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Obscenity and the Law of Reflection

Henry Miller
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By Henry Miller*

To discuss the nature and meaning of obscenity is almost as difficult as to talk about God. Until I began delving into the literature which has grown up about the subject I never realized what a morass I was wading into. If one begins with etymology one is immediately aware that lexicographers are bamboozlers every bit as much as jurists, moralists and politicians. To begin with, those who have seriously attempted to track down the meaning of the term are obliged to confess that they have arrived nowhere. In their book, To the Pure, Ernst and Seagle state that “no two persons agree on the definitions of the six deadly adjectives: obscene, lewd, lascivious, filthy, indecent, disgusting.” The League of Nations was also stumped when it attempted to define what constituted obscenity. D. H. Lawrence was probably right when he said that “nobody knows what the word obscene means.” As for Theodore Schroeder, who has devoted his whole life to fighting for freedom of speech,¹ his opinion is that “obscenity does not exist in any book or picture, but is wholly a quality of the reading or viewing mind.” “No argument for the suppression of obscene literature,” he states, “has ever been offered which by unavoidable implications will not justify, and which has not already justified, every other limitation that has ever been put upon mental freedom.”

As someone has well said, to name all the masterpieces which have been labeled obscene would make a tedious catalogue. Most of our choice writers, from Plato to Havelock Ellis, from Aristophanes to Shaw, from Catullus and Ovid to Shakespeare, Shelley and Swinburne, together with the Bible, to be sure, have been the target of those who are forever in search of what

* Author of the Tropic of Cancer. This article is reprinted from Remember To Remember, Copyright 1947 by New Directions.

¹ See his A Challenge to Sex Censors and other works.
is impure, indecent and immoral. In an article called *Freedom of Expression in Literature,* Huntington Cairns, one of the most broadminded and clear-sighted of all the censors, stresses the need for the re-education of officials charged with law enforcement. He states:

In general such men have had no knowledge of the liberty of expression tacitly granted to men of letters since the beginnings of English literature, and have been, from the point of view of expert opinion, altogether incompetent to handle the subject. Administrative officials, not the populace who in the main have only a negligible contact with art, stand first in need of re-education.

Perhaps it should be noted here, in passing, that though our Federal government exercises no censorship over works of art originating in the country, it does permit the Treasury Department to pass judgments upon importations from abroad. In 1930, the Tariff Act was revised to permit the Secretary of the Treasury, in his discretion, to admit the classics or books of recognized and established literary or scientific merit, even if obscene. What is meant by "books of recognized and established literary merit?" Mr. Cairns gives us the following interpretation: "books which have behind them a substantial and reputable body of American critical opinion indicating that the works are of meritorious quality." This would mean to represent a fairly liberal attitude, but when it comes to a test, when a book or other work of art is capable of creating a furore, this seeming liberality collapses. It has been said with regard to the Sonnets of Aretino that they were condemned for four hundred years. How long we shall have to wait for the ban to be lifted on certain famous contemporary works no one can predict. In the article alluded to above, Mr. Cairns admits that "there is no likelihood whatever that the present obscenity statutes will be repealed." "None of the statutes," he goes on to say, "defines the word obscenity' and there is thus a wide latitude of discretion in the meaning to be attributed to the term." Those who imagine that the *Ulysses* decision established a precedent should realize by now that they were over-optimistic. Nothing has been estab--

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2 From the *Annals of the American Academy of Political and Social Science, Philadelphia, November, 1938.*
lished where books of a disturbing nature are concerned. After years of wrestling with prudes, bigots and other psychopaths who determine what we may or may not read, Theodore Schroeder is of the opinion that “it is not the inherent quality of the book which counts, but its hypothetical influence upon some hypothetical person, who at some problematical time in the future may hypothetically read the book.”

In his book called *A Challenge to the Sex Censors*, Mr. Schroeder quotes an anonymous clergyman of a century ago to the effect that “obscenity exists only in the minds that discover it and charge others with it.” This obscure work contains most illuminating passages; in it the author attempts to show that, by a law of reflection in nature, everyone is the performer of acts similar to those he attributes to others; that self-preservation is self-destruction, etc. This wholesome and enlightened viewpoint, attainable, it would seem, only by the rare few, comes nearer to dissipating the fogs which envelop the subject than all the learned treatises of educators, moralists, scholars and jurists combined. In Romans XIV 14 we have it presented to us axiomatically for all time: “I know and am persuaded by the Lord Jesus that there is nothing unclean of itself, but to him that esteemeth anything to be unclean, to him it is unclean.” How far one would get in the courts with this attitude, or what the postal authorities would make of it, surely no sane individual has any doubts about.

