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### “WE’RE JUST PUTTING IT IN OUR FILES”: *LOLITA* AT THE CINCINNATI PUBLIC LIBRARY

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As any Nabokovian knows, *Lolita* faced a difficult road to publication.<sup>1</sup> Even after publication, the novel generated controversy.<sup>2</sup> More than half a century later, the novel continues to inspire debate. In the context of trigger warnings and the #MeToo movement, teaching the novel in the classroom offers new challenges and opportunities. As someone who has regularly taught the novel over the past twenty years, I am aware of changing classroom dynamics that have prompted me to explain why I teach *Lolita*, to prepare students for the novel’s content, and to carefully facilitate our conversations about the novel. Some teachers have done this more publicly, such as Anne Dwyer in “Why I Teach *Lolita*” (May 2018).

As a teacher at a public institution of higher education, I see parallels between my role in the classroom and that of the librarian at the public library. By selecting Nabokov’s novel for inclusion in a course, I am placing this book in circulation in a way similar to a librarian choosing

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<sup>1</sup> In *Vladimir Nabokov: The American Years* (262, 264), Brian Boyd provides details about *Lolita*’s publication history, including Simon and Shuster rejecting it as “pure pornography” and ultimately Viking, New Directions, Farrar Straus, and Doubleday rejecting it as well, leading Nabokov to seek foreign publication. Nabokov’s correspondence reveals the efforts various individuals made to “prepare” the United States for its American publication, as well as concerns about doing so at the wrong time. See Nabokov, *Selected Letters, 1940-1977*, 196–97, 209, 210, 211.

<sup>2</sup> Copies of the Olympia Press edition were removed from London libraries just as the first review of the novel appeared in *Partisan Review*. In December 1956, the French Ministry of the Interior banned the sale of *Lolita* and twenty-four other titles by Olympia Press. Although the ban was ruled illegal in January 1958, the French government imposed a new ban under a new law in July of that same year. Boyd, *Vladimir Nabokov: The American Years*, 300, 301, 364.

to include the book in their library's collection, and thus making such a book available to readers. Of course, there are key differences between teachers and librarians. Teachers can require students to read a text; librarians cannot force patrons to do so. Students can choose to not read the text – although depending on the circumstances, perhaps not without academic penalty. Today, it is difficult to imagine a library not including Nabokov's novel in their collection; this was not the case sixty years ago when the novel was first published in the United States by G. P. Putnam in 1958. Public libraries in two major cities, Cincinnati and Newark, refused to allow the book on their shelves.<sup>3</sup>

Rather than advocate for why we need to continue to teach the novel or why we should continue to read *Lolita*, this article examines what Brian Boyd calls one of the “few flickers of outrage”<sup>4</sup> about the novel: the Cincinnati Public Library (CPL)'s decision to do its part to prevent the book's circulation and thus prevent the public from reading it.

After voting in September 1958 to not purchase *Lolita* for its collection, in December of that year, the CPL “refused” a gift copy of the novel from the Cincinnati chapter of the American Civil Liberties Union (ACLU). The chapter president, James Paradise, argued that the library should allow patrons to come to their own conclusions about the novel and asserted that by not allowing it to circulate, the library was practising censorship. Ernest Miller, CPL director, made clear that the library did not intend to circulate the copy: “we're just putting it in our files.”<sup>5</sup> Curiosity about what happened to the book led me to internal documents in the form of board reports, meeting minutes, policy documents, and other archival materials that – along with newspaper accounts – illuminate an important moment in a city filled with important moments concerning obscenity laws.<sup>6</sup>

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<sup>3</sup> Brandt, “City's Library Passes Up Sexy Best-Seller,” 14. James E. Bryan, director of the Newark Public Library, said the decision not to purchase the novel was not censorship but “selection” – “We just didn't feel it was worth spending public money for it.” Bryan noted that the book was ordered “on approval” but sent back after seven staff members read it, with two of them finding it “boring” and “insufferably dull.”

