–38.

³³Craig Munro, "Lady Chatterley in London: The Secret Third Edition," in *D. H. Lawrence's "Lady": A New Look at Lady Chatterley's Lover*, eds. Michael Squires and Dennis Jackson (Athens, GA: University of Georgia Press, 1986), 222–35, 224, 226.

³⁴Lawrence Rainey, *Institutions of Modernism: Literary Elites and Public Culture* (New Haven: Yale University Press, 1988), 75–76.

³⁵See Katherine Mullin, "Pernicious Literature: Vigilance in the Age of Zola (1886–1899)," in *Prudes on the Prowl: Fiction and Obscenity in England, 1850 to the Present Day*, eds. David Bradshaw and Rachel Potter (Oxford: Oxford University Press, 2013), 30–51, 47.

³⁶For an extended discussion of this story see Osborne, "Counter-Space," 147–60.

³⁷See Elisabeth Ladenson, "After Jix (1930–1945)" in *Prudes on the Prowl: Fiction and Obscenity in England, 1850 to the Present Day*, eds. David Bradshaw and Rachel Potter (Oxford: Oxford University Press, 2013), 111–37, 126–29.

³⁸James Hanley, *The German Prisoner*, privately printed, (London: Charles Lahr, 1931), 36.

³⁹For another consideration of the role of profanities in modernism see Loren Glass, "#\$%^&*!?: Modernism and Dirty Words," *Modernism/modernity* 14, no. 2 (2007), 209–23.

⁴⁰Aldington, "Introduction," to Hanley, *German Prisoner*, n.p.

⁴¹See Andrew Frayn, *Writing Disenchantment: British First World War Prose, 1914–1930* (Manchester: Manchester University Press, 2014), 214.

⁴²The fullest account of this edition is given in Munro, "Lady Chatterley in London: The Secret Third Edition."

⁴³Paul S. Boyer, *Purity in Print: Book Censorship in America from the Gilded Age to the Computer Age*, second edition (Madison, WI: University of Wisconsin Press, 2002), 99.

⁴⁴On the history of Steloff and the Gotham see Frances Steloff, "In Touch with Genius," *Journal of Modern Literature* 4, no. 4 (1975): 749–882; W.G. Rogers, *Wise Men Fish Here: The Story of Frances Steloff and the Gotham Book Mart* (New York: Harcourt, Brace and World, 1965); and *Wise Men Fished Here: A Centennial Exhibition in Honor of the Gotham Book Mart, 1920–2020* (Philadelphia, PA: University of Pennsylvania Libraries, 2019).

⁴⁵John Sumner, "Something About Obscene Books and A City Magistrate," *The New York Society for the Suppression of Vice*, December 15, 1931, press release, Frances Steloff Collection, Skidmore College.

⁴⁶Frances Steloff, *Memoirs*, unpublished typescript, Frances Steloff Collection, Skidmore College, 3.

⁴⁷For discussion of the legal issues surrounding the Random House publication of *Ulysses* see Robert Spoo, *Without Copyrights: Piracy, Publishing, and the Public Domain* (New York: Oxford University Press, 2013), 233–62.

⁴⁸Morris L. Ernst, and William Seagle, *To the Pure....: A Study of Obscenity and the Censor* (New York: Viking Press, 1928). For discussion of the impact of this book see Boyer, *Purity in Print*, 146–49; Elisabeth Ladenson, "After Jix," 113–14.

⁴⁹See Edward De Grazia, ed. *Censorship Landmarks* (New York: R.R. Bowker, 1969).

⁵⁰Nathan D. Perlman, "People on Complaint of Savery v. Gotham Book Mart, Inc." in De Grazia, *Censorship Landmarks*, 103–5, 104.

⁵¹Letter, Henry Miller to Frances Steloff, February 26, 1936, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵²Letter, Gotham Book Mart to Miller, December 9, 1938, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵³Letter, Steloff to Miller, March 29, 1938, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁴Letter, Gotham Book Mart to Miller, May 9, 1939, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁵Letter, Steloff to Miller, November 21, 1939, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁶Letter, R. M. Barry to Steloff, December 17, 1938, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁷ Letter, Newton McKeon to Steloff, January 14, 1941, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁸ Letter, W. E. Boyle to Steloff, January 31, 1939, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁵⁹ Letter, Steloff to Boyle, February 26, 1939, Gotham Book Mart, records (1938–48), Berg Collection, NYPL.

⁶⁰ Melanie Micir, *The Passion Projects: Modernist Women, Intimate Archives, Unfinished Lives* (Princeton: Princeton University Press, 2019), 86–87.