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Author(s): Paul K. Saint-Amour

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Soliloquy of Samuel Roth: A Paranormal Defense

Paul K. Saint-Amour
Pomona College

The following text represents a landmark advance in the little-known but burgeoning field of paranormal Joyce studies. During a recent minor planetary conjunction, our medium and spiritual amanuensis, Dr. Felix Culpepper, contacted the spirit of Samuel Roth, the American publisher who immortalized himself by pirating James Joyce's *Ulysses* during the 1920s. Roth's spirit is as voluble as the man was in life, and he kept Dr. Culpepper at his mill-wheeling three-gigabyte Ouija board for some eighty hours, transcribing at breakneck pace. The result is a text of roughly six thousand words, including the footnotes that Roth insisted on providing to legitimate his claims. Surely the reader beholds here the first hyper-physical transcription supported by its own scholarly apparatus.

Roth's *Ulysses* piracy is only the best-known episode in a lifelong career of literary racketeering. Having published his first pirated volume around 1917—a book of poems called *Look! We Have Come Through!* by D. H. Lawrence¹—Roth went on to become the twentieth century's most infamous literary pirate, publishing unauthorized editions of works by Oscar Wilde, André Gide, George Bernard Shaw, Aldous Huxley, Ernest Hemingway, T. S. Eliot, Lawrence, and Joyce, to name just a few. Nor were his literary transgressions confined to piracy. Among his many forgeries was *My Sister and I*—"the story of a Famous Brother and a terrifyingly ambitious younger Sister, who grew up to love each other physically"—attributed to Friedrich Nietzsche and partly plagiarized from a book by Walter Kaufmann.² Roth was also a regular target of public-decency societies, serving no fewer than three prison terms for publishing obscene materials, with additional convictions for fraud and piracy. In 1957, he was the appellant in the Supreme Court case *Roth v. United States*, which yielded a decision pivotal in the history of federal censorship.³ The number of writers that Roth pirated is surpassed only by the number of pseudonyms he deployed. The journalist Henry Pringle observed that "no one but Roth knows the authors of the books he publishes or the publishers of the books he writes."⁴

Roth's Ouija-text mentions its sole precursor in the archive of paranormal Joyce criticism, Wilde's posthumous denunciation of *Ulysses*, printed in Hester Travers Smith's *Psychic Messages from Oscar Wilde*.⁵ Joyce knew of the book and made reference to it in *Finnegans Wake* (FW 534-38), where "messuages from my deadported" (FW 536.02-03) restage Wilde's contact with Travers Smith, as well as his trial and incarceration.

Transcript of Mr. Roth's Communication with the Spirit Medium

I, Samuel Roth, am in heaven—surrounded by Titiens and topiary and seated at the right hand of Mr. Oscar Wilde. Here, in a grove of cypress and Greek statuary, we drink absinthe from gilt goblets that blaze like miniature suns. Mr. Wilde is, of course, the best talker in Elysium, and I his fittest listener. To hear him speak is to remain astonished at the fecundity of a mind that grows fables as the Nile mud sprouts up monstrous tulips. These tales range broadly in their subjects—from melancholy satyrs to exultant socialites to embarrassed Christs—but all of them are peppered with his famous aphorisms. His latest offering: "I would rather be guilty of the thought of original sin than innocent of the sin of original thought." The remark is, of course, plagiarized bodily from William Henry Ireland's Shakespeare forgeries. At Mr. Wilde's feet, I have gathered an orchardful of such windfalls. Already there is talk of an anthology.

Roaming as it does across all realms, our talk occasionally ventures into spiritual territories, where Mr. Wilde moves as easily as among baser matters. And it was in discussing the spirit, ironically, that we encountered the base matter of Mr. James Joyce and his books. Mr. Wilde related to me how, on 6 July 1923, he had delivered a posthumous review of Mr. Joyce's *Ulysses* to one Hester Travers Smith, spirit medium. "Yes, I have smeared my fingers with that vast work," he spelled out on the spiritist's Ouija board. "It is a singular matter that a countryman of mine should have produced this great bulk of filth." He concluded by dubbing the novel "a heated vomit."⁶ If these denunciations seem out of step with Mr. Wilde's usual tact and urbanity as a reviewer, their violence simply testifies to the extreme revulsion *Ulysses* awoke in him—a revulsion, after all, shared by many of the book's contemporary readers.

As will be known, I was myself more than just a contemporary reader of *Ulysses*; in 1929, I published the first full American edition of that novel. If the book's occasional tarryings in the lavatory repelled me, its beauty and strangeness compelled me beyond my disgust, and between 1926 and 1927 I devoted hundreds of pages of my *Two Worlds Monthly* to its serial publication. The thanks I received

for my pains will be seen shortly. In dedicating the first number of *Two Worlds Monthly* to Mr. Joyce, I claimed that the author of *Ulysses* would “probably plead the cause of our time at the bar of posterity.”⁷ In saying this, I fear I may have consigned our epoch to the counsel of an *advocatus diaboli*. But whatever the fate of “our time” is to be, it seems I must now defend myself, *pro se*, at the bar of literary history, where I stand libelously accused of numerous crimes, the most prominent in association with Mr. Joyce. What follows, then, is my defense. I am encouraged in this pursuit (and in its peculiar mode of transmission) by none other than Mr. Wilde, who knows something about libel trials. He knows something, too, about special pleading—witness his brilliant defense of the poet, critic, forger, and poisoner Charles Griffiths Wainewright in “Pen, Pencil, and Poison”; in that memoir, Mr. Wilde writes that “[t]he fact of a man being a poisoner is nothing against his prose.”⁸ I might adduce, in my own defense, that the fact of a man’s being a pirate is nothing against his deeds as patron of the public, defender of free speech, and midwife of great literature. But that would be pleading guilty to the charge of piracy, which is not my intention.

