

2017

Modernism, History, and Censorship: The United States vs. Two Books: Pay Day and Ulysses, 1930-1933

Václav Paris
CUNY City College

[How does access to this work benefit you? Let us know!](#)

Follow this and additional works at: https://academicworks.cuny.edu/cc_pubs

 Part of the [Comparative Literature Commons](#)

Recommended Citation

“Modernism, History, and Censorship: The United States vs. Two Books: Pay Day and Ulysses, 1930-1933,” in Paparunas, Penny, Martin Heusser and Frances Ilmberger, eds. *Parallaxing Joyce*. Tübingen: Narr Francke Attempto Verlag, 2017. 138-153.

This Book Chapter or Section is brought to you for free and open access by the City College of New York at CUNY Academic Works. It has been accepted for inclusion in Publications and Research by an authorized administrator of CUNY Academic Works. For more information, please contact AcademicWorks@cuny.edu.

The New York Parallax: *Ulysses*, *Pay Day*, and Censorship, 1930-1933

Václav Paris

PAY DAY
by Nathan Asch
What happens to a young clerk on pay day. His girl; the subway; the speakasy; the lady-killer; the fight; finally, home—and empty pockets. "Straight-forward and honest record. A New York version of the joycean influence."—*Harry Hansen* . . . \$2.50

Abb. # "*Pay Day* – A New York version of the joycean influence." *New York Times*, 2 March 1930.¹

■ "If it's not art, it's at least history."²
– Thomas Hart Benton

In the personal library of the American author Theodore Dreiser, there is a little-known book by Nathan Asch entitled *Pay Day*. Inside this book is a folded letter addressed to Dreiser from Joseph Brewer of the publishing company Brewer and Warren. It is dated Friday, 25 April 1930, and reads as follows:

Dear Sir:

At the suggestion of Morris L. Ernst, Esq. who is representing us in a proceeding brought on the complaint of Mr. Sumner, of the New York Society for the Suppression of Vice, we are sending to you a copy of "Pay Day," by Nathan Asch. Thus far only a complaint has been filed and the case has not yet come up in court.

In view of its having been "marketed in a dignified manner," and considering its reception in major newspapers, Brewer feels that "the attack on the book at this time is arbitrary and unwarranted." Hence:

1 "Display Ad 197 – No Title." *New York Times* 2 Mar 1930. *ProQuest Historical Newspapers (The New York Times 1851-2006)*: 74.

2 Qtd. in Conn 1.

We ask that you be good enough to read the volume and let us know by letter or telegram your position on its proposed suppression. In our opinion, it is an honest portrayal of the adolescent frustrations that beset a great portion of our American population. We are not interested in a literary judgment, but we should like to have your opinion as to the value of the book as a social document. We appeal to you because we realize that the battle against censorship, in this case as in every other case, will be won or lost depending on the measure of informed and intelligent support rallying to the cause of the publication to be suppressed. May we look to you for a prompt answer? You may wire us collect.³

If Dreiser took up the generous offer to wire collect, no record survives. *Pay Day* was taken to court, found – after several legal twists and turns – to be obscene, and silently banned.

The reader may be wondering why I am telling this history in a volume of collected essays in honor of Fritz Senn, celebrating the work of James Joyce and the concept of parallax. Both *Pay Day*'s setting (New York), and its historical context (the early 1930s) appear a long way from the orbit of *Ulysses*; the book's unfortunate fate seems irrelevant to a study of James Joyce. And indeed, it would be so if it were not for three points of conjunction – or what I shall call 'parallaxes' – between the two novels. (In this – admittedly loose – use of the term, I imagine an astronomical figure, in which each novel provides a line of vision on reality. These two lines of vision run almost, but not quite, parallel to each other. Where they touch they form a parallax: revealing both the identity and the crucial differences in their objects, historical settings, and narrative modes.)

The first such parallactic conjunction is visible in the content and form of *Pay Day*. By no means a premier work of modernism, *Pay Day* shares a surprising amount with *Ulysses* – at least when it comes to judging literature as a 'social document.' Set over the course of a few hours on the night of 22 August 1927, *Pay Day* is ostensibly a historical novel, dramatizing the executions of Nicola Sacco and Bartolomeo Vanzetti. The fate of Sacco and Vanzetti, however, is really only a backdrop for a much more mundane action. It provides, as Auden wrote of Brueghel's *Fall of Icarus*, a glimpse of:

- how everything turns away
Quite leisurely from the disaster; the ploughman may
Have heard the splash, the forsaken cry,
But for him it was not an important failure; the sun shone

3 Brewer, Joseph. Unpublished letter to Theodore Dreiser (in Dreiser's copy of Nathan Asch's *Pay Day*). Theodore Dreiser Archive: U of Pennsylvania, Van Pelt Library Rare Book Room.