<sup>4</sup> Boyd, *Vladimir Nabokov: The American Years*, 367.

<sup>5</sup> “Library Given ‘Lolita;’ Censorship Charged,” 43.

<sup>6</sup> The city is no stranger to controversy about obscenity laws that attract national attention – from the Robert Mapplethorpe exhibition controversy in 1990 at the Contemporary Arts Center, to Larry Flynt's decades-long battle with city officials. In 1990, Contemporary Arts Center director Dennis Barrie and the museum were charged with obscenity. Although an eight-person jury eventually found the defendants not guilty, Barrie himself feared the outcome. See Barrie, “The Scene of the Crime + Obscenity Charges and Censorship Surrounding the Cincinnati Exhibition of Mapplethorpe.” Decades earlier, Hamilton County prosecutor Simon Leis, who was sheriff at the time of the Mapplethorpe controversy, famously prosecuted Larry Flynt. One case associated with Flynt came before the US Supreme Court; see *Flynt v. Ohio* (1981).

The *Lolita* controversy highlights the complicated history of obscenity laws, and Ohio has a significant place in that history. In 1886, *United States v. Bebout* was one of the first decisions to establish a test to determine whether a publication was obscene and to focus specifically on the material's effect on susceptible minds; in this, the decision echoed the earlier landmark English case *Regina v. Hicklin*, decided in 1868, which offered the first legal definition of obscenity used in this country and also established a test for obscenity focusing on the impact of the material on its audience. In Ohio in 1948, in *State v. Lerner*, the defendant was indicted for selling a magazine published by the American Sunbathing Association. The case brought to light that, when the original statute was reenacted in 1943, it was amended slightly such that the inclusion of a single obscene passage in a text could render the entire publication "obscene." Finding the "any obscenity" test a restraint on freedom of the press, the Ohio court recognized that strict enforcement of the statute would prevent any newspaper from being published. The defendant in *Lerner* was found not guilty. In 1957, two important cases were decided by the Supreme Court: *Butler v. Michigan* and *Roth v. United States*. In the former, the court overturned the conviction of a Detroit man who had sold a book determined by the courts to have a potential negative impact on youth to a police officer (an adult); Justice Frankfurter expressed the court's opinion thus: "The State insists that, by thus quarantining the general reading public against books not too rugged for grown men and women in order to shield juvenile innocence, it is exercising its power to promote the general welfare. Surely, this is to burn the house to roast the pig."<sup>7</sup> Edmund Wilson mentions this case to Nabokov in his February 29, 1957 letter, and sees this as a promising sign for republishing his *Hecate County* and, perhaps more significantly, for publishing *Lolita* in the United States.<sup>8</sup>

In *Roth v. United States*, the court ruled that obscenity was not protected by the Constitution, defined obscene material as "material which deals with sex in a manner appealing to prurient interest," and recognized a distinction between portraying sex in art and scientific works, which is protected by the First Amendment, and doing so in obscene literature, which lacks constitutional protection. Nabokov references these decisions in his August 3, 1957 letter to Maurice Girodias: "As you probably know, the Supreme Court has just handed down some very

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<sup>7</sup> Frankfurter, *U.S. Reports: Butler v. Michigan*, 352 U.S. 380. 1956.

<sup>8</sup> Nabokov and Wilson, *The Nabokov-Wilson Letters*, 309.

disappointing decisions. Although the cases judged were far removed from LOLITA's case, the important thing is that the Court did not bother with the definition of the term 'obscenity,' and did not take any measures against local censorship."<sup>9</sup> In *Roth v. United States*, the Court also asserted that the work must be considered as a whole and offered the following as a test of obscenity: "[W]hether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest." This represents a shift from earlier obscenity statutes that focused on the potential impact the material would have on vulnerable populations, such as the young. The focus on applying "community standards" created additional problems (the concern about "local censorship" expressed by Nabokov), as questions arose about whether the community standards of one place could be applied to another. It was not until 1964 that this question would be settled by the Supreme Court in *Jacobellis v. Ohio*. In this case, the court determined that a national community standard must be applied; in other words, something could not be defined as obscene based on the standards of a local community. All of these factors – the impact of the novel on readers, labeling the novel as "obscene," and a concern about community standards – were essential elements of the debate surrounding *Lolita*'s "banning" by the CPL.