My first contact with Mr. Joyce occurred in February 1921, when I wrote him an appreciative letter from London, saying, “Of all the writers in Europe today, you have made the most intimate appeal to me,” and inquiring why *Ulysses* was not yet in book form (I did not know at the time that Mr. Joyce was still hard at work on the novel).⁹ Mr. Joyce replied, thanking me for my “kind letter” and inviting me to meet him in Paris should the opportunity arise.¹⁰ Sadly, it did not. That same month, the *Little Review*, the American journal that had been bringing out *Ulysses* in serial form, was brought under obscenity charges by the New York Society for the Suppression of Vice. When a Court of Special Sessions deemed the work obscene, the *Little Review*’s redoubtable editors, Miss Margaret Anderson and Miss Jane Heap, were fined \$50 each and enjoined from publishing any more of the novel. This put Mr. Joyce’s American readers in a peculiar position: having read the *Little Review* serializations through part of the “Oxen of the Sun” episode, they were suddenly unable to procure the four magnificent closing episodes of the novel. Nor could American readers legally import *Ulysses* into the United States when it was published in book form under the Parisian imprint of Shakespeare and Company in 1922. In addition, owing to certain peculiarities of United States copyright law at the time, the book’s obscenity virtually guaranteed that it was uncopyrightable.¹¹ As so often happens in this country, the experimental had run afoul of the puritanical.

Having developed an epistolary rapport with Mr. Ezra Pound in the spring of 1921,¹² I thought to enter the world of periodical pub-

lishing myself and, by publishing privately, prevent works like *Ulysses* from falling to the censor's razor. Thus *Two Worlds*—"A Literary Quarterly Devoted to the Increase of the Gaiety of Nations"—was conceived in 1922 and finally launched in 1925, with Mr. Pound, Mr. Ford Madox Hueffer, and Mr. Arthur Symonds acting as contributing editors. It was through Mr. Pound that I obtained what I believed was permission to print all of Mr. Joyce's works. My best account of this exchange can be found in a "Prelude" I affixed to the bound 1927 edition of *Two Worlds Monthly*.¹³ The reader will note that I have spent a goodly portion of my life making one or another strange defense of myself; this one took the shape of a prayer. It is language, I think, tuned to a Biblical pitch by one unjustly wronged:

The voices of these ladies [Margaret Anderson and Jane Heap], Lord, were very weak, but they had in their toils, writing to them from Paris, a man called Ezra Pound of whom it is true, difficult as it is to believe, that he is a poet of rare merit. It is not my fault, Lord, if you are careless enough to install the voice of a poet in the throat of an ass, for when he is not singing, this Pound employs a voice which has never been heard in this world since your servant Balaam undertook a certain famous journey. So that when Ezra Pound, even whose braying is not without points of interest, announced that this James Joyce was the only living English writer in whose work the element of creativeness was present, I immediately sought out his work. . . . And when the project of TWO WORLDS rose in my mind I wrote to the aforementioned Ezra Pound, asking him to become a contributing editor and supply me with the work of the most promising of European writers, especially that of James Joyce. To this, Pound replied, promptly accepting my offer, promising me any new work of Joyce's when it came along, and turning over to me everything he had submitted to the little journal when he was its European correspondent. He even urged me to go to the ladies in question and take everything away from them. (n.p.)

Needless to say, I did not go to the editors of the *Little Review* and seize their collection of Joyceana; nor did I print *Ulysses* right away. Instead, *Two Worlds* brought out fragments from Mr. Joyce's "Work in Progress," five installments in all. Though some (including Mr. Ellmann) have suggested that I cheated or underpaid Mr. Joyce for these fragments, it is now well known that I paid the author \$50 per installment according to our agreement.¹⁴ And while it is true that I excoriated the "Work in Progress" in a moment of anger, I can now look with pride on having brought the nascent *Finnegans Wake* to American readers.¹⁵

My Joycean troubles truly began in 1926, when I devised a second journal, the *Two Worlds Monthly*, in order to carry out the *Little Review's* failed project of completely serializing *Ulysses*, as well as to

print other cutting-edge writers of the day. The nobility of my motives in preferring artistic integrity to high advertising revenues is evident in the following mission statement:

TWO WORLDS MONTHLY was and shall be unlamentably careless about advertising. Appearing with no other advertising material than its own, it was enabled to make its sole attention the interest of its matter to its readers. Too many of its competitors consider fearfully the effect of each contribution on its advertisers before accepting it. And business men are notoriously conservative about the type of magazine in which they advertise.

We have conceived our first duty to be to the reader rather than the advertiser. At five dollars a year, we believe we can issue a valuable magazine, independently of advertising. If advertisers come to us we will, as is only natural, welcome them; but we shall always be in a position that will make it necessary for us to consider only our readers, not our advertisers, in selecting the matter we shall present.¹⁶

I understood that my agreement with Mr. Pound, who was acting as Mr. Joyce's American agent, entitled me to print any of Mr. Joyce's work. It is true that initially I offered Mr. Joyce no money for the serialization. But this will seem less extraordinary if one realizes how common this practice was among small literary journals of the day—particularly those which refused to dilute their subject matter to placate advertisers. In her autobiography, *My Thirty Years' War*, Miss Anderson explains this practice:

[T]he *Little Review* couldn't pay for contributions. It was quite taken for granted that since there was no money there would be no talk of remuneration. No one ever asked me why I didn't pay, no one ever urged me to pay, no one ever made me feel that I was robbing the poor artist. . . . I [do not] consider it good principle for the artist to remain unpaid—it's a little better than for him to remain unprinted, that's all.¹⁷

According to Miss Anderson, Mr. Joyce did receive some money through the *Little Review*, but its source was his patron, the New York Tammany lawyer Mr. John Quinn (208-09, 215). Lacking the rich patrons to whom Mr. Joyce had become accustomed, *Two Worlds Monthly* was unable to make a similar arrangement. It was my hope that Mr. Joyce would be satisfied with seeing his novel finally made available to American readers at the affordable price of fifty cents per issue. (*Two Worlds* had cost its readers the weightier sum of three dollars per issue.) My editorial remarks in the first number of the *Monthly* articulated this hope:

The publication of James Joyce's *Ulysses* in twelve installments sets

our standard of literary excellence as well as our standard of interest and entertainment. It will no longer be necessary for millions of people to talk about this gigantic work without having read it; it will no longer be necessary to pay the genial booklegger from fifty to three hundred dollars for the privilege of owning it.