As it had to on the white legs disappearing into the green
 Water, and the expensive delicate ship that must have seen
 Something amazing, a boy falling out of the sky,
 Had somewhere to get to and sailed calmly on. (Auden 179)

To the extent that *Pay Day* looks away from the monumental to the banal, paying more attention to the everyday than the extraordinary, yet folding that extraordinary into the terms of the everyday, the book is ‘Ulyssean.’ The figure on whom this routine action focuses, and the bearer of its characteristically modern, characteristically-urban Simmel-like ‘blasé attitude,’ is our hero: Jim. Jim, we find out, is a coarse, callow, and largely unremarkable New York office worker. Adopting a stream of consciousness narrative, Asch’s novel follows Jim, just as Joyce’s novel follows Stephen Dedalus, on his inebriated, nocturnal adventures after work on payday. As with Stephen’s or Bloom’s peregrinations in *Ulysses*, the action appears less central than Jim’s commonplace thoughts. The novel is frank, not only about the blatant corruption of the US legal system and the hypocrisies of nightlife under prohibition, but also about Jim’s body and secret sexual desires. As we will see, it is also Joycean in its use of newspapers – which, among other things, periodically announce what is happening in Boston. Like Joyce, Asch pays a lot of attention to having certain leitmotifs resurface throughout what seems to be a largely unstructured day.

The second parallaxic conjunction between *Ulysses* and *Pay Day* is the supposedly ‘dignified marketing’ of Asch’s novel. *Pay Day*’s Joycean style and content are features noted both by its marketing and by its first reviewers. Thus one of the first advertisements for the book, which appeared in the *New Times York* on 2 March 1930, quoted Harry Hansen, who claimed the novel to be a “[s]traightforward and honest record. A New York version of the joycean [sic] influence” (“Display Ad. 197”; see fig. 1 above). And on Sunday, 11 May 1930, the *New York Times Book Review* wrote:

Mr. Asch has fished out the inner feelings of a pretty uninteresting character in “Pay Day,” a lengthy and tedious study in mediocrity. Borrowing the form of *Ulysses* [sic] and attempting to employ the Joycean subjective method in the greater part of his work, the author has taken endless snapshots of his pimply-faced young clerk on his weekly night of pleasure following pay day.⁴

Even by the time Dreiser received his letter then, *Pay Day* had been interpreted as Asch’s politicized, American reworking of *Ulysses*. And since *Ulysses* was, of

4 “‘Trumpet in the Dust’ and Other Works of Fiction.” *New York Times* 11 May 1930: 67.

course, banned in 1930, Joyce's book may have been indirectly guilty of creating the circumstances for Joseph Brewer's letter.

The third and final conjunction between *Pay Day* and *Ulysses* is a historical parallax. As the astute reader may have already noticed, the person threatening to bring charges against *Pay Day* was one "Mr. Sumner" of the New York Society for the Suppression of Vice. The lawyer defending Joseph Brewer and Asch's book was "Morris L. Ernst." These were, of course, the very same players that were to battle out the legal fate of *Ulysses* in the United States three years later.

Dreiser also played a role – albeit a small one – in the *Ulysses* case. Almost exactly two years after receiving Brewer's missive, Dreiser found a similar request in his letterbox from Bennett A. Cerf, president of Random House. This letter, part of a pre-litigation strategy identical to that of Joseph Brewer, elicited Dreiser's support for a fresh case attempting to repeal the obscenity charge against *Ulysses*. Dreiser, along with other high-profile literati such as William Rose Benet, Louis Untermeyer, John Dos Passos, Malcolm Cowley, John Farrar, and F. Scott Fitzgerald, promptly gave it (see Pagnattaro 227; Moscato and LeBlanc 125–128). "I have always regarded the attempted censorship of any book as one of the most absurd of all unintelligent human actions," he wrote from his room on Broadway on 13 May 1932. And then, in what is one of Dreiser's only comments on the book:

Ulysses is, of course, a highly intellectual work. To read it is to spend a day inside a seeking and profoundly observant human mind, to learn its mysterious wanderings and secret paths. And because it is what it is, some things enter into it which are not generally recorded. But, and for precisely that reason, those things add to its value as an amazing, if not unique, social and literary document. (Dreiser to Cerf, qtd. in Moscato and LeBlanc 127)

Dreiser defends *Ulysses* on documentary grounds: precisely the grounds on which he was asked to defend *Pay Day* three years earlier. Dreiser's tack is the same as Brewer's in his appeal. And indeed, in these last words, he echoes Brewer: "We are not interested in a literary judgment, but we should like to have your opinion as to the value of the book as a social document." It is valuable not so much for the way or the nature of what is recorded as for recording "some things [...] which are not generally recorded".⁵

Pay Day thus stands to be seen in a transatlantic, parallaxic relation to *Ulysses* on both aesthetic and historic axes. It reworks Joyce's style and content while also raising the same legal questions by the same major actors – offering us a close comparison to the historic 1933 court case. Reading *Pay Day* alongside

5 Brewer, Joseph. Unpublished letter to Theodore Dreiser.

Ulysses offers us a way to trace changes in the interpretation of the value of unabashedly realist literature between the 1920s and 1930s, and more specifically between 30 April 1930 and 6 December 1933. It also, more broadly, helps us to gain an insight into the transition between the 1920s and the 1930s as an opposition between ‘high modernist’ aesthetics and ‘late modernist’ politics. For an important shift occurred in the appreciation of *Ulysses* in the US within these years of which Dreiser’s newfound allegiance is symptomatic: namely, *Ulysses* became a crucial work of contemporary social critique within this period. Moreover, it became an object relevant to the contemporary United States. Louis Untermeyer points this out in his own response to Cerf: “Apart from its literary value, however – and I find it hard to separate the literary from the social aspect – it is a document of *these times* so revealing, so significant, that it can no more be ignored than the daily depression” (qtd. in Moscato and Leblanc 125; my emphasis).

By looking at *Ulysses*’ New York interpretation by Nathan Asch, we can see one way in which the question was raised that made it impossible to separate social from artistic value, or lack of value, in the early years of the 1930s. As T.S. Eliot and Harold Bloom, among others, have pointed out, influence works in both directions: derivative novels change the nature and interpretation of the original. They change, however minimally, the literary tradition of which they are part. (Fritz Senn’s version of this is the counterintuitive claim that Joyce influenced Homer.) *Pay Day* is one example of how *Ulysses* was brought to New York to inform the “daily depression” and how the “daily depression” in turn informed *Ulysses*. This essay will analyze how this was achieved, firstly, by looking at the ways in which *Pay Day* prepared the ground for *Ulysses* in the United States, and secondly, by showing how *Pay Day* articulated, through its relation to newspapers, a potential defense of *Ulysses* in terms of free speech in the United States.

A New York *Ulysses*? Towards the New Bloomusalem

In her article “Carving a Literary Exception: The Obscenity Standard and ‘Ulysses,’” Marisa L. Pagnattaro discusses three censorship cases leading up to the case of *Ulysses*: that of a pamphlet entitled *The Sex Side of Life*, a book called *Contraception* (1931), and a book called *Married Love* (1931). Each publication dealt with sex for the purpose of education, and in each case, Morris Ernst was the lawyer selected to lead the defense. Through an analysis of these cases, Pagnattaro notes how Ernst managed to carve out an exceptional space for *Ulysses* in which it could not be justly called obscene. Pagnattaro does not mention the literary precursors. However, by writing Asch’s *Pay Day* back into this

history, it is possible to look not only at the issues of what could be printed in terms of content, but also at the numerous issues raised in *Ulysses* concerning the relation between literary style and legality.

Indeed, although it is not mentioned anywhere in *Ulysses*' publication history, for Morris Ernst, *Pay Day* must have been a sort of dress rehearsal for the trial of *Ulysses* as he used similar strategies in its defense. Thus on 29 April 1930, the *New York Times* announced "'Pay Day' Publishers Win Points at Hearing": a success which consisted of Ernst insisting that an unmarked copy be presented to the judge so that the questionable passages might be considered in the context of the whole book. This was a crucial juncture in the first hearing of *Ulysses* in 1933 as well as during the appeal. The sixth point of Ernst's legal brief was that "Ulysses [sic] must be judged as a whole, and its general purpose and effect determined. On that basis it must be cleared" (qtd. in Pagnattaro 228). Likewise, Ernst insisted in both cases that the books be considered against the standards of the time and not against an outdated definition of obscenity.

