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“HOWL,” NIETZSCHE, BILINGUAL DETENTION, AND COLLECTIVE MEMORY

These four works exemplify of the importance of narrative as the tie that binds in society, and the relationship narrative has to power. Their research is comprehensive, astute and impressive. Tiffany Ku aptly explains the philosophical determinants that allow autobiography to exist, such as the singularity of the individual, the individual in time and as an agent of history, and how we understand the continuity of the self. Nietzsche, autobiography, and the changing perspectives and standpoints of power is a nice introduction to all their work on the construction of truth. Stephanie Fung boldly researches collective memory in the face of genocide, and a misanthropic regime. She gives specific data of the young demographic in Cambodia, and compassionately relates personal stories from survivors and their children from the Khmer Rouge era. Power and the possibility of real violence plays such a huge role in the context of genocide, her work pulls out the silent deadly force, the black curtain waiting to drop on the survivors. Her analysis of disputes being solved by a merging of Civil Parties and the incompetence of compromise in this instance is sharp and incisive. Her thesis comes from both her observational and lived research in Cambodia, including court documents. Kiara Covarrubias immigrant voices in a war against dehumanization, the border, and the other. She exemplifies her qualitative experience working in an immigrant detention center, and the quantitative data of how immigrants are dehumanized and turned into a number to be manipulated by national institutions. I would add to her methodology on immigration policy, as a contextualization, the very powerful literature produced by the mainstream media about undocumented immigrants. She makes an important distinction in how the authors identified themselves as “undocumented immigrants”, rather than Chicano/a. And where she soars is her explanation of the specificities of undocumented Latino Spanish in literature and

that of the Chicana/o literature, ie. the words we know, but don't live. Andrew David King discusses anti-establishment poetry and its censorship, the Beat generation as a whole generation battling against silence. In his introduction he mentions the impact Allen Ginsberg's "Howl" has had on our culture, phrases that have become commonplace in language. He has an ear for poetry, this is clear, and one is pulled into his intoxication with the melody and rhythm of words on the page. I'd suggest a stronger analysis of his research and a historical context in which he'd like to enlighten his audience around the trial of "Howl", and also perhaps a legal discourse around the free speech.

In all instances these researchers are revealing the role narrative plays, and how power is intrinsically located inside the ability to narrate. In all of their work we see the struggles and joys to create a narrative the face of power. We see silence, resistance, and the insidious desire for truth against all odds. Research if nothing else is a quest for truth. How you define truth may vary, and I thought a great deal about Michel Foucault, Nietzsche, Gayatri Spivack, Wa' thiongo N'gugi, Gloria Anzaldua, Ronald Takaki while reading your works. You have done an outstanding job compiling your primary research. It's my hope these young researchers continue with their independent research, their own narratives and battles against silence.

—Sheila Hernandez, B.A.
Gallery Director, Mission Cultural Center for the Arts

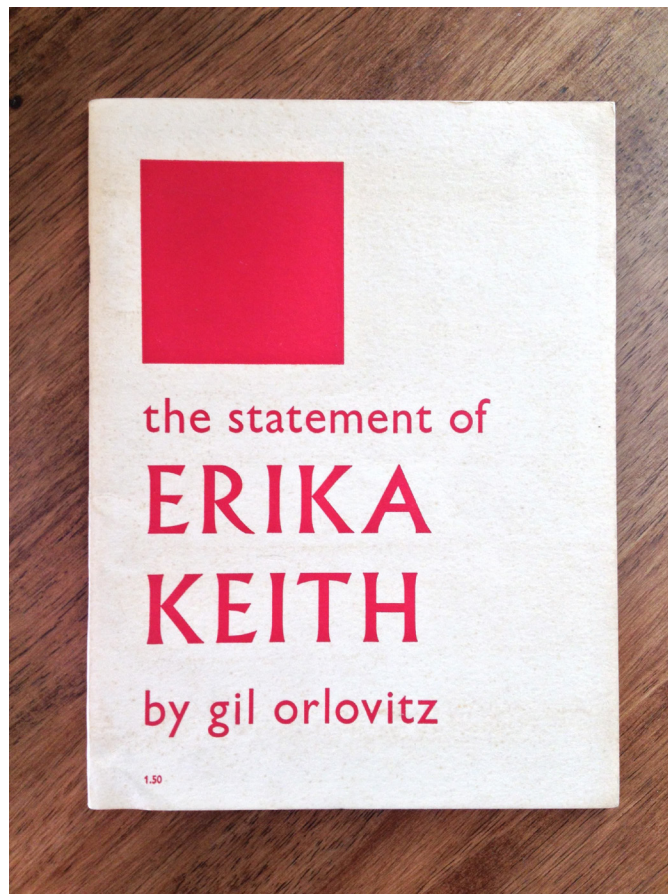
THE STATEMENT OF WHO?