Established in 1853, the CPL was overseen by a director who was responsible to a board. In 1958, the board included George C. Eyrich (the chairman), Robert Adair Black, Ina Warner Broeman, as well as Ernest Miller, the director, and other library employees. In addition to Miller, the Book Selection Committee consisted of: Jacob Epstein, assistant librarian; Eulalie Ross, head of young people's work; Violetta B. Metternich, head of branches; the head of fiction (name unknown); Genevieve Crockett, arts and music; and four other library staff members.<sup>10</sup>

On September 17, 1958, the Book Selection Committee of the CPL voted 7-3 to not purchase Vladimir Nabokov's *Lolita*. This prompted Crockett to resign from the committee, accusing the majority of censorship.<sup>11</sup> The CPL's decision was controversial and received significant media attention, even warranting a mention in *The New York Times*.<sup>12</sup> The novel's publishers criticized the CPL for the ban and vowed to fight, although it was not clear how they

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<sup>9</sup> Nabokov, *Selected Letters, 1940–1977*, 222.

<sup>10</sup> My thanks to Ben Lathrop, manager of the Information and Reference Department of the Cincinnati Public Library, for providing these administrative records (email, November 30, 2018).

<sup>11</sup> "Library Defends Ban on Lolita," 8.

<sup>12</sup> "Library Bans 'Lolita,'" 23.

would do so.<sup>13</sup> In the days that followed the CPL's decision, *Cincinnati Enquirer* columnist Mildred Miller placed it in the context of over 2,300 years of "civic, political and religious leaders and groups of individuals [who] have set themselves up as authorities on what their fellowmen should not read."<sup>14</sup> In her piece, Miller decries such "self-righteousness," and argues that it could actually encourage curiosity in works that might have otherwise gone unnoticed. Letters to the editor reflect divided opinion in response to Miller's column. One writer, Mary Lewis, praises Miller for her "bold, independent thinking,"<sup>15</sup> while another, James Shea, sees in the library's decision "a certain decent common sense."<sup>16</sup>

Director Ernest Miller's public statements on behalf of the CPL reveal a belief in the library as guardian and gatekeeper. About *Lolita*, he asserts that "the theme of perversion seems to be obscene," and sees "no humor in the theme or situation."<sup>17</sup> Miller defends the CPL's actions, claiming that the book "could do actual moral harm to sub-teenagers" by giving them the idea that the actions depicted in the novel are 'typical or expected'.<sup>18</sup> Which actions, and how the novel might do this, are not explained. By focusing on the effects the novel might have on youth, Miller's rhetoric echoes the language used in earlier obscenity law decisions. The director insists that the novel is for the "sophisticated" reader, and "most of your readers are not sophisticated." His comments convey a lack of trust in the public's ability to be discerning readers: "We try to give people what we want them to read as well as what they want. I don't think many people would want to read *Lolita*."<sup>19</sup> Given the novel's status as a bestseller at the time, Miller's claim about readers' interest seems disingenuous. Instead, this seemed to be more about the library giving people what they, the CPL Board, wanted them to read – and that was not *Lolita*. Although the director acknowledges that the library rarely "rejects" a bestseller, he views the novel as a "special case."

The CPL's book selection policy provides another context for understanding the decision about this "special case." Dated August 1957 and running seventeen pages, the "General Statement of Book Selection Policy" begins by noting the diversity of patrons served by the CPL as well as

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<sup>13</sup> "Library Ban on *Lolita* Blasted," 11.

<sup>14</sup> "Battle of the Books," 12B.

<sup>15</sup> "Bold Thinking." Letter to the editor. *The Cincinnati Enquirer*, October 5, 1958.