But *Pay Day* was not only a 'mock trial for *Ulysses*' where Ernst could flex his juridical muscles. There are many ways in which Asch's work prepared the ground for an American reception of *Ulysses* in the public sphere and in literary criticism, and not just in court. Most notably, *Pay Day* is among the first works to offer the possibility of interpreting Joyce's narrative as relevant to US history and political life. To understand this, one needs to think about how *Pay Day* "translates" *Ulysses* (in the etymological sense of a geographical transfer or *translatio*) for a particular audience and thus stages for us the change in popular conceptions of the original book.

Ulysses, of course, was set in Dublin, and it was written, as the proxy-signature of the novel attests, in "*Trieste – Zurich – Paris*" (U 18.1610). Its context – including the version of modernism and the older prose traditions that it engages with – was almost exclusively European. When it came to a binary case, as it did in New York in 1933, of *United States v. One Book Called "Ulysses," Ulysses'* domain was very much on the other side of that "v.": a metonymic Atlantic.⁶ *Pay Day*, however, was one of the few works that could serve as a potential bridge. Nathan Asch, a Polish Jew freshly re-arrived from Joyce's Paris in 1930, might be expected to sit with the council for the defense, and he does, at least in terms of style. Yet *Pay Day*, as I have said, was set in New York: it imported a foreign perception to US soil, attempting to blur the boundary between *Ulysses* and US history. *Pay Day* questioned national limits – from the perspective of an autochthonous American literary heritage, it was like a Trojan horse. *Pay Day*, we

6 *United States v. One Book Called "Ulysses,"* 5 F.Supp. 182 – Dist. Court, SD New York 1933.

might say, performed an illegal border crossing smuggling in the wily Odysseus. Stephen and Bloom were given citizenship in the guise of Jim: an average clerk.

This is also a simplification and democratization, a making the 'subjective method' accessible to a broad US readership. One no longer need worry about keeping up with wanting or not wanting Stephen's "medieval abstrusities" (U 3.320) or Bloom's Irish soap connoisseurship – for *Pay Day* is often, as the *New York Times* review suggests, obvious to the point of tedium: "a lengthy and tedious study in mediocrity" ("Trumpet in the Dust and Other Works of Fiction" 67).

Consider, however, the difficulties that faced *Ulysses*' readership in the 1920s. These were not so unlike the difficulties that readers encounter today but with no notes, no critical guidance, no Fritz Senn, and no Zurich James Joyce Foundation reading groups. The first real guide to the book – Stuart Gilbert's *James Joyce's Ulysses* (which was also the first publication of the Homeric schema to the episodes) – would not be on the shelves until several weeks after the appearance of *Pay Day* in 1930. As a result, *Ulysses* often became conflated with its notorious reputation. As Jeffrey Segall notes in his introduction to *Joyce in America*, "It was difficult to separate *Ulysses* from the aura of notoriety surrounding it" (2). Indeed, how was one to talk about *Ulysses* from an informed perspective and not merely through spurious second-hand knowledge? How did an average US reader get hold of *Ulysses*? In this climate, *Pay Day* might well have stood as a substitute, promoting ideas about how to read the original. Joyce's book, as Richard Aldington famously wrote, was "a tremendous libel on humanity" (198). The 1930s, however, also saw the ascendancy of a constellation of left-wing critics who celebrated the way Joyce's characters represented more than just themselves, embracing the "tremendous libel" as contemporary truth (hence Dreiser and Untermeyer's responses to Cerf above, or John Dos Passos' argument that "[s]ince it deals with human life it can't very well help having some smut in it" (qtd. in Moscato and LeBlanc 126). At their fore, as Segall writes, was Edmund Wilson. Wilson's major contribution is his essay on Joyce in *Axel's Castle* (1931), where he argues that, unlike Proust's *À la Recherche du Temps Perdu*, "[Joyce's] work is unshakably established on Naturalistic foundations" (qtd. in Segall 99). And hence the story hinges precisely on the recognition of Molly's body as representative of a new human body politic:

This gross body – upon which the whole structure of *Ulysses* rests – still throbbing with so strong a rhythm amid obscenity, commonness, and squalor – is laboring to throw up some knowledge and beauty by which it may transcend itself. (224)

Thus Joyce becomes "the great poet of the new phase of the human consciousness" (221). In the 1930s, his work was redeemed in terms of its power to rep-

resent the ordinary (working-class) man. Note for instance Wilson's use of the words "commonness," "squalor," and "laboring." It is from the criticism of this time that we still have a strong academic tradition of thinking of Bloom as an everyman, and a hero of the everyday.

But to return to *Pay Day* and Brewer's letter to Dreiser, Brewer, perhaps aware of Dreiser's distance from the Joycean mode, wrote: "We are not interested in a literary judgment, but we should like to have your opinion as to the value of the book as a social document." *Pay Day*, with its straightforward structure and basic characterization, is not properly experimental fiction but much closer to the broad brushstrokes of city murals. Brewer attempts to redeem Jim's stream of consciousness as representative of the masses. "In our opinion, it is an honest portrayal of the adolescent frustrations that beset a great portion of our American population," writes Brewer, laying a particular stress on this being of national (US) value. Louis Kronenberger's review in *The Bookman* (April and May 1930) denounces precisely this characterization of Jim as a failure: "it is only the type in him which rings true" (qtd. in Berthoff, "Reception" 269). This may, however, have been what Asch was aiming for. The impression is reinforced not only by Asch's emphasis on popular routine, but also by certain details. Jim earns thirty dollars a week, that is, five dollars a day: the wage of a typical worker in one of Ford's auto plants. He has few meaningful relations in the novel; several brief encounters with women take the place of sustained romance. In this sense, the book fosters an impression of Jim as an exchangeable, almost-anonymous unit of humanity rather than as a person with a unique identity anchored in a specific social circle. It is an impression reinforced by the recognition that Jim's thoughts, which are heavily influenced by the mass media, lack an individual quality: newspapers provide the vocabulary for even his most anarchic fantasies. Thus on the subway, he thinks:

Now wouldn't it be wonderful, he said, if there should be an accident? If the whole shooting match just left the rails and went against the pillars? He saw headlines: DISASTER IN THE SUBWAY. ONE HUNDRED KILLED. HUNDREDS WOUNDED. SUBWAY SYSTEM TIED UP. (PD 33)

Indeed, the subway, which features so prominently, further reduces Jim's individual identity: in it, he becomes part of an underground crowd whose movements are limited. Jim spends the majority of the novel in some form of mechanical transport, never driving himself – he is part of the machine of the metropolis. Rereading the novel with this mechanical understanding brings to mind classic celebrations of modernism's subterranean *Untermensch* in Lang's *Metropolis* (1927), Huxley's *Brave New World* (1932), or Chaplin's *Modern Times* (1936). It is perhaps no surprise, therefore, that Asch, like Huxley six

years later, became a scriptwriter for the ‘endless snapshots’ of Hollywood in 1931.

If we put this reading of Asch’s novel alongside *Ulysses*, *Pay Day* becomes precisely what Wilson is looking for in Joyce. It is a model of the stream of consciousness method used to represent the body of a new urban humanity in need of transcendence through a single greater identity – a transcendence that *Ulysses* routinely denies, but *Pay Day* proffers, at least minimally, through Jim’s final moment of expansive sympathy when he recalls that Sacco and Vanzetti are dead. The novel is involved in a proletarian cause which, if not absolutely socialist, is at least socially conscientious, moving from Jim’s sociopathic violence to a moment of shock in the Ibsenesque concluding lines: “He suddenly remembered and said: ‘Oh my God. They’re dead.’ He went into the house” (*PD* 265). *Pay Day*, I suggest, paves the way for a parallax appreciation of Joycean realism – an understanding in which gritty or sordid details may be seen from the angle of the promotion of social morality, and not corrupting the minds of its individual readers.