TWO WORLDS MONTHLY will be gay. It will be sophisticated. . . . It will not be over-conservative. It will realize that today, among cultivated people, a certain freedom of speech is permissible that would have been frowned upon in the Victorian nineteenth century. And it will speak freely without ever overstepping the bounds of good taste. ("Life" 6)

As for the "bounds of good taste," am I to be blamed for thinking that Mr. Joyce's novel occasionally breached them and for acting accordingly? In finding parts of the book unduly crass, I was, after all, in the good company of Virginia Woolf, D. H. Lawrence, Amy Lowell, and Ezra Pound himself, all of them avant-gardists of one stripe or another. And as an editor, I felt bound not to offend my readers to the point of losing their business. Mr. Joyce may have had the luxury of a whole coterie of wealthy patrons, but the small publisher has no patron but the readers on the street; affront them, and the whole venture crashes to the ground. So I changed the "grey sunken cunt of the world" in "Calypso" (*U* 4.227-28, my emphasis) to "grey sunken crater" and spared my readers the details of Mr. Bloom's nether complaints, bodily effluvia, and outhouse ablutions.¹⁸ I confess it without shame, revoking my old prevarication that "I was not expurgating *Ulysses*. A dozen words or so had been deleted by an irresponsible employee from the first two installments."¹⁹ Truth to tell, I wielded my blue pencil more sparingly than Mr. Pound did in expurgating the same episode for the *Little Review*: that magazine printed the phrase "grey sunken belly" and removed all traces of Mr. Bloom's trip to the loo.²⁰ Yet the *Little Review* alterations never received public comment by Mr. Joyce, while my own milder ones were denounced as a "mutilation of Mr. Joyce's property" in the famous international protest (*Letters III* 151).

That protest had its beginnings in a boast that I printed to drum up business for *Two Worlds Monthly*, another common practice in publishing being to stimulate future demand by exaggerating past sales. Accordingly, the second number of the *Monthly* bore the following (manufactured) claim:

before the end of the month the exhaustion of the first edition of 50,000 copies necessitated a second printing. The demand for *Ulysses*, which hitherto no advertising vehicle had dared to print in spite of its undisputed supremacy in modern letters, was of course very great; and its appearance in *Two Worlds Monthly* was one of the causes for the selling

out of the issue in many localities. ("Life" 130)

In fact, I lost a great deal of money over the *Monthly* venture, though, as I say in my autobiography, I comfort myself with the thought that I could not have lost my money on a better book.²¹ But the word got back to Mr. Joyce that *Ulysses* had made me richer than Croesus. In January 1927, I deposited a \$1000 payment for the *Ulysses* serialization with Mr. Joyce's American lawyer, Mr. Arthur Garfield Hays, but too late: Mr. Joyce had decided to play for higher stakes and greater spectacle, retaliating with a lawsuit for half a million dollars and an international smear campaign.²²

The word "piracy" was, and continues to be, used in reference to my reprinting of *Ulysses* in *Two Worlds Monthly*. I have already attested to my belief that I had acquired Mr. Joyce's permission, through his lieutenant Mr. Pound, to publish his work. But even setting aside the question of the author's permission, I must emphasize, in my own defense, that a book whose obscenity has effectively rendered it ineligible for copyright cannot, from a strictly legal standpoint, be pirated. One may appeal all one likes to the Continental natural law tradition of the *droit moral*, a tradition that bestows upon authors certain exclusive rights in their work over and above the monopoly privileges accorded by a temporary, state-granted copyright.²³ The international protest, in fact, made just such an appeal, claiming that I had stolen Mr. Joyce's intellectual property through the hole in copyright left by his book's obscenity. But this is a misreading of the situation. Because the notion of a perpetual *droit moral* in creative works is largely alien to U. S. law, there is no private intellectual property left to steal from a work whose copyright has been nullified. A first draft of the international protest, penned by Mr. Ludwig Lewisohn at the behest of Mr. Joyce, quite clearly acknowledges this to be the case: "A work is produced which has one mark, at least, in common with the masterpieces of the past: it seems strange, revolutionary and dreadful to the conventional mind. Hence the law, which expresses the conventional mind, fails for the moment to protect that work under its aspect of property" (*Letters III* 151 n2). However, by claiming the existence of a "property" in *Ulysses* that belonged to Mr. Joyce despite the book's lack of copyright, the final version of the protest revealed its grounding in a Continental, rather than an Anglo-American, legal tradition. As far as I am concerned, the French may keep their *droit moral*, whose clutch of perpetual rights seems to me a rather costly infringement of the public domain. But the salient point is this: that in the U. S., in 1926, *Ulysses* was already in the public domain; all I did was to enlarge and quicken its circulation there.

The famous protest appeared in a number of prominent newspa-

pers on 2 February 1927, Mr. Joyce's forty-fifth birthday. Calling for the safeguarding of Mr. Joyce's intellectual property "in the name of that security of works of the intellect and the imagination without which art cannot live," the protest alleged that I had taken advantage of *Ulysses's* legal status as an obscene and therefore not copyrightable work "to deprive [Mr. Joyce] of his property and to mutilate the creation of his art" (*Letters III* 152). With 162 signatories—most of them "great minds" including Albert Einstein, Benedetto Croce, Havelock Ellis, Horace Walpole, Maurice Maeterlinck, André Gide, W. B. Yeats, T. S. Eliot, D. H. Lawrence, Rebecca West, Wyndham Lewis, Virginia Woolf, Ernest Hemingway, and H. G. Wells—the protest was a birthday present from genius unto genius, and at my expense.²⁴ Even Mr. Leo Hamalian, my cautious encomiast, is dazzled by the sheer candle-power of the luminaries Mr. Joyce gathered to his aid: "probably never before (or since) have so many famous names of illustrious men of letters been assembled together on one page" (894). Interestingly, one of the notables who declined to sign the protest was Ezra Pound, who told Mr. Joyce it was "misdirected":