<sup>16</sup> "Fortunately." Letter to the editor. *The Cincinnati Enquirer*, October 2, 1958.

<sup>17</sup> "'Lolita' Hot Potato!," 10.

<sup>18</sup> "Library Defends Ban on *Lolita*," 8.

<sup>19</sup> *Ibid.*

the varying reading “tastes and abilities” among the public, echoing Miller’s public comments about most readers’ lack of sophistication.<sup>20</sup> With a pompous tone, the document positions the library as a gatekeeper. The document asserts: “The Public Library policy must be elastic, contract or expand with ease, be broad but not shallow, have depth but not excessive specialization. Limitations of space and of budget make imperative the employment of knowledge and understanding to insure judicious retention of the old, and informed selection of the new.”<sup>21</sup> This seemingly generous language acknowledges two concrete, reasonable restrictions – budget and space – but what drives the “informed selection” of books?

Additional guidance can be found under the “Fiction” subsection in the section HISTORY AND LITERATURE: “Books which seem offensive to good taste or contrary to moral and ethical standards are excluded, no matter how heavy the demand, and any title which seems questionable is read by the Head of Fiction and several other qualified persons before purchasing.”<sup>22</sup> What is meant by “offensive to good taste” and “contrary to moral and ethical standards”? How is that decided? The reasons offered by the CPL for not purchasing *Lolita* appear to classify it in this category, but did the “Head of Fiction and several other qualified persons” read *Lolita*? Who are these “qualified persons”? Interestingly, Genevieve Crockett, the library employee who resigned from the Book Selection Committee, asserted that not all committee members had the opportunity to read the book before the vote was taken.<sup>23</sup> Which members of the ten-person committee read the novel? Did the CPL violate its policies by taking a vote on a novel that had not been read by “qualified persons”?

The document notes that the director has final decision-making power regarding book selection.<sup>24</sup> Does this mean that even though the Book Selection Committee voted against purchasing *Lolita*, the director could have overruled their decision? Perhaps. Was he willing to do so? Absolutely not. His public statements make clear he was unimpressed by the novel.

Anticipating or even influenced by the *Lolita* controversy, Miller’s September 1958 report to the board addresses in detail the CPL’s fiction collection as part of its larger holdings, as well

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<sup>20</sup> “General Statement of Book Selection Policy” for the Cincinnati Public Library (August 1957), 1.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid., 15.

<sup>23</sup> “‘Lolita’ Hot Potato!,” 10.

<sup>24</sup> “General Statement of Book Selection Policy,” 2.

as what the director sees as declining interest in the genre.<sup>25</sup> Miller notes that the percentage of fiction loaned compared to fifty years earlier declined from 70% to 50% or 55%, which he attributes, in so many words, to a glut of *epatage*: “The tendency of publishers to outdo each other in publishing shockers in my opinion can not fail eventually to discourage novel reading. Eventually there will be no new forms of perversion to uncover.”<sup>26</sup> To Miller, Nabokov’s novel is the work of yet another publisher contributing to the genre’s decline.

The local political climate offers another way to understand the *Lolita* controversy and help illuminate the CPL’s decision to not shelve the novel. As the city that gave literal and figurative birth to the conservative wing of the Republican Party, in the form of Senator Robert Taft,<sup>27</sup> Cincinnati was dominated by social conservatives, and the site of many campaigns against so-called “smut.”<sup>28</sup> At the time of the novel’s banning, a case was before the municipal court, *Cincinnati vs. Marshall*, that concluded with Joseph P. Marshall, the president of a wholesale distribution company, being convicted for violating a city ordinance prohibiting the possession or sale of obscene materials. City ordinance 901-i3 read:

Whoever shall print, engrave, sell, offer for sale, give away, exhibit or publish, or exhibit as for sale or other purpose, or have in his possession or under his control, any obscene, lewd, lascivious, indecent, or immodest book, pamphlet, paper, picture, image, cast statuary, drawing or representation, or any other article of an indecent or immoral nature, or book, paper, print, circular or writing made up principally of pictures or stories of immodest deeds, lust or crime, or shall exhibit upon the public street or highway, any of the articles or papers, prints, publications as aforesaid, within the view of passerby upon said street or highway, shall be fined not more than \$500.00 or imprisoned not more than six months or both for the first offense and shall be fined not more than \$1000.00 or imprisoned not more than six months or both for the second and subsequent offenses.<sup>29</sup>

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<sup>25</sup> “Director’s Report” (September 8, 1958), 6.