A totally different point of view, and one which deserves attention, since it is not only honest and forthright but expressive of the innate conviction of many, is that voiced by Havelock Ellis, that obscenity is a “permanent element of human social life and corresponds to a deep need of the human mind.”8 Ellis indeed goes so far as to say that “adults need obscene literature, as much as children need fairy tales, as a relief from the oppressive force of convention.” This is the attitude of a cultured individual whose purity and wisdom has been acknowledged by eminent critics everywhere. It is the worldly view which we profess to admire in the Mediterranean peoples. Ellis, being an Englishman, was of course persecuted for his opinions and ideas upon the subject of sex. From the nineteenth century on all

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8 *More Essays of Love and Virtue.*
English authors who dared to treat the subject honestly and realistically have been persecuted and humiliated. The prevalent attitude of the English people is, I believe, fairly well presented in such a piece of polished inanity as Viscount Brentford's righteous self-defense—"Do We Need a Censor?" Viscount Brentford is the gentleman who tried to protect the English public from such iniquitous works as Ulysses and The Well of Loneliness. He is the type, so rampant in the Anglo-Saxon world, to which the words of Dr. Ernest Jones would seem to apply: "It is the people with secret attractions to various temptations who busy themselves with removing these temptations from other people; really they are defending themselves under the pretext of defending others, because at heart they fear their own weakness."

As one accused of employing obscene language more freely and abundantly than any other living writer in the English language, it may be of interest to present my own views on the subject. Since the Tropic of Cancer first appeared in Paris, in 1934, I have received many hundreds of letters from readers all over the world; they are from men and women of all ages and all walks of life, and in the main they are congratulatory messages. Many of those who denounced the book because of its gutter language professed admiration for it otherwise; very, very few ever remarked that it was a dull book, or badly written. The book continues to sell steadily "under the counter" and is still written about at intervals although it made its appearance thirteen years ago and was promptly banned in all the Anglo-Saxon countries. The only effect which censorship has had upon its circulation is to drive it underground, thus limiting the sales but at the same time insuring for it the best of all publicity—word of mouth recommendation. It is to be found in the libraries of nearly all our important colleges, is often recommended to students by their professors, and has gradually come to take its place beside other celebrated literary works which, once similarly banned and suppressed, are now accepted as classics. It is a book which appeals especially to young people and which, from all that I gather directly and indirectly, not only does not ruin their lives, but increases their morale. The book is a living proof that censorship defeats itself. It also proves once again that the only ones who may be said to be protected by censorship
are the censors themselves, and this only because of a law of
nature known to all who over-indulge. In this connection I feel
impelled to mention a curious fact often brought to my atten-
tion by booksellers, namely that the two classes of books which
enjoy a steady and ever-increasing sale are the so-called por-
nographic, or obscene, and the occult. This would seem to cor-
raborate Havelock Ellis's view which I mentioned earlier. Cer-
tainly all attempts to regulate the traffic in obscene books, just
as all attempts to regulate the traffic in drugs or prostitution,
is doomed to failure wherever civilization rears its head. Whether
these things are a definite evil or not, whether or not they are
definite and ineradicable elements of our social life, it seems in-
disputable that they are synonymous with what is called civiliza-
tion. Despite all that has been said and written for and against,
it is evident that with regard to these factors of social life men
have never come to that agreement which they have about slavery.
It is possible, of course, that one day these things may disappear,
but it is also possible, despite the now seemingly universal dis-
approval of it, that slavery may once again be practiced by human
beings.