To my mind the fault lies not with Mr. Roth, who is after all giving the public a number of interesting items that they would not otherwise get; but with the infamous state of the American law which not only tolerates robbery but encourages unscrupulous adventurers to rob authors living outside the American borders. . . . The minor peccadillo of Mr. Roth is dwarfed by the major infamy of the law.²⁵

I take Mr. Pound's refusal to sign the protest as a tacit admission that he had indeed, as Mr. Joyce's accredited agent, licensed me to publish *Ulysses*; the above excerpt from his letter to Mr. Joyce practically exonerates me of the whole business. As for protecting Mr. Joyce's profits, Mr. Pound was never in the business of making writers rich, limiting his efforts to securing their subsistence through patronage. Had he not, after all, written to Miss Anderson, as she reports, that his position "that the artist is 'almost' independent goes with doing the thing as nearly as possible without 'money'" (217)? At Mr. Joyce's urging, however, he was prepared to testify perjuriously at a U. S. consulate that he had granted me no permission to publish the novel. Yet, as my daughter Mrs. Adelaide Kugel notes, he later admitted in a letter to the *International Chicago Tribune* (26 May 1928) that he had, in fact, granted me that permission.²⁶ Allow me, for honor's sake, to reprint a bit of retributory verse I first published in *Two Worlds*:

Proposed Inscription to be Placed on the Tombstone of E. P.

Here's proof that ofttimes lice
Habit these husks of men:
He wet his shirt tails thrice
Ere once he wet his pen.²⁷

Were the correspondence between Mr. Pound and myself to be made public, I feel certain the legitimacy of my dealings, and the utter lousiness of his, would become clear.

In the wake of the protest debacle, I felt it essential to clear my name. I also wanted to show I was not unwilling that Mr. Joyce should be paid for his authorial labors, even out of all proportion to the revenues they had brought me, provided he would face me in public. Volume 3, number 3, of *Two Worlds Monthly* opened with this "Offer to James Joyce":

If Mr. Joyce is really in need of money, it is here in New York waiting for him, provided he is willing to make one public appearance to answer my charges against him for his conduct in the matter of my publication of his ULYSSES in TWO WORLDS MONTHLY.

Two thousand five hundred dollars (\$2,500.00) has been posted with my attorney, Mr. Nathan M. Padgug, of Padgug, Tarlowe & Flatow, 17 John Street, to pay for Mr. Joyce's way to and from New York, to accommodate him in a first-class New York hotel, and to provide him with a thousand dollars (\$1,000.00) in cash after his public appearance. . . . Here is an opportunity for Mr. Joyce to get a trip to New York, dine with the Van Dorens, see the Woolworth Building, and get a thousand dollars in cash besides. I have cabled this offer to him, giving him all summer, if he wants it, to consider the matter.

Meanwhile, I would like to point out that Mr. Joyce is a celebrated example of what an indiscriminate contemporary adulation can do to even a writer of such promise as Mr. Joyce.²⁸

It may have been the first-ever publisher's sweepstakes, but it was not enough to entice Mr. Joyce to America, and we two never met face-to-face. In July 1927, *Two Worlds Monthly* printed the end of the "Oxen of the Sun"—eerily enough, the same fatal episode that had concluded the *Little Review* run—and ceased to exist. A year later, the Supreme Court of the State of New York barred me from publishing anything in conjunction with Mr. Joyce's name and found against me for damages in the amount of one dollar. American readers, who had still not read the last four episodes of *Ulysses*, had to wait until 1929, when I published the first bound U. S. edition of that novel. For the privilege, I spent sixty days in jail on piracy charges.²⁹ My only compensation was the satisfaction I experienced some years later upon

discovering that Random House had mistakenly based its first “authorized” U. S. edition of *Ulysses* on my 1929 imprint.³⁰

I would remind the reader that the signatories of the international protest united not to praise Mr. Joyce but to calumniate me. The protest illustrates an old law: there is nothing like a pariah to galvanize the right-thinking. Put another way, ideas of privilege seldom go unaccompanied by ideas of punishment. In the realm of literature, this means that the heroic personage of the “author” is inseparable from the literary crimes—piracy, forgery, plagiarism—that limn it in. By embodying the criminality that seems to define privilege by circumscription, I became the *bête noire* of modernism, the king of its shadow realm—witness Mr. Hamalian’s consignment of me to the “Underside of Modern Letters” (889). In modernism’s noon, Mr. Pound knew and promoted almost all the high modernists; on its dark side, the historians will tell you, I was busily pirating the same group of *illuminati*. And yet if the different shades of modernism share anything, it seems to me, it is a preoccupation with these indispensable shadows—with the criminality that delimits innocence, the obscenity that galvanizes decency, the unconscious that sponsors conscious life, the debts that bankroll equity, the chaos that undergirds the cosmos. I ask you to consider this proposition: to the extent that modernism is itself a shadow realm, I, Samuel Roth, may be its central figure—its negative patron, its anti-Pound. Say, for the sake of argument, that I did knowingly pirate not only Mr. Joyce, but Mr. Eliot, Mr. Lawrence, Mr. Shaw, Mr. Gide, Mr. Hemingway, Mr. Huxley, and all the rest who have added their howls of execration to history’s rebuke of Roth. If Mr. Eliot could write that “[i]mmature poets imitate; mature poets steal,” I simply did him the honor of taking his injunction literally.³² If modernists could explore consumer culture, I simply handled the knuckles-and-know-how of literature’s supply side, with this noble, egalitarian phrase as my motto, which Mr. Hamalian chose to quote: “I’ve never published anything that wasn’t good. I’ve put the classics into every American home” (889). If you would have it that I was a thief, say, at least, that I was the most generous and democratic sort of thief—a Prometheus who stole the fire of modernism’s major luminaries to warm the masses.