<sup>26</sup> *Ibid.*

<sup>27</sup> See Patterson, *Mr. Republican*.

<sup>28</sup> Strub, *Perversion for Profit*, 93.

<sup>29</sup> “Criminal Obscenity Statute Held Unconstitutional For Lack of Scienter,” 355.

Marshall's company provided magazines and newspapers to newsstands in Cincinnati. In October 1958, police seized a large number of publications from the company's warehouse, and fourteen of these were admitted into evidence as examples of "obscene, lewd, and indecent publications." Marshall was convicted by the municipal court in December 1958.<sup>30</sup>

Was Miller worried that he and the CPL would be charged under the same ordinance if the library circulated *Lolita*? Under the ordinance's language, this seems possible; decades later, the Contemporary Art Center (CAC) and Dennis Barrie would be charged under an obscenity statute when the CAC housed a Robert Mapplethorpe exhibition. Echoing the rhetoric of obscenity laws, Miller went so far as to call *Lolita* "obscene" and warned that the novel could do "moral harm" to young people.<sup>31</sup> Although Miller never mentions the ordinance, legal responsibilities were on his mind. Defending the library, Miller quotes state law that a library "shall do all things deemed necessary for its establishment, maintenance and improvement," saying that board members took that as their guide, although he offers no explanation for how *not* purchasing the novel followed the law.<sup>32</sup>

The December court decision and the CPL's "banning" of *Lolita* were brought together by the *Cincinnati Enquirer*'s Joseph Sagmaster in a column titled "The Caves of Obscenity," which argues that age should be considered when evaluating the impact of literature on readers.<sup>33</sup> He acknowledges that Nabokov's novel presents a "hard problem," because "it might be called obscene," but "it is definitely not pornographic."<sup>34</sup> He asserts that the novel belongs in the public library but not on open shelves. Although the columnist praises the novel's "wit, wry humor, ingenious construction and style," Sagmaster sees the novel's value as an instructive work. As evidence of the impact Nabokov's novel might have on the right reader, Sagmaster points to his experience reading "a notorious play by the Second Earl of Rochester"<sup>35</sup> that provided him with insight into the "excesses of court life in Restoration England."<sup>36</sup> Sagmaster concludes his column

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<sup>30</sup> The conviction was overturned by the Ohio Supreme Court in 1961. See *City of Cincinnati, Appellee, v. Marshall, Appellant*, 172 Ohio St. 280, 175 N.E.2d 178, 1961.

<sup>31</sup> "'Lolita' Hot Potato!," 10.

<sup>32</sup> "Library Defends Ban on *Lolita*."

<sup>33</sup> Sagmaster, "The Caves of Obscenity," 4.

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.* Although Sagmaster does not name the play, it is most likely *Sodom, or the Quintessence of Debauchery*, a seventeenth-century closet drama.

<sup>36</sup> *Ibid.*



with this hope: “The day may come when *Lolita* will shed a ray of light on the excesses of American social life, from which the obscenity problem arises.”<sup>37</sup> This sentiment would not be out of place in the foreword by fictional John Ray Jr., who after extolling the potential “ethical impact” of the story, concludes: “*Lolita* should make all of us – parents, social workers, educators – apply ourselves with still greater vigilance and vision to the task of bringing up a better generation in a safer world.”<sup>38</sup> Sagmaster’s emphasis on shelving *Lolita* because of its possible effect on readers inverts earlier arguments that define obscene literature based on its possible deleterious effects.