The Narrative of the *Howl* Trial and Its Discontents

SURF Conference Panel Session 3A

By: Andrew David King

Mentor: Professor Robert Hass, English



PHOTOGRAPH OF FRONT COVER OF ORLOVITZ'S
THE STATEMENT OF ERIKA KEITH

The opening of Allen Ginsberg's "Howl," from his eponymous 1956 collection *Howl and Other Poems*, contains some of the most canonical lines in 20th-century American poetry. Ginsberg's salvo against the conservative, materialist ideology of his time begins with a statement of witness: "I saw the best minds of my generation destroyed by madness," he declaims.¹ With its explicit references to drug use, heterosexual and homosexual activity, and political dissent, Ginsberg's *Howl* became a flagship work of the Beats when it was seized by a U.S. customs officer and San Francisco police, who also pressed an obscenity lawsuit against its publisher. But what if this event, which many narratives have essentialized as the opposition of a single Beat generation writer and his publisher against the establishment he critiques, is more complicated than the David-and-Goliath story it seems to be at first glance?

In answering this question positively, my research aims at investigating the relevance, both literary and historical, of two additional written works that also faced persecution along with *Howl and Other Poems* but which have been widely neglected by historians and literary critics due to the predominance of the binary Beat-against-establishment narrative. Such a narrative tends to consist of the following events: *Howl* itself was published in November 1956 by Lawrence Ferlinghetti as part of his Pocket Poets Series at City Lights Books in San Francisco. It was seized in March 1957 by U.S. Collector of Customs Chester MacPhee as 520 copies were imported from England, and again by San Francisco police in June 1957. Ferlinghetti and his clerk were charged with selling obscene materials, but the case was dismissed by Judge Clayton Horn in October 1957.²

The two written works that render this narrative problematic are Safford Chamberlain's story "Our Kind of Love," seized by MacPhee a month before he seized *Howl*, and Gil Orlovitz's *The Statement of Erika Keith and Other Stories, Poems, and a Play*. Both of these works were printed in separate editions of Berkeley publisher William Margolis's magazine *Miscellaneous Man*. Chamberlain's story was published in the magazine's 10th issue, which debuted in January of 1957. Orlovitz's work was purchased by plainclothes police officers along with *Howl* as grounds to arrest City Lights Books clerk Shigeyoshi Murao and later Lawrence Ferlinghetti for publishing obscene materials.³

In order to get a better sense of how *Miscellaneous Man* fits within the Beat aesthetic, it's helpful to take a look at the magazine's masthead, which articulates a combined ethos of individuality and community:

The miscellaneous man is the individual man, the human being who, as a dynamic entity, never quite fits under any label and is constantly bulging out of categories. He stands alone, but not aloof; self-sufficient, and yet co-operative. . . . He is seeking and testing creative approaches to the problems that face individual men and women, that limit their humanity and chain them in a cage of mere existence.⁴

In seeking to evaluate these works and their consequences for literary-historical narratives, at least four areas of inquiry emerge:

1 Allen Ginsberg, *Howl: Original Draft Facsimile*, ed. Barry Miles, Harper Perennial Modern Classics (New York City, NY: Harper and Row, 2006), 44, originally published as *Howl and Other Poems* (San Francisco, CA: City Lights Books, 1956).

2 For an account of these and other events, see Bill Morgan and Nancy J. Peters, eds., *Howl on Trial: The Battle for Free Expression* (San Francisco, CA: City Lights Books, 2006).