Whatever is said of my motives, my punishment at the hands of literary scholars has certainly been Promethean. No account of Mr. Joyce’s life or the history of *Ulysses* can ignore Samuel Roth, so I am chained repeatedly to the mountaintop of literary history to be eviscerated by one generation of Joyceans after another. But in their willingness to believe the morality play of goody-good Joyce versus baddy-bad Roth, Mr. Joyce’s students do a disservice to themselves and to their subject. Mr. Dante Cacici closes his kind defense of me

with this relevant question: "Why, in all the years in which Joyce's friends have labored to make Roth play Judas to Joyce's Jesus, has it not occurred to at least one of the writers whose rent and food-bills Roth paid, without any return, to speak up in his behalf?" (256). Were the critics more even-handed, they might be forced to confront not only my own generousities but Mr. Joyce's titanic financial egotism, by which he tirelessly appropriated the resources of others to his own uses. They might recognize that their literary Jesus Christ was equally a Croesus Joyce. If one is looking for a sacrificial figure in all of this, one might do worse than to consider Samuel Roth, whom Waverly Lewis Root dubbed, in a bizarre conflation of anti-Semitism and apotheosis, "King of the Jews," and this in the sacred avant-garde pages of *transition*, no less.³² The fact remains, however, that biographers are in the business of secular god-making and that messiahs require pariahs. The result is a distortion of all parties to suit a moral mummery.

How, you might ask, could vilifying Samuel Roth result in misreadings of James Joyce? I am neither a Joycean nor a Joyce, but it seems to me that the literary appropriations for which history has maligned me are not irrelevant to Mr. Joyce's art. For Mr. Joyce, literary tradition was, among other things, a sort of collectivized artistic economy—a joint checking account from which he could make infinite withdrawals. Such a view is hardly consistent with the iron-clad intellectual property rights called for by the international protest: "that security of works of the intellect and the imagination without which art cannot live." Consider the "Oxen of the Sun" episode of *Ulysses*, a patchwork of parody and pastiche, borrowing and stealing, that is literature's most extensive crazy-quilt. Without its replications of material both in and out of the public domain, that episode would float away like so much gossamer. Think of *Finnegans Wake*, with its celebrations of "pelagiaris[m]," "wordsharpping," and "stolentelling" (*FW* 182.03, 422.02, 424.35). Mr. Joyce claimed, with a kind of coy generosity, "It is not I who am writing this crazy book. It is you, and you, and you, and that man over there, and that girl at the next table."³³ Still, he shepherded it carefully through U. S. copyright procedures, and his name shares the colophon with none of the book's other "authors." And yet its abductions of source material like B. Seebohm Rowntree's *Poverty, A Study of Town Life*, not to mention *A Portrait's* liberal quarrying of brimstone from Giovanni Pietro Pinamonti's *Hell Opened to Christians: To Caution Them from Entering into It*, differ in degree, perhaps, but not in kind from my own alleged literary "crimes."³⁴ Are these sources really so drastically altered as to constitute a fresh creation sanitized of any taint of appropriation? Or did Mr. Joyce recognize, even thematize, that same criminal taint? As the

Wake itself asks of Shem the Penman, Mr. Joyce's writerly stand-in, "Who can say how many pseudostylic shamiana, how few or how many of the most venerated public impostures, how very many piously forged palimpsests slipped in the first place by this morbid process from his pelagiarist pen?" (FW 181.36-182.03).

As dénouement to the literary melodrama in which I have been cast as the mustachioed villain, Joyceans are fond of pointing out that if Mr. Joyce did not receive sizeable financial damages from me, at least he took his revenge by slandering me in *Finnegans Wake*. They go on to cite passages like "wrothing foulplay" (FW 589.27) and "[n]ow it is notoriously known how on that surprisingly bludgeony Unity Sunday . . . when the roth, vice and blause met the noyr blank and rogues" (FW 176.19-24). According to such readings, I appear to the same effect as dozens of other petty, peripheral autobiographical bugbears—of the Carr and Gogarty ilk—quickly travestied and as quickly forgotten. But one critic, Mr. Hamalian, has made the likelier suggestion that "Sam Roth may be one of the people incorporated into the figure of the protean Shem" (898). If this is the case, then Joyceans must weigh the implications of Mr. Joyce's having woven me into his Wakean alter-ego. A ditty he sent to Harriet Shaw Weaver on the eve of the international protest confirms his identification with myself:

*For he's a jolly queer fellow
And I'm a jolly queer fellow
And Roth's bad German for yellow
Whuch nobody can deny. (LettersI 249)*

Besides meaning "eccentric," and, in certain colloquial circles, "homosexual," "queer" also connotes the inauthenticity of forged signatures and counterfeit currency—as in the American expression, "queer as a three-dollar bill." Mr. Joyce's doggerel contains a whispered self-criticism: Jim the Penman's public exposure of Samuel Roth's supposed literary crimes was an irony verging on hypocrisy. His implied self-criticism is bolstered by the *Wake's* repeated associations of Shem with myself, as here: "Rot him! . . . Obnoximost posthumust! With his unique hornbook and his prince of the apauper's pride, blundering all over the two worlds!" (FW 422.09-16). If the "pelagiarist" Shem is in some sense the essence of Joyce the writer, it may be said that *Sam* the Penman was more Joycean than Joyce.³⁵ In hinting at this irony, Mr. Joyce was a cannier critic of his own inconsistencies than any Joycean has been.

If you will only think of it, you will realize that my career and subsequent treatment by critics supply a disquieting counternarrative to the smug self-aggrandizements of international modernism.