There is a slant to this argument provided by the details of race. Leopold Bloom is a Jew as well as an Irishman. The question of his nationality is raised in the oft-quoted “Cyclops” episode and roundly summarized with his definition: “A nation is the same people living in the same place” – a definition which he goes on to qualify with “[o]r also living in different places” (*U* 12.1248). The question is analogous to debates over nativism in the United States in the early decades of the twentieth century. If one attempts to define an American nationality or race – which, as Walter Benn Michaels narrates was a major preoccupation of the period (*Our America* 6–8) – then the last resort would be to say that being American entails being ‘in America.’ In fact, Bloom, when he goes on to talk about his nation or race, is misunderstood by the “citizen” as talking of the “new Jerusalem.” In “Circe,” this then becomes a fantasy of the technologically advanced “New Bloomusalem in the Nova Hibernia of the future”: a “colossal edifice” with “crystal roof” and “forty thousand rooms” (*U* 15.1548–1549). Bloom might have been describing New York here. After all, a large proportion of immigrants in New York in the first three decades of the twentieth century were Irish or Jewish. *Ulysses* then, provides within its pages a potential justification for thinking of New York as the home for Bloom’s nation or race: a potential that Nathan Asch, as a Polish-American Jew himself, explores through the person of Jim Cowan (an Irish name) in *Pay Day*.

New *Ulysses*: Making *Ulysses* News

In providing a New York version of *Ulysses*, *Pay Day* makes Joyce's techniques 'new' in a number of ways. Most obviously, *Pay Day* brings the 'Ulysean' narrative mode forward by twenty-three years. Where *Ulysses* is set on 16 June 1904 ('Bloomsday'), *Pay Day* is set on the night of 22 August 1927. Where the Shakespeare and Company *Ulysses* looks eighteen years into the past, *Pay Day* looks back only two and a half years to a well-remembered moment whose reverberations were far from over. As correlative of this update, Asch also made *Ulysses* and its methods 'new' in another sense: that is, by making Joyce's work 'news'.

The relationship between news and literature is a connection between *Pay Day* and *Ulysses* that is worth exploring in some detail. Both novels are full of newspapers, and both seem to bring news and literature into close relation, yet their use and significance is subtly different. In *Ulysses*, we encounter newspapers most strikingly in the seventh episode, "Aeolus," which is set in the offices of the *Evening Telegraph*. This newspaper becomes interwoven with the texture of Joyce's novel. Headlines appear in the text, giving the impression that the narrative we are reading is itself a series of news articles. On the whole, Joyce's use of the newspaper is playful: it is full of bombast – or wind as the title of the episode "Aeolus" suggests – and the *Evening Telegraph* appears to be an irrelevant or ineffective medium in political terms. It is an impression bolstered by the kinds of articles that we encounter in the novel, from Mr. Deasy's letter about foot-and-mouth disease to the advertisement from Agendath Netaim's planter's company selling tracts of Turkish land (the advertisement in which Bloom's kidney is wrapped).

Pay Day is a novel that is similarly saturated with newspapers. They are omnipresent from the moment when Jim first steps into the subway station on the second page. We are even told that Jim worked as a newspaper boy before his current job. Yet, unlike *Ulysses*, newspapers in *Pay Day* are rarely flippant. In contrast to Joyce, one might say that Asch has faith that the free press and free speech are a cause for social improvement. If they were free, they would possess the power to speak out against social depredations such as the Sacco and Vanzetti case. Indeed, if there is a hero of *Pay Day*, it is the unnamed reporter whom we meet in the evening when Jim is at a speakeasy. Recognizing a corrupt New York senator, this reporter challenges him with the reality of Sacco and Vanzetti's death:

They looked at him. He stopped laughing, and he said very slowly:

■ "I'll tell you what they're doing. Tonight they're murdering two men in Boston."

"Oh that," said the senator. "Well they had it coming to them for seven years..." (PD 186)

At this point, Paddy the barman intervenes, confronting the “guy” (the unnamed reporter). As the reporter departs, he offers these last words:

The guy got up, laughed and said: “The power of the press. But the press’s not using its power. The press is afraid of losing its job. Goodbye, Senator. See you in Albany. Hope the liquor holds out.” (PD 188)

Pay Day’s moral force lies in the encouragement of the power to speak out despite its consequences: a moral encapsulated by the single episode title “The Speakeasy”.

Free speech is an important theme in *Pay Day*. Jim, when drinking with the senator and his girls, is rendered silent by fear that he will say something wrong. The others around him speak while he listens. Jim in fact spends most of the novel in silence, speaking only to himself. Asch often uses the verb “said” to punctuate this monologue, as if the thought was indistinguishable from speech. Unlike Joyce, however, who eschewed speech-marks in favor of his signature dashes, Asch retains them around Jim’s sonic utterances, and hence imposes a visible distinction between the two realms of private thought and public speech.