3 Ibid.

4 Bill Margolis, "The Miscellaneous Man," *Miscellaneous Man*, nos. 11-12 (Spring 1957): 63.

1. Where do these works by Orlovitz and Chamberlain fit into the existent narrative of the *Howl* trial, and might they alter that narrative in important ways?
2. What are the aesthetic characteristics of the works? How do these characteristics compare with those of *Howl* and with each other?
3. Does any archival evidence exist to support the thesis that these works may have been known but, as I argue, were eventually neglected? Regardless, do we have any good reasons to argue for attributing significance to them now?
4. If it is true that these works were neglected, why might this have been the case?

At the forefront of any attempt to respond to these questions stands the archival evidence—evidence that, I believe, substantiates my hypothesis that these works bear significant implications for mainstream narratives of the *Howl* trial. I will argue that they do this by undercutting the binary opposition these narratives have constructed between the Beat generation and the institutions, usually governmental, that affronted the generation's canonical writers. By offering related but alternative aesthetic approaches to subjects also explored in *Howl*, and by managing to attract enough attention to provoke their seizure, they posit a cultural history wherein the Beat generation writers were not alone in their confrontations with authorities, and the *Howl* trial, though important, was no singular turning-point for free speech.

My methodology takes three main approaches. The first and most important is my scrutiny of archival materials in the Bancroft Library at Berkeley and the Green Library at Stanford. Of similar importance is a general overview of secondary materials regarding the Beat generation, Ginsberg, and the *Howl* trial in an attempt to gauge what prevailing accounts say. A third and indispensable source for my research has been interviews. By talking directly with Chamberlain, now 87, and others who have first- or second-hand knowledge of relevant events, I have been able to obtain personal, empirical accounts of these events.

Perhaps the most important question in my research is whether or not available archival materials demonstrate that these works by Orlovitz and Chamberlain were, if not conclusively important, at least present and circulating in the community and environment in which the *Howl* trial took place. If this is the case, a more convincing argument can be made for their relevance.

A letter from Bill Margolis, the publisher of *Miscellaneous Man*, sent to Allen Ginsberg on April 4, 1964, about seven years after the *Howl* trial, partially substantiates my hypothesis. According to Mark A. Reid in *PostNegritude* [sic] *Visual and Literary Culture*, Margolis and Ginsberg co-founded the literary magazine *Beatitude* together, along with Bob Kaufman and John Kelley in 1959, just two years after the trial.⁵ (A.D. Winans, however, disputes Ginsberg's involvement in the founding of *Beatitude*.)⁶ Margolis's letter was written in response to a letter Ginsberg sent to him pertaining to ongoing trouble with law enforcement. Because Ginsberg's letters to Margolis do not survive, the only evidence that attests to their correspondence is what remains in the Ginsberg Papers at Stanford University. Luckily, in this 1964 letter, Margolis quotes Ginsberg's initial note:

⁵ Mark A. Reid, *PostNegritude Visual and Literary Culture* (Albany: SUNY Press, 1997), 70.

⁶ A. D. Winans, "Re: Regarding Beatitude, Margolis, etc.," e-mail message to author, August 29, 2013.

Just got V.Voice [*Village Voice*] of Mar. 26 & note yr activities and rush to write you & give you my best wishes & long distance moral support. ... “Cops arresting /film/ poets they dont [sic] like... and demanding kick backs at poetry readings” ridiculous indeed. “Call out the spiritual fuzz and put the cops back where they belong on level of street car conductors and public servants. Who wants to pay dues to a nas[t]y illiterate gestapostop and down with police state law against the holy weed marijuana.”⁷

This note demonstrates that Ginsberg and Margolis were both aware of, and in communication about, the conflicting interests of Beat writers and the authorities. The second, and last, letter between Margolis and Ginsberg contained in the Ginsberg Papers is a letter from Margolis dated December 22, 1968, more than four years after his last available correspondence. It takes on a more distant tone than that of the 1964 letter; if Margolis and Ginsberg did have a more personal relationship prior to this date—as is suggested by the speculation that they cofounded *Beatitude*—it seems to have faded by 1968, as Margolis expresses a wistfulness and lofty respect for Ginsberg in the wake of an apparent accident the latter suffered:

Dear Allen,

For years I've wanted to write to you, just simple love & admiration, & “business” matters too, like about the work, poetry—even sent you a telegram a few months ago c/o City Lights re: *Miscellaneous Man*—but now I just want to tell you I love you and wish you speediest recovery from yr accident... You are still, from my distance in years and space, one of the people I'm most thankful to have once known face to face—and during these years whatever I have heard of you has been immeasurably helpful to me—yr love & wisdom in the world has helped make my world more beautiful.⁸

If not completely illuminating on the facts and circumstances of their friendship, Margolis's 1968 letter nonetheless shows us that there was, at one point, a significant friendship between Ginsberg and the publisher of the magazine in which the two literary pieces also involved in the *Howl* trial appeared. There is the possibility, as some might assume, that the friendship was stronger on Margolis's side (neither of the above-quoted letters mentions any particular correspondence from Ginsberg). Although I have yet to find any correspondence where Ginsberg makes explicit reference to Orlovitz, Chamberlain, or Margolis, it is hard to know whether or not he ever made such references, as much of Ginsberg's remaining correspondence consists of letters sent to him; many of the letters he sent to friends are now lost. Despite this, the relationship between Margolis, Ginsberg, *Miscellaneous Man*, and the *Howl* trial is also solidified by the fact that two issues of *Miscellaneous Man* were in Ginsberg's possession when he transferred his estate to Stanford: a well-worn copy of the issue which contained Orlovitz's work and the following issue, which contained a preface from Margolis about the censorship (No. 13). This indicates that Ginsberg had to have been aware of the censorship of *Miscellaneous Man* and possibly that he was familiar with Orlovitz's work, if not Chamberlain's. According to Margolis, Orlovitz and Chamberlain were both subject to political scrutiny, but for entirely different reasons, as he explains in that preface titled “Censorship Is Their Kind of Hate”:

7 Bill Margolis to Allen Ginsberg, April 4, 1964, Subseries 1.1 Correspondence, 1940-1949, Box 41, Folder 51, Allen Ginsberg Papers, Stanford University, Stanford, CA.

8 Bill Margolis to Allen Ginsberg, December 22, 1968, Subseries 1.1 Correspondence, 1940-1949, Box 41, Folder 51, Allen Ginsberg Papers, Stanford University, Stanford, CA.

Although artistically they are quite different, both Safford Chamberlain's 'Our Kind of Love', and Allen Ginsberg's *HOWL*, have a similar concern. They are both attempts to vividly portray the 'tragic horror' of certain aspects of our society; they are both, I believe, 'dead-serious literary productions' with 'morally good' intentions; both are 'unpleasant sermons.' MacPhee, and those who so readily support him (and those who are unthinkingly willing to take his word) apparently must realize their responsibility for the maintenance of those certainly tragically horrible aspects of our society, and are ashamed.⁹

Margolis goes on to provide details demonstrating that the second seizure of *Miscellaneous Man*, which contained Orlovitz's work, was confused. The plainclothes officers, under the direction of Captain William Hanrahan of the juvenile bureau of San Francisco police, purchased the combined 11th/12th issue along with *Howl*, even though the story that initially inspired MacPhee's earlier seizure, Chamberlain's story "Our Kind of Love," had been in the 10th issue, which was off the shelves by then. The combined 11th/12th issue, however, contained Orlovitz's *The Statement of Erika Keith*, thereby involving him in the trial, however needlessly. As Margolis himself said, "This gives some credibility to the current rumor that the cops can't read."¹⁰

There are a number of other interesting archival findings worth mentioning, including letters from Ginsberg to his father, Louis, that detail the seizure of *Miscellaneous Man* as well as *Howl*¹¹; coverage in the *San Francisco Chronicle* that stipulates that *Miscellaneous Man* was also seized by the undercover officers who arrested Shigeyoshi Murao for selling *Howl* at City Lights (though the coverage makes no mention of Chamberlain or Orlovitz)¹²; letters from anthologist Don Allen to Ferlinghetti requesting copies of *Beatitude* (which, according to Reid, Ginsberg and Margolis co-founded with others)¹³; and various notes Ginsberg had prepared for talks on censorship in the last decade of his life, which indicate that censorship and obstructionism, especially from Customs and the Postal Service—who essentially controlled the distribution of printed materials—was far from uncommon in the 1950s and 60s.¹⁴