Modernists often plundered and parodied tradition in their talk of plagiarism, allusion, and communal literary property; the Samuel Roth of literary history parodied the modernists by living out their talk, daring to steal, if you must, where they had only boasted of stealing. For this, I have been punished and vilified, while the modernists were lionized. The dynamic persists: the same critics who celebrate Mr. Joyce's "stolentelling" continue to read the 1927 protest as genius's joke at my expense. But the joke may be on genius. Many of the high modernists plumed themselves as assailants of outmoded aesthetic forms or bourgeois social hierarchies. That these avatars of the *avant-garde* could unite only in defense of strictly bourgeois conceptions of private literary property—"that security of works of the intellect and the imagination without which art cannot live"—is the movement's killing irony. I was the thorn in the modernists' side not only because of the alleged piracies but because in trespassing on their literary demesnes, I discovered that those famous heresiarchs were living on private property. The international alarms I set off revealed that the great myths of authorship had not changed much since the eighteenth century—that the expressions freely circulated by the modernists were really gifts exchanged within a walled community.

*

A word about the literary after-life, and I shall close this defense. Here, in Elysium's perpetual dusk, all our epigrams and epithets, notions and *bonmots*, circulate as freely as the firmament vapors. We drink words as if from loving-cups, exhale them, trade them, waste them. Our intercourse is not stockaded in the fattening pens of originality, authenticity, literary property, fair use; our thought leaps those old barricades like low hedgerows. As the Mephistopheles of the book-market shuns this place, there is no one to cry "Pirate!" or "Plagiarist!" in defense of his profits. With nothing to protect, there are no protections; without copyrights, there are no copywrongs to allege or deny. Absent, too, is the accompanying briar-patch of litigation. With no lawmen to evade, I have put my pseudonyms—the camouflage of the literary fugitive—out to pasture. I used to boast that on sleepless nights, I could count my own *noms de plume* like sheep, as Mr. Cacici (246) and Mr. Jay Gertzman (220, 222) both note: Samuel Roth, alias Mishillim, Norman Lockridge, William Faro, Francis Page, J. A. Nocross, David Zorn, Daniel Quilter, Joseph Brownell, Michael Swain, John Henderson, William Hodgson, Philistina, Jock Ember. Now these alternate selves flock constantly about me, and I move among them as easily as Mr. Wilde moves

among his own brood of pseudonyms. Rumor even has it that Mr. Joyce himself—alias Stephen Dedalus, alias Sunny Jim, alias Shem the Penman—is thriving here among these fenceless acres.

The defense rests in peace.

NOTES TO INTRODUCTORY MATERIAL

It should be noted that, in England at least, the copyright in this automatic writing belongs solely and explicitly to the medium, Dr. Felix Culpepper, and may be claimed neither by any of Dr. Culpepper's sitters nor by Mr. Roth or his descendants. The conundrum of copyrights in automatic writings was settled in the 1926 Chancery Division of the High Court of Justice case *Cummins v. Bond*, Mr. Justice Eve presiding. The medium in that case, Geraldine Cummins, won an injunction against the sitter, Frederick Bligh Bond, for publishing "The Chronicle of Cleophas," a hyperphysical text that Cummins produced at Glastonbury Abbey as a result of a visitation. Bond undid his own case by asserting that Cummins had received only the ideas, and not the words that she wrote, from "Cleophas": copyright does not protect ideas apart from their expression. Justice Eve withheld copyright from the spirit on the grounds that the law holds sway only in the country of England, not in that of the Hereafter. Blewett Lee, who reported on *Cummins* to the American legal community, pointed out that the plaintiff may even own copyright in the name "Cleophas." See Lee, "Copyright of Automatic Writing," *Virginia Law Review*, 13 (November 1926), 25. Lee also notes that, according to Luke 24:18, "[o]ne of the two disciples who walked with Jesus to Emmaus on the day of his resurrection was named Cleophas" (p. 22).

¹ D. H. Lawrence's *Look! We Have Come Through!* was originally published in 1917 in London by Chatto & Windus.

² [Friedrich Nietzsche], *My Sister and I*, trans. and intro. Dr. Oscar Levy (New York: Boar's Head Books, 1951; Los Angeles: AMOK, 1990). The book plagiarized material from Walter Kaufmann, *Nietzsche: Philosopher, Psychologist, Antichrist* (New York: Meridian Books, 1950).

³ See Leo Hamalian, "Nobody Knows My Names: Samuel Roth and the Underside of Modern Letters," *Journal of Modern Literature*, 3 (April 1974), 891, 913. Further references will be cited parenthetically in the text. The case, *Roth v. United States*, 354 U.S. 476 (1957), upheld the constitutionality of the 1873 Comstock Act, 18 U.S.C. § 1461, which makes punishable the mailing of material that is "obscene, lewd, lascivious, or filthy . . . or other publication of an indecent character." The decision confirmed that "[o]bscenity is not within the area of constitutionally protected freedom of speech or press either (1) under the First Amendment, as to the Federal Government, or (2) under the Due Process Clause of the Fourteenth Amendment, as to the States." Hamalian writes that the decision "still stands as the one which governs most obscenity cases today, though it is obvious that it governs badly. It established two constitutional tests of obscenity: that the material must be judged as a whole and that it must be judged under contemporary community standards by its impact upon 'average' persons, not the young, the weak, or the susceptible" (p. 919). See also Edward de Grazia, *Girls Lean Back Everywhere: The*

Law of Obscenity and the Assault on Genius (New York: Random House, 1992); Felice Flannery Lewis, *Literature, Obscenity, and Law* (Carbondale: Southern Illinois Univ. Press, 1976), pp. 185-90; and James N. Paul and Murray Schwartz, *Federal Censorship: Obscenity in the Mail* (New York: Free Press of Glencoe, 1961).

⁴ Henry Pringle is quoted in Dante Cacici, "Introducing the Author of *Bumarap*," in Samuel Roth, *Bumarap: The Story of a Male Virgin* (New York: Arrowhead Books, 1947), p. 246. Further references to the Cacici introduction will be cited parenthetically in the text.

⁵ Hester Travers Smith, *Psychic Messages from Oscar Wilde* (London: Werner Laurie, 1924).