The theme of speaking out climaxes in the last – *nostos* – episode of *Pay Day*, “Home Again.” Here, as Jim returns uptown in the subdued subway, one anonymous man with apparently no distinguishing features asks another: “What if I stood before this car and told the people here a terrible injustice, an awful crime, had been committed” (PD 253), referring to the executions of Sacco and Vanzetti. The train shakes, his voice becomes louder:

Try to think of a way to reach them, these rulers of the country for whose benefit all this was arranged, as a warning, as a lesson. Somehow try to wake them up. Words mean nothing to them. They’re old, stale, they have been used too much. (PD 254)

He then complains about the ineffective newspapers constantly screaming headlines, and concludes: “Find a way to wake them, to make them realize words. Try to talk to them, to make them understand. Do something” (PD 255). At this point, a drunk gets up and shouts at the man:

“Go on, say something. I’m tired of hearing about those two bozos. Explain what you’ve got to say. We’re here, we’re listening, we don’t know what it’s all about. You seem to know. Here is your chance. Talk.”

Everyone in the car laughed. Somebody whistled, somebody else began to speak. “Let those guys talk,” the drunk cried. Someone yelled: “A speech.” (PD 255)

The drunk highlights the difficulty which the man tries to express, demanding words when “[w]ords mean nothing to them” (PD 254). Coming from him, it is laughable, yet this is the point of the passage. To make *them* understand, we

have to “make them realize words” (*PD* 254). This could be interpreted as a quintessentially modernist urge: to “make it new” in Pound’s phrase, or in George Orwell’s twist on it, to avoid dead metaphors or clichés. It is also a radical affirmation of freedom of speech: “Let those guys talk” is a colloquial rephrasing of the content of the First Amendment. In this sense, *Pay Day* was its own defense against the censors. It tries to perform a radical speech act in opposition to the arbiters of taste, justifying that speech act not only by its historical relevance, but also through a reminder of the constitutional necessity to let democratic opinion circulate. Experimental form, suggests Asch’s novel, is now a necessary mode of historical reportage.

As we have seen, *Pay Day* has an interesting extra-textual relationship to newspapers. It began its public life being advertised in various newspapers. And as Joseph Brewer wrote to Dreiser, “It has been extensively reviewed in responsible and representative newspapers and periodicals.”⁷ Asch was well aware that newspapers (and particularly the *New York Times*) played a role in the novel’s fate, and not just within it. In fact, one could trace the origin of *Pay Day* to a challenge made in the *New York Times* on 6 December 1925, in a review (which included Asch’s novel *The Office*) by Lloyd Morris: “Doubtless some novelist will eventually achieve an expression of New York equivalent to Joyce’s expression of Dublin in ‘Ulysses’” (BR 2). Newspapers were also set to play a role in the defense of *Pay Day* when it was tried on 28 April 1930 until Mr. Sumner objected that their reviews were irrelevant.

Asch uses newspapers both within and without his novel as part of similar social cause – one that boils down to the freedom of speech. The Sacco and Vanzetti case itself is exemplary not so much of brutality, as it is of an abused right to be heard. The ‘Ulyssean’ form is a way of getting through to people – of making language fresh so that they pay attention – and Asch was clearly aware of the amount of attention being paid to Joyce. At the same time, however, this form brings with it the challenge of censorship. Battles against censorship in the early thirties revolved around one central issue: the meaning of the word obscene. American jurisprudence relied on Lord Chief Justice Cockburn’s definition, formulated in 1868, which declared material to be obscene according to the following ‘test’:

whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall. (qtd. in Pagnattaro, “Carving a Literary Exception” 218)

7 Brewer, Joseph. Unpublished letter to Theodore Dreiser.

This, in combination with the working assumption from an earlier case that a book needed only to be obscene in part of its contents (Pagnattaro 219), was outrageous to upholders of the First Amendment. Pagnattaro comments:

This harsh rule became the nemesis of free-speech advocates. As one outraged court in Pennsylvania observed, this rule, if strictly applied, “renders any book unsafe, since a moron could pervert to some sexual fantasy to which his mind is open the listings in a seed catalogue. Not even the Bible would be exempt.” (qtd. in Pagnattaro 219)

Therefore, one of the major advances of Ernst’s defense of *Ulysses* was, according to Pagnattaro, succeeding in redefining the working definition of obscene from the effect of parts to the effect of the whole. This advance could equally well be ascribed to *Pay Day* two years earlier. *Pay Day*, in fact, seems far more actively involved with such legislation than *Ulysses*, although of course, the significance and reputation of *Ulysses*’ case for future understandings of obscenity cannot be denied. *Pay Day* lobbies – and lobbies successfully – against abuses of the First Amendment both within and without its binding.