The most insistent question put to the writer of “obscene”
literatures is: why did you have to use such language? The impli-
cation is, of course, that with conventional terms or means the
same effect might have been obtained. Nothing, of course, could
be further from the truth. Whatever the language employed, no
matter how objectionable—I am here thinking of the most ex-
treme examples—one may be certain that there was no other
idiom possible. Effects are bound up with intentions, and these
in turn are governed by laws of compulsion as rigid as nature’s
own. That is something which non-creative individuals seldom
ever understand. Someone has said that “the literary artist,
having attained understanding, communicates that understand-
ing to his readers. That understanding, whether of sexual or other
matters, is certain to come into conflict with popular beliefs,
fears and taboos, because these are, for the most part, based on
error.” Whatever extenuating reasons are adduced for the erron-
eous opinions of the populace, such as lack of education, lack
of contact with the arts, and so on, the fact is that there will
always be a gulf between the creative artist and the public. be-
cause the latter is immune to the mystery inherent in and surrounding all creation. The struggle which the artist wages, consciously or unconsciously, with the public, centers almost exclusively about the problem of a necessitous choice. Putting to one side all questions of ego and temperament, and taking the broadest view of the creative process, which makes of the artist nothing more than an instrument, we are nevertheless forced to conclude that the spirit of an age is the crucible in which, through one means or another, certain vital and mysterious forces seek expression. If there is something mysterious about the manifestation of deep and unsuspected forces, which find expression in disturbing movements and ideas from one period to another, there is nevertheless nothing accidental or bizarre about it. The laws governing the spirit are just as readable as those governing nature. But the readings must come from those who are steeped in the mysteries. The very depth of these interpretations naturally make them unpalatable and unacceptable to the vast body which constitutes the unthinking public.

Parenthetically it is curious to observe that painters, however unapproachable their work may be, are seldom subjected to the same meddling interference as writers. Language, because it also serves as a means of communication, tends to bring about weird obfuscations. Men of high intelligence often display execrable taste when it comes to the arts. Yet even these freaks whom we all recognize, because we are always amazed by their obtuseness, seldom have the cheek to say what elements of a picture had been better left out or what substitution might have been effected. Take, for example, the early works of George Grosz. Compare the reactions of the intelligent public in his case to the reactions provoked by Joyce when his *Ulysses* appeared. Compare these again with the reactions which Schoenberg's later music inspired. In the case of all three the revulsion which their work first induced was equally strong, but in the case of Joyce the public was more articulate, more voluble, more arrogant in its pseudocertitude. With books even the butcher and the plumber seem to feel that they have a right to an opinion, especially if the book happens to be what is called a filthy or disgusting one.

I have noticed, moreover, that the attitude of the public alters
perceptibly when it is the work of primitive peoples which they must grapple with. Here for some obscure reason the element of the "obscene" is treated with more deference. People who would be revolted by the drawings in Ecce Homo will gaze unblushingly at African pottery or sculpture no matter how much their taste or morals may be offended. In the same spirit they are inclined to be more tolerant of the obscene works of ancient authors. Why? Because even the dullest are capable of admitting to themselves that other epochs might, justifiably or not, have enjoyed other customs, other morals. As for the creative spirits of their own epoch, however, freedom of expression is always interpreted as license. The artist must conform to the current and usually hypocritical, attitude of the majority. He must be original, courageous, inspiring and all that—but never too disturbing. He must say Yes while saying No. The larger the art public, the more tyrannical, complex and perverse does this irrational pressure become. There are always exceptions, to be sure, and Picasso is one of them, one of the few artists in our time table to command the respect and attention of a bewildered and largely hostile public. It is the greatest tribute that could be made to his genius.

The chances are that during this transition period of global wars, lasting perhaps a century or two, art will become less and less important. A world torn by indescribable upheavals, a world preoccupied with social and political transformations, will have less time and energy to spare for the creation and appreciation of works of art. The politician, the soldier, the industrialist, the technician, all those in short who cater to immediate needs, to creature comforts, to transitory and illusory passions and prejudices, will take precedence over the artist. The most poetic inventions will be those capable of serving the most destructive ends. Poetry itself will be expressed in terms of block-busters and lethal gases. The obscene will find expression in the most unthinkable techniques of self-destruction which the inventive genius of man will be forced to adopt. The revolt and disgust which the prophetic spirits in the realm of art have inspired, through their vision of a world in the making, will find justification in the years to come as these dreams are acted out.