Debate about the ban was reignited when the ACLU decided to “gift” a copy of the novel to the library. Just as the CPL used multiple strategies to defend its decision, the ACLU offered various counter-arguments focusing on the novel’s literary merits as well as the role of the public library. In James Paradise’s letter to the CPL on behalf of the ACLU, he casts suspicion on the board’s claim to have been motivated by budget concerns: “It is obvious that a book which has attained such wide public and critical acclaim and concerning which there has been so much controversy, would not have been rejected had the Board not been of the opinion that its theme or content were considered morally objectionable by a majority of the members of the Library Board.”<sup>39</sup> The letter continues by stating that the ACLU makes no attempt to assess the novel’s literary qualities, but that “the judgment of many competent critics must convince any reasonable person that any conclusion that this book lacks substantial artistic qualities or that its sole purpose is to cater to prurient instincts is at least open to very serious question.”<sup>40</sup> To support this point, the letter includes passages from reviews by Donald Malcom in *The New Yorker* and Granville Hicks in the *Saturday Review of Literature*. Paradise highlights Malcom’s statement that “[t]he result of [the novel’s] union (of a sense of humor and a sense of horror) is satire of a very special kind, in which vice or folly is regarded not so much with scorn as with profound dismay and a measure of tragic sympathy.”<sup>41</sup> He also quotes multiple passages from Hicks’s review, which emphasize the book’s style and its humor, but surprisingly includes Hicks’s assertion that *Lolita* may “come to be regarded primarily as a literary curiosity, so skillfully done that it is vastly more

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<sup>37</sup> Ibid.

<sup>38</sup> Nabokov, *Lolita*, 6.

<sup>39</sup> James Paradise to Ernest Miller, December 1, 1958, Folder 3: Correspondence and Clippings 1956–1979. James Paradise Papers, University of Cincinnati Rare Books.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

interesting than the average run of fiction and yet not one of the memorable novels.”<sup>42</sup> This does not seem to offer the most compelling argument for including the novel in the CPL’s collection.

Paradise also asserts a “breach of duty” in the CPL’s refusal to purchase the book. Paradise cites the American Library Association (ALA)’s principles regarding public libraries in its statement “The Freedom to Read,” including, “It is in the public interest to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority”; Paradise seems to acknowledge that the novel’s subject matter might be considered “unorthodox” or “unpopular.” Paradise continues to quote the ALA: “Publishers and librarians do not need to endorse every idea or presentation contained in the books they make available. It would conflict with the public interest for them to establish their own political, moral, esthetic views as the sole standard for determining what books should be published and circulated.”<sup>43</sup> Paradise reminds the CPL that having *Lolita* available to readers does not amount to an endorsement of views or behavior depicted in the novel. This approach seems to miss the point that no reasonable reader could read *Lolita* and see it as an endorsement of pedophilia. Paradise’s strategy gives ground where none should be given. The letter concludes: “Having in mind your alleged budgetary problems, one of our members has provided us with a copy of *Lolita* WHICH we are pleased to present to you herewith so that it may be made available to adult patrons of the library.”<sup>44</sup> By mentioning “adult patrons,” Paradise, like Sagmaster, concedes an appropriate audience for the novel. The CPL Book Selection Committee briefly discussed the ACLU’s letter and request, but decided not to reconsider the earlier decision to exclude the book.<sup>45</sup>

Soon after Paradise submitted this letter, the ACLU published a press release (December 9, 1958) noting the ACLU protest was referred to George C. Eyrich, chairman of the CPL Board, who informed Paradise that the Book Selection Committee reaffirmed its earlier decision against purchasing the novel. The press release ends: “Whether the library will place in circulation the

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<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> “Library Given ‘Lolita;’ Censorship Charged,”

copy of the book presented to it by the Civil Liberties group was not disclosed,”<sup>46</sup> but Paradise probably knew it would not be. Paradise’s gift of *Lolita* to the CPL demonstrates a flair for theatre, drawing attention to the CPL’s actions but not altering their decision.<sup>47</sup>