NOTES TO MR. ROTH'S TEXT

⁶ I take the quotation from the American edition of Smith's work, *Oscar Wilde from Purgatory*, ed. Smith (New York: Henry Holt & Company, 1924), pp. 38-39. Mr. Wilde's review is worth quoting at greater length:

Here in *Ulysses* I find a monster who cannot contain the monstrosities of his own brain. The creatures he gives birth to leap from him in shapeless masses of hideousness, as dragons might, which in their foulsome birth contaminate their parent. . . . This book appeals to all my senses. It gratifies the soil which is in every one of us. It gives me the impression of having been written in a severe fit of nausea. Surely there is a nausea fever. The physicians may not have diagnosed it. But here we have the heated vomit continued through the countless pages of this work. The author thought no doubt that he had given the world a series of ideas. Ideas which had sprung from out his body, not his mind! . . . In fact he has not vomited the whole, even in this vast and monumental volume—more will come from Joyce. For he has eaten rapidly; and all the undigested food must come away. I feel that Joyce has much to give the world before, in his old age, he turns to virtue. For by that time he will be tired of truth and turn to virtue as a last emetic. (pp. 39-40)

Readers without access to this text may find excerpts from the English imprint in James S. Atherton, *The Books at the "Wake": A Study of Literary Allusions in James Joyce's "Finnegans Wake"* (Carbondale: Southern Illinois Univ. Press, 1959), p. 48.

⁷ *Two Worlds Monthly: Devoted to the Increase of the Gaiety of Nations*, 1 (August 1926), 3.

⁸ Oscar Wilde, "Pen, Pencil, and Poison," *The Artist as Critic: Critical Writings of Oscar Wilde*, ed. Richard Ellmann (Chicago: Univ. of Chicago Press, 1982), p. 339.

⁹ Letter from Samuel Roth to James Joyce, 12 February 1921, University Libraries, State University of New York, Buffalo.

¹⁰ Letter from James Joyce to Samuel Roth, 18 February 1921, private collection of Adelaide Kugel.

¹¹ A particularly fine treatment of the exigencies of U. S. copyright and obscenity laws as they pertained to *Ulysses* is Robert Spoo's "Copyright Protectionism and Its Discontents: The Case of James Joyce's *Ulysses* in

America," *Yale Law Journal*, 108 (December 1998), 633-67; a revised and expanded version of Spoo's essential piece appears as "Copyright and the Ends of Ownership: The Case for a Public-Domain *Ulysses* in America," *Joyce Studies Annual*, ed. Thomas F. Staley (1999), 5-62.

¹² Mrs. Kugel writes that "[l]etters from Pound to Roth on 11 May 1921, 3 July 1922, and 4 July 1922 attest to this rapport," in "'Wroth Wrackt Joyce': Samuel Roth and the 'Not Quite Unauthorized' Edition of *Ulysses*," *Joyce Studies Annual*, ed. Thomas F. Staley (1992), 242 n44. Further references will be cited parenthetically in the text. Jay Gertzman's *Bookleggers and Smuthounds: The Trade in Erotica, 1920-1940* (Philadelphia: Univ. of Pennsylvania Press, 1999), p. 227, notes that "Roth's daughter, Adelaide Kugel, has several letters indicating that Mr. Joyce, on the advice of Mr. Pound, responded favorably [to Roth's suggestion that Joyce's work appear in *Two Worlds*], and received some payment from the publisher." Further references to Mr. Gertzman's work will be cited parenthetically in the text.

¹³ Samuel Roth, "Prelude," *Two Worlds Monthly* (1927), unpaginated. Further references will be cited parenthetically in the text.

¹⁴ On this, see Mrs. Kugel (pp. 244-45).

¹⁵ My excoriation is as follows in "An Offer to James Joyce," *Two Worlds Monthly*, 3 (July 1927), 182:

I submit to the sober judgment of mankind that, since the writing of ULYSSES, Mr. Joyce has ceased functioning as an artist. To the best evidence possible, his most recent writings, he has succumbed into a state of semi-conscious demoniacism in which he is both conscious of his own mental waywardness and of the ludicrous gullibility of his friends who pretend to discern in the gibberish I reproduce in TWO WORLDS QUARTERLY the birth of a new art. Frankly, I have even given up reading proof of the matter. . . . Mr. Joyce's defection as an artist is merely his own personal illness, whatever be the interpretations his friends may wish to put on it. He began with only a few genuine sensations which he rendered exquisitely once and for all time. Like many another gladiator, after having seen stout service, he has passed into the side-show.

¹⁶ Samuel Roth, "Life and Letters," *Two Worlds Monthly*, 1 (September 1926), 129. Further references will be cited parenthetically in the text as "Life."

¹⁷ Margaret Anderson, *My Thirty Years' War* (New York: Covici, Friede Publishers, 1930), p. 44. Further references will be cited parenthetically in the text.

¹⁸ James Joyce, "Ulysses: Part Two," *Two Worlds Monthly*, 1 (September 1926), 210, 215-16.

¹⁹ Samuel Roth, "Joyce, Ulysses, Roth, the Van Dorens and Villard's 'Nation,'" *Two Worlds Monthly*, 3 (May/June 1927), 120.

²⁰ See Paul Vanderham, "Ezra Pound's Censorship of *Ulysses*," *JJQ*, 32 (Spring/Summer 1995), 585-86.

²¹ Samuel Roth, *Stone Walls Do Not* (New York: William Faro, 1930). This passage is quoted in Kugel (p. 248).

²² See Mrs. Kugel (pp. 246-47), and Samuel Roth, "Joyce, Ulysses, Roth, the Van Dorens and Villard's 'Nation'" (p. 120). Mrs. Kugel reports that a carbon copy of the Arthur Garfield Hays letter, dated 14 January 1927, is in her pri-

vate collection.

²³ Mrs. Carol Loeb Shloss has written about how the French *droit moral* pertains to Mr. Joyce's will; see her "Joyce's Will," *Novel*, 25 (Fall 1995), 114-27, and see also "Privacy and Piracy in the Joyce Trade: James Joyce and *Le Droit Moral*," in this issue.