The growing void between art and life, art becoming ever
more sensational and unintelligible, life becoming more dull and hopeless, has been commented on almost ad nauseum. The war, colossal and portentous as it is, has failed to arouse a passion commensurate with its scope or significance. The fervor of the Greeks and the Spaniards was something which astounded the modern world. The admiration and the horror which their ferocious struggles evoked was revelatory. We regarded them as mad and heroic, and we had almost been on the point of believing that such madness, such heroism, no longer existed. But what strikes one as "obscene" and insane rather than mad is the stupendous machine-like character of the war which the big nations are carrying on. It is war of materiel, a war of statistical preponderance, a war in which victory is coldly and patiently calculated on the basis of bigger and better resources. In the war which the Spaniards and the Greeks waged there was not only a hopelessness about the immediate outcome but a hopelessness as to the eternal outcome, so to speak. Yet they fought, and with tooth and nail, and they will fight again and again, always hopelessly and always gloriously because always passionately. As for the big powers now locked in a death struggle, one feels that they are only grooming themselves for another chance at it, for a chance to win here and now in a victory that will be everlasting, which is an utter delusion. Whatever the outcome, one senses that life will not be altered radically but to a degree which will only make it more like what it was before the conflict started. This war has all the masturbative qualities of a combat between hopeless recidivists.

If I stress the obscene aspect of modern warfare it is not simply because I am against war but because there is something about the ambivalent emotions it inspires which enables me better to grapple with the nature of the obscene. Nothing would be regarded as obscene, I feel, if men were living out their inmost desires. What man dreads most is to be faced with the manifestation, in word or deed, of that which he has refused to live out, that which he has throttled or stifled, buried, as we say now, in his subconscious mind. The sordid qualities imputed to the enemy are always those which we recognize as our own and therefore rise to slay, because only through projection do we realize the enormity and horror of them. Man tries as in a dream to kill
the enemy in himself. This enemy, both within and without, is just as, but no more, real than the phantoms in his dreams. When awake he is apathetic about this dream self, but asleep he is filled with terror. I say "when awake," but the question is, when is he awake, if ever? To those who no longer need to kill, the man who indulges in murder is a sleep walker. He is a man trying to kill himself in his dreams. He is a man who comes face to face with himself only in the dream. This man is the man of the modern world, everyman, as much a myth and a legend as the Everyman of the allegory. Our life today is what we dreamed it would be aeons ago. Always it has a double thread running through it, just as in the age-old dream. Always fear and wish, fear and wish. Never the pure fountain of desire. And so we have and we have not, we are and we are not.

In the realm of sex there is a similar kind of sleepwalking and self-delusion at work; here the bifurcation of pure desire into fear and wish has resulted in the creation of a phantasmagorical world in which love plays the role of a chameleon-like scapegoat. Passion is conspicuous by its absence or by monstrous deformations which render it practically unrecognizable. To trace the history of man's attitude towards sex is like threading a labyrinth whose heart is situated in an unknown planet. There has been so much distortion and suppression, even among primitive peoples, that to-day it is virtually impossible to say what constitutes a free and healthy attitude. Certainly the glorification of sex, in pagan times represented no solution of the problem. And though Christianity ushered in a conception of love superior to any known before, it did not succeed in freeing man sexually. Perhaps we might say that the tyranny of sex was broken through sublimation in love, but the nature of this greater love has been understood and experienced only by a rare few.

Only where strict bodily discipline is observed, for the purpose of union or communion with God, has the subject of sex ever been faced squarely. Those who have achieved emancipation by this route have, of course, not only liberated themselves from the tyranny of sex but from all other tyrannies of the flesh. With such individuals, the whole body of desire has become so transfigured that the results obtained have had practically no meaning for the man of the world. Spiritual triumphs, even
though they affect the man in the street immediately, concern him little, if at all. He is seeking for a solution of life's problems on the plane of mirage and delusion; his notions of reality have nothing to do with ultimate effect; he is blind to the permanent changes which take place above and beneath his level of understanding. If we take such a type of being as the Yogi, whose sole concern is with reality, as opposed to the world of illusion, we are bound to concede that he has faced every human problem with the utmost courage and lucidity. Whether he incorporates the sexual or transmutes it to the point of transcendence and obliteration, he is at least one who has attained to the vast open spaces of love. If he does not reproduce his kind, he at least gives new meaning to the word birth. In lieu of copulating he creates; in the circle of his influence conflict is stilled and the harmony of a profound peace established. He is able to love not only individuals of the opposite sex but all individuals, everything that breathes, in fact. This quiet sort of triumph strikes a chill in the heart of the ordinary man, for not only does it make him visualize the loss of his meagre sex life but the loss of passion itself, passion as he knows it. This sort of liberation, which smashes his thermometrical gauge of feeling, represents itself to him as a living death. The attainment of a love which is boundless and unfettered terrifies him for the very good reason that it means the dissolution of his ego. He does not want to be freed for service, dedication and devotion to all mankind; he wants comfort, assurance and security, the enjoyment of his very limited powers. Incapable of surrender, he can never know the healing power of faith; and lacking faith he can never begin to know the meaning of love. He seeks release but not liberation, which is like saying that he prefers death instead of life.