As in September, likely influenced by the ongoing controversy, Miller’s December report to the board devotes much attention to book selection practices. Miller begins by noting that more titles are produced than the library can purchase and that “[e]ach new book represents, in a measure, a selection.”<sup>48</sup> Miller reviews each category of book and explains the process, echoing the information included in the book selection document discussed earlier. Although Nabokov’s novel is not mentioned, the decision is clearly referenced near the end of the report: “The Committee’s action in interpreting the statement of policy reading ‘Books which seem offensive to good taste or contrary to moral and ethical standards are excluded’ recently has been criticized and commended as the Board knows.”<sup>49</sup> This confirms why the CPL rejected *Lolita*. The emphasis on “standards” reflects the argument about how obscenity is to be defined, introduced in the 1957 Supreme Court decision *Roth v. United States*. The December board minutes make note of Miller’s report, but do not record any subsequent discussion.<sup>50</sup> Although no record of the conversation is included, it is difficult to believe that the board had nothing to say about the controversy.

The local press continued to press the matter, and not just in the papers. The December 1958 CPL Information Desk report notes: “Mr. Collins of the Enquirer was very unpleasant at the desk about “Lolita” and said we had Rabelais complete.”<sup>51</sup>

Additional scrutiny occurred when Miller spoke at a luncheon for the Woman’s City Club on “The Responsibility of a Public Library,” defending the CPL’s decision on the grounds that as a public institution, the “library must follow prevailing moral standards,”<sup>52</sup> again using the rhetoric

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<sup>46</sup> ACLU Press Release, December 9, 1958. Folder 3, James Paradise Papers, University of Cincinnati Rare Books.

<sup>47</sup> Even before the brouhaha, Paradise was a controversial figure in Cincinnati. A prominent attorney, his application to the Bar Association in Cincinnati was met with resistance in 1956 due to his association with the “allegedly subversive” National Lawyers Guild, and with the ACLU. Although he was admitted by a slim margin of votes, it was reported that more than sixty members of the Bar Association resigned or threatened to resign in protest. See “Bar Members Irate Over Election of James Paradise to Association,” 6.

<sup>48</sup> CPL Librarian’s Report, December 8, 1958.

<sup>49</sup> Ibid.

<sup>50</sup> CPL Board Minutes, December 1958.

<sup>51</sup> CPL Information Desk Report, December 1958. Amusingly, the October 1958 report mentions that “Mrs. Richard was asked about ‘banning books,’” but goes on to specify that this had to do with acquiring works by Margaret Culkin Banning.

<sup>52</sup> *Cincinnati Enquirer*, December 6, 1958, 2.

of *Roth v. United States*. Miller engaged in a debate with a local writer, James A. Maxwell, who argued that the library should “be more concerned with the needs of readers than the mores of the community.” As his earlier comments illustrate, Miller would not see these two perspectives as opposed. Miller defended his position, noting that the 75,000 signatures collected during the Mothers’ March on Obscenity on November 16, 1958 supported the library’s decision. This march and similar events were outgrowths of efforts by the Citizens for Decent Literature, a group established by Charles H. Keating, Jr., a prominent Cincinnati attorney, in 1955 or 1956.<sup>53</sup> Nabokov was aware of the existence of such groups and the impact they could have, mentioning in his May 14, 1957 letter to Maurice Girodias the “Watch and Ward Societies, Catholic Legions of Decency, etc.”<sup>54</sup>

Although the matter of the CPL having Nabokov’s novel on its shelves disappears from the newspapers, the city continued to be embroiled in debates about obscenity. At the time of the Marshall case mentioned earlier, David H. King, owner of King News, Co., was arrested and charged with violating Cincinnati’s obscenity statute by selling obscene literature. King had already been convicted in June 1958 and was arrested again in December 1958. The trial occurred in late 1959 and his conviction (his seventh!) in November 1959 warranted front page coverage: “Jury Says King Guilty in Smutty Books Case.”<sup>55</sup> His attempt to have the United States Supreme Court hear a case on the constitutionality of Cincinnati’s obscenity ordinance was denied.<sup>56</sup>