My research findings thus far indicate that not only were works by Chamberlain and Orlovitz targeted by the same authorities that seized *Howl* but that these works were acknowledged by Ginsberg and other individuals with central roles in the trial and Beat generation more generally. The works have historical and aesthetic affinities with *Howl* as well. More research, therefore, is needed to gain a finer-grained understanding of the events surrounding the *Howl* trial as it stands, since a narrative that dualistically contrasts Ginsberg with the law enforcement of San Francisco can no longer serve as an adequate account. Such a binary opposition might have been useful for Ginsberg, Ferlinghetti, and others who were trying to build careers on the enmity between the artistic community and what was perceived as a punitive, conformist bureaucracy. But it insufficiently explains the significance of the persecution of *Howl* and other works, including works written by writers not affiliated with the Beats. The relationship between the would-be censors and writers in the 1950s was almost certainly more pervasive, and more

9 Bill Margolis, "Censorship Is Their Kind of Hate," *Miscellaneous Man*, no. 13: 2.

10 Ibid., 3

11 See Series 1.2: Correspondence, 1950-1959, Box 3, Folders 29-30, in the Allen Ginsberg Papers (Collection Number M0733), Special Collections, Green Library, Stanford University, Stanford, CA.

12 See Subseries 14.a: Clippings regarding Allen Ginsberg, Box 1, Folder 26, in *ibid.*

13 Donald Allen to Lawrence Ferlinghetti, June 29, 1959, BANC MSS 72/107 c, Correspondence: Box 1, Folder 6, City Lights Books Records, Bancroft Library, UC Berkeley, Berkeley, CA.

14 See Subseries 4.x: Speeches, blurbs, lecture notes, Box 63, Folder 10, Allen Ginsberg Papers, Stanford University.

insidious, than is implied by recollections of the *Howl* trial which treat it as an isolated incident. A more extensive examination of Ginsberg's papers, and further investigations of related materials, should corroborate my hypotheses further—or, if not, provide more definitive grounds on which to dismiss the literary activities of Margolis, Chamberlain, and Orlovitz from accounts of the Beat generation's activities.

References

- Allen, Donald. Donald Allen to Lawrence Ferlinghetti, June 29, 1959. BANC MSS 72/107 c, Correspondence: Box 1, Folder 6. City Lights Books Records. Bancroft Library, UC Berkeley, Berkeley, CA.
- Ginsberg, Allen. *Howl: Original Draft Facsimile*. Edited by Barry Miles. Harper Perennial Modern Classics. New York City, NY: Harper and Row, 2006. Originally published as *Howl and Other Poems* (San Francisco, CA: City Lights Books, 1956).
- Margolis, Bill. Bill Margolis to Allen Ginsberg, April 4, 1964. Subseries 1.1 Correspondence, 1940-1949, Box 41, Folder 51. Allen Ginsberg Papers. Stanford University, Stanford, CA.
- Margolis, Bill. Bill Margolis to Allen Ginsberg, December 22, 1968. Subseries 1.1 Correspondence, 1940-1949, Box 41, Folder 51. Allen Ginsberg Papers. Stanford University, Stanford, CA.
- Margolis, Bill. "Censorship Is Their Kind of Hate." *Miscellaneous Man*, no. 13 (August 1957): 1-3.
- Margolis, Bill. "The Miscellaneous Man." *Miscellaneous Man*, nos. 11-12 (Spring 1957): 63
- Morgan, Bill, and Nancy J. Peters, eds. *Howl on Trial: The Battle for Free Expression*. San Francisco, CA: City Lights Books, 2006.
- Reid, Mark A. *PostNegritude Visual and Literary Culture*. Albany, NY: SUNY Press, 1997.
- Winans, A. D. "Re: Regarding Beatitude, Margolis, etc." E-mail message to author. August 29, 2013.