As civilization progresses it becomes more and more apparent that war is the greatest release which life offers the ordinary man. Here he can let go to his heart's content for here crime no longer has any meaning. Guilt is abolished when the whole planet swims in blood. The lulls of peacetime seem only to permit him to sink deeper into the bogs of the sadistic-masochistic complex which has fastened itself into the heart of our civilized life like a cancer. Fear, guilt and murder—these constitute the real triumvirate which rules our lives. What is obscene then? The whole
fabric of life as we know it today. To speak only of what is indecent, foul, lewd, filthy, disgusting, etc., in connection with sex, is to deny ourselves the luxury of the great gamut of revulsion-repulsion which modern life puts at our service. Every department of life is vitiated and corroded with what is so unthinkingly labeled "obscene." One wonders if perhaps the insane could not invent a more fitting, more inclusive term for the polluting elements of life which we create and shun and never identify with our behavior. We think of the insane as inhabiting a world completely divorced from reality, but our own everyday behavior, whether in war or peace, if examined from only a slightly higher standpoint, bears all the earmarks of insanity. "I have said," writes a well-known psychologist, "that this is a mad world, that man is most of the time mad; and I believe that in a way what we call morality is merely a form of madness, which happens to be a working adaptation to existing circumstances."

When obscenity crops out in art, in literature more particularly, it usually functions as a technical device; the element of the deliberate which is there has nothing to do with sexual excitation, as in pornography. If there is an ulterior motive at work it is one which goes far beyond sex. Its purpose is to awaken, to usher in a sense of reality. In a sense, its use by the artist may be compared to the use of the miraculous by the Masters. This last minute quality, so closely allied to desperation, has been the subject of endless debate. Nothing connected with Christ's life, for example, has been exposed to such withering scrutiny as the miracles attributed to him. The great question is: should the Master indulge himself or should he refrain from employing his extraordinary powers? Of the great Zen masters it has been observed that they never hesitate to resort to any means in order to awaken their disciples; they will even perform what we would call sacrilegious acts. And, according to some familiar interpretations of the Flood, it has been acknowledged that even God grows desperate at times and wipes the slate clean in order to continue the human experiment on another level.

It should be recognized, however, with regard to these questionable displays of power, that only a Master may hazard them. As a matter of fact, the element of risk exists only in the eyes
of the uninitiated. The Master is always certain of the result; he never plays his trump card, as it were, except at the psychological moment. His behavior, in such instances, might be compared to that of the chemist pouring a last tiny drop into a prepared solution in order to precipitate certain salts. If it is a push it is also a supreme exhortation which the Master indulges in. Once the moment is passed, moreover, the witness is altered forever. In another sense, the situation might be described as the transition from belief to faith. Once faith has been established, there is no regression; whereas with belief everything is in suspense and capable of fluctuation.

It should also be recognized that those who have real power have no need to demonstrate it for themselves; it is never in their own interests, or for their own glorification, that these performances are made. In fact, there is nothing miraculous, in the vulgar sense, about these acts, unless it be the ability to raise the consciousness of the onlooker to that mysterious level of illumination which is natural to the Master. Men who are ignorant of the source of their powers, on the other hand, men who are regarded as the powers that move the world, usually come to a disastrous end. Of their efforts it is truly said that all comes to nought. On the worldly level nothing endures, because on this level, which is the level of dream and delusion, all is fear and wish vainly cemented by will.