²⁴ As a count of the protest's signatories makes plain (*Letters III* 152-53), Mrs. Kugel is correct in her statement that they numbered 162 (p. 247)—and not 167, as the Richard Ellmann biography says (*JJ III* 586).

²⁵ Ezra Pound, *Pound/Joyce: The Letters of Ezra Pound to James Joyce, with Pound's Essays on Joyce*, ed. Forrest Read (New York: New Directions, 1967), p. 226.

²⁶ Mrs. Kugel gives the date erroneously as 23 May 1928 (p. 245). A facsimile of the article can be found in Mr. Pound's *Poetry and Prose: Contributions to Periodicals*, ed. Lea Baechler, A. Walton Litz, and James Longenbach (New York: Garland Publishers, 1991), 5:30. The key passage reads, "Shortly after this a certain Mr. Roth suggested a means of publishing the unpublished remainder of the book. As I consider the law under which *Ulysses* was suppressed an outrage, the people who tolerate such a law little better than apes, I approved the suggestion. That is to say, I wrote as nearly as I can remember that I approved any legal means of nullifying the effect of article 211 of the United States Penal code. This need not even raise the general question of censorship, about which an honest man might possibly argue."

²⁷ Samuel Roth, "Proposed Inscription to be Placed on the Tombstone of E. P.," *Two Worlds*, 2 (December 1926), 143.

²⁸ Samuel Roth, "An Offer to James Joyce," *Two Worlds Monthly*, 3 (July 1927), 181-82.

²⁹ Mr. Hamalian describes the scene of the arrest:

Two years [after the Supreme Court of New York injunction] there began to appear a bootleg edition of *Ulysses*. In a quick raid on a small printing establishment that had been suspected of pushing pornography, the police caught Roth red-handed as he was rolling his pirated edition off the press. He had had it reset from the ninth printing by Shakespeare and Company, not bothering to correct the countless typographical errors. For his pains (it should have been for the lack of them), Roth was sentenced to sixty days in jail. (p. 897)

Mr. Hamalian's contention that the confiscated edition was "pirated" evaporates in the light of Mr. Pound's *International Chicago Tribune* letter, noted above (see endnote 26).

[It appears likely that Mr. Roth's spirit here exaggerates the time served for the 1929 *Ulysses* by conflating several arrests. According to Mr. Gertzman, Samuel Roth was arrested in January 1928, fined \$500, and sentenced to six months in jail for selling Richard Francis Burton's translation of *The Perfumed Garden* through the mails (pp. 229-31). The sentence, however, was suspended. Roth was again arrested in June 1928 when he was found in possession of obscene materials and sentenced to ninety days on Welfare Island for having violated his parole. An October 1929 raid on Samuel Roth's press proved that he had continued to sell a number of obscene books, including *Ulysses*, *Lady*

Chatterley's Lover, and *Fanny Hill*, through the mail during his parole subsequent to the ninety-day Welfare Island term. He was sentenced to six months for violating the terms of his probation, four months of which he spent at Welfare Island, serving out the remaining two at Moyamensing, Pennsylvania, for selling a copy of *Ulysses* to a Philadelphia bookseller—Ed.]

³⁰ See John Slocum and Herbert Cahoon, *A Bibliography of James Joyce* (New Haven: Yale Univ. Press, 1953), pp. 28-29, and R. F. Roberts, "Bibliographical Notes on James Joyce's *Ulysses*," *Colophon*, 1 (1936), 574-75.

³¹ T. S. Eliot, "Philip Massinger," *Selected Prose of T. S. Eliot*, ed. Frank Kermode (New York: Harcourt Brace Jovanovich, 1975), p. 153.

³² See Waverly Lewis Root, "King of the Jews," *transition* (December 1927), 178-84.

³³ See Hugh Kenner, *The Pound Era* (Berkeley: Univ. of California Press, 1971), p. 126. Mr. Joyce apparently made the remark to his friend Mr. Eugene Jolas.

³⁴ B. Seebohm Rowntree, *Poverty, A Study of Town Life* (London: Macmillan Publishers, 1902), and Giovanni Pietro Pinamonti, *Hell Opened to Christians: To Caution Them from Entering into It: or, Considerations on the Infernal Pains, Proposed to our Meditation to Avoid Them: And Distributed for Every Day in the Week* (London: J. P. Cochlan, 1782).

³⁵ Some have remarked on a certain physical resemblance I am said to have borne to Mr. Joyce (see the 1930 photograph from the Criminal Identification Files of the Philadelphia police—Figure 1). I leave my readers to draw their own conclusions about this resemblance and its possible meaning. But I once addressed a gathering of the James Joyce Society at Frances Steloff's Gotham Book Mart in midtown Manhattan. Mr. John Slocum, Mr. William York Tindall, Mr. Thornton Wilder, and Mr. Joyce Cary were among the luminaries present. As Mr. Hamalian records, one observer wrote that the audience "must have thought, for a heady moment, that they were witnessing a transmigration of souls" (p. 898). As I say in my (as yet unpublished) autobiography, I opened my speech by telling that roomful of Joyceans that, standing before them, I felt like "a lion in a den of Daniels," according to Mr. Gertzman (p. 282). The line comes from Mr. Wilde's September 1888 letter to W. E. Henley; where Mr. Wilde got it, he has refused to say—see *The Letters of Oscar Wilde*, ed. Rupert Hart-Davis (London: Rupert Hart-Davis Ltd., 1962), p. 224.



Figure 1. Samuel Roth, June 1930. Photographs from the Criminal Identification Files of the Philadelphia police, who processed Roth for a two-month term in Moyamensing Prison. Roth was serving the term for selling a copy of Joyce's *Ulysses* to a Philadelphia bookseller. Roth's often-noted physical resemblance to Joyce is particularly evident. The photo is reproduced by kind permission of Jay Gertzman and the University of Pennsylvania Press.