Three years after the *Lolita* “banning,” Paradise engaged in public debate about another controversial novel, after Hamilton County prosecutor C. Watson Hover asked police chiefs to seek out Henry Miller’s *Tropic of Capricorn* at known retailers and remove the book from shelves after he, Cincinnati Police Chief Schrotel, and Hamilton County Sheriff Dan Tehan studied the book and determined it was “objectionable” under Ohio statutes regarding obscene literature.<sup>57</sup> Although the ACLU issued a statement that such actions constitute censorship, the organization does not argue that the novel is not obscene, but contends that there is a process in place for that to be determined, and until it is, the novel should not be seized.<sup>58</sup> In a letter to the editor, Charles

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<sup>53</sup> Strub, *Perversion for Profit*, 88, 94.

<sup>54</sup> Nabokov, *Selected Letters, 1940–1977*, 218.

<sup>55</sup> *Cincinnati Enquirer*, November 28, 1959, 1.

<sup>56</sup> “King is Denied Hearing By U.S. Supreme Court,” 8.

<sup>57</sup> “County Officials Seeking Ban on ‘Tropic of Capricorn,’” 1.

<sup>58</sup> “ACLU Hits Book ‘Censorship,’” 5.

H. Keating, Jr. attacks the ACLU for its criticism of Schrotel, Tehan, and Hover.<sup>59</sup> Repurposing a biblical quote used by Keating in his letter, Paradise counters that “the worst of the fruits of censorship is that it stifles freedom of expression and freedom to read and to form one’s own opinion and fosters sterility and conformity by publishers, authors and readers alike.”<sup>60</sup> As an author who declared “I loathe and despise dictatorships,”<sup>61</sup> Nabokov could probably imagine worse.

As his correspondence shows, Nabokov was aware of the controversies in France and England regarding *Lolita*.<sup>62</sup> Girodias even wanted Nabokov to sue the French government – termed “lolitigation” by Nabokov!<sup>63</sup> Although the specifics of the Cincinnati controversy might have been unknown to Nabokov, the case illustrates that the concerns Nabokov expressed about publishing the novel – particularly about what local communities might do in response to *Lolita* – were justified, even if the Cincinnati “banning” was, as Boyd calls it, one of the “few flickers of outrage.”

So, what happened to the copy of *Lolita* given to the CPL? What exactly did Miller mean by “just putting it in [their] files”? It is difficult to know. Although the CPL recorded all monetary and material gifts, no record of the ACLU’s gift could be found.<sup>64</sup> At some point, the library acquired the novel, although when this happened cannot be determined. As one would expect today, multiple copies are available for circulation with no restrictions on a patron’s age. The Cincinnati Room at the CPL has a copy of a second printing Olympia Press edition; although its provenance is unknown, the book was catalogued in 2012. It seems we will never know what became of the ACLU’s gift to the CPL.

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<sup>59</sup> “By the ACLU’s Fruits Do We Know Them in Cincinnati.” Letter to the editor. *Cincinnati Enquirer*, January 9, 1962, 17.

<sup>60</sup> “Biblical Quotation Applies to Censors As Well.” Letter to the editor. *Cincinnati Enquirer*, January 15, 1962, 4.

<sup>61</sup> Nabokov, *Strong Opinions*, 149.

<sup>62</sup> Nabokov to Katherine White, February 16, 1957. Nabokov to George Weidenfeld, January 12, 1958. George Weidenfeld to Nabokov, January 28, 1959. Nabokov, *Selected Letters, 1940–1977*, 201, 273, 278.

<sup>63</sup> Nabokov to Jason Epstein, February 20, 1957. Nabokov to Maurice Girodias, March 10, 1957. *Ibid.*, 203, 210.

<sup>64</sup> Per the administrative records provided by Ben Lathrop.

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