To revert to the artist again. Once he has made use of his extraordinary powers, and I am thinking of the use of obscenity in just such magical terms, he is inevitably caught up in the stream of forces beyond him. He may have begun by assuming that he could awaken his readers, but in the end he himself passes into another dimension of reality wherein he no longer feels the need of forcing an awakening. His rebellion over the prevalent inertia about him becomes transmuted, as his vision increases, into an acceptance and understanding of an order and harmony which is beyond man's conception and approachable only through faith. His vision expands with the growth of his own powers, because creation has its roots in vision and admits of only one realm, the realm of imagination. Ultimately, then, he stands among his own obscene objurgations like the conqueror midst the ruins of a devastated city. He realizes that the real nature
of the obscene resides in the lust to convert. He knocked to awaken, but it was himself he awakened. And once awake, he is no longer concerned with the world of sleep; he walks in the light and, like a mirror, reflects his illumination in every act.

Once this vantage point is reached, how trifling and remote seem the accusations of moralists! How senseless the debate as to whether the work in question was of high literary merit or not! How absurd the wrangling over the moral or immoral nature of his creation! Concerning every bold act one may raise the reproach of vulgarity. Everything dramatic is in the nature of an appeal, a frantic appeal for communion. Violence, whether in deed or speech, is an inverted sort of prayer. Initiation itself is a violent process of purification and union. Whatever demands radical treatment demands God, and always through some form of death or annihilation. Whenever the obscene crops out one can smell the imminent death of a form. Those who possess the highest clue are not impatient, even in the presence of death; the artist in words, however, is not of this order, he is only at the vestibule, as it were, of the palace of wisdom. Dealing with the spirit, he nevertheless has recourse to forms. When he fully understands his role as creator he substitutes his own being for the medium of words. But in that process there comes the "dark night of the soul" when, exalted by his vision of things to come and not yet fully conscious of his powers, he resorts to violence. He becomes desperate over his inability to transmit his vision. He resorts to any and every means in his power; this agony, in which creation itself is parodied, prepares him for the solution of his dilemma, but a solution wholly unforeseen and mysterious as creation itself.

All violent manifestations of radiant power have an obscene glow when visualized through the refractive lens of the ego. All conversions occur in the speed of a split second. Liberation implies the sloughing off of chains, the bursting of the cocoon. What is obscene are the preliminary or anticipatory movements of birth, the preconscious writhing in the face of a life to be. It is in the agony of death that the nature of birth is apprehended. For in what consists the struggle if it is not between form and being, between that which was and that which is about to be? In such moments creation itself is at the bar; whoever seeks to
unveil the mystery becomes himself a part of the mystery and thus helps to perpetuate it. Thus the lifting of the veil may be interpreted as the ultimate expression of the obscene. It is an attempt to spy on the secret processes of the universe. In this sense the guilt attaching to Prometheus symbolizes the guilt of man-the-creator, of man-the-arrogant-one who ventures to create before being crowned with wisdom.

The pangs of birth relate not to the body but to the spirit. It was demanded of us to know love, experience union and communion, and thus achieve liberation from the wheel of life and death. But we have chosen to remain this side of Paradise and to create through art the illusory substance of our dreams. In a profound sense we are forever delaying the act. We flirt with destiny and lull ourselves to sleep with myth. We die in the throes of our own tragic legends, like spiders caught in their own webs. If there is anything which deserves to be called “obscene” it is this oblique, glancing confrontation with the mysteries, this walking up to the edge of the abyss, enjoying all the ecstasies of vertigo and yet refusing to yield to the spell of the unknown. The obscene has all the qualities of the hidden interval. It is as vast as the Unconscious itself and as amorphous and fluid as the very stuff of the Unconscious. It is what comes to the surface as strange, intoxicating and forbidden, and which therefore arrests and paralyzes, when in the form of Narcissus we bend over our own image in the mirror of our own iniquity. Acknowledged by all, it is nevertheless despised and rejected, wherefore it is constantly emerging in Protean guise at the most unexpected moments. When it is recognized and accepted, whether as a figment of the imagination or as an integral part of human reality, it inspires no more dread or revulsion than could be ascribed to the flowering lotus which sends its roots down into the mud of the stream on which it is borne.