Coda: What Happened to *Pay Day*?

Pay Day was successful at least for a little while. And it would seem as if its notoriety might help it along. In other words, by being notorious, the press coverage that it gleaned would help market it. *The New Republic*’s review (signed only M.J.) from 16 July 1930 suggested as much:

The shallowness of the pimpled clerk who revels while the persecuted Italians are electrocuted, seems even more terrible in contrast to their burning. Because “Pay Day” really rebukes the metropolis as a begrimer of helplessly whirling lives, its grand-jury indictment should be applauded everywhere. A sincere sociological novel thus becomes assured of untold readers. (M.J. 232)

This grand jury indictment was not, however, the same case as that during which Ernst defended the novel. It was an altogether less successful affair. In his chapter on Asch, used as an introduction to *Pay Day* for the 1990 reprint (and the only recent published criticism of the book), Warner Berthoff speculates about what the reviewer could mean, suggesting that “*Pay Day* apparently came under at least the threat of a grand jury citation.” But the *Times*, he claims, “carried no further articles on the affair” after 16 May 1930, when the original case was dismissed (xxxv). Berthoff, however, appears to have been mistaken, for the *Times* did carry two articles on *Pay Day* in June. The first article, on 10 June 1930, claims that the day before the book had gone back to court to face the grand jury on request of District Attorney Crain “on the report of Assistant

District Attorney Albert B. Unger that he had found the book had no literary merit and might be considered offensive” (“*Pay Day Under Fire Again*” 33). Nine days later, the grand jury indictment was upheld, and the book was ruled obscene. *The New York Times*’ headline on page fifteen on 20 June 1930 reads unequivocally: “Grand Jury Holds Book by Asch Is Obscene, After It Had Been Upheld by Magistrate.”

Berthoff wonders why the publishers made no further effort to sell *Pay Day* and blames its demise on the difficulty of obtaining copies. Suggesting that Asch was speaking figuratively, he quotes him in later years as always saying “of the fate of his best novel that it had been ‘suppressed’” (xxxv). This, it turns out, was true.

***Grand Jury Holds Book by Asch
Is Obscene, After It Had Been
Upheld by Magistrate.***

Abb. #

I began this essay with a quotation from the American artist Thomas Hart Benton: “If it’s not art, it’s at least history” (qtd. in Conn 1). In relation to Benton’s own murals, this aphorism can be understood as a justification for his monumental and popular style. However, as I found them, opening Peter Conn’s magisterial history, *The American 1930s*, they appear as an apology for a whole decade. In contrast to the more aesthetically-concerned European 1920s, the American 1930s were inseparable from debates about politics, morality, and the historical or social value of a given artwork. In this context, the line helps to illuminate what we learn from the parallaxic conjunctions between *Ulysses* and *Pay Day* in the transition period between those two decades and places. For in 1930, *Pay Day* lost its case with the grand jury. Yet, although *Pay Day*’s own case was unsuccessful, it garnered attention in New York courts and in the minds of lawyers and the readers who either managed to obtain copies before it was taken out of circulation, or who read about it in the newspapers or received one of Joseph Brewer’s letters. Invoking Jacques Rancière’s *Politics of Aesthetics*, we might say that it played a role (however small) in a change in the “distribution of the sensible” (1): affecting a shifting set of arguments in regard to the value of literary realism, helping to transform the ‘high modernist’ ‘aesthetic regime’ of the 1920s (in which the news appears in playful relation to literature) into the more sociological ‘ethical’ and ‘representational regimes’ of the 1930s

(Rancière 43). The fact that *Pay Day* played this role, and that it eventually resonated back on the case of *Ulysses*, to some extent gives the novel a social or historical importance regardless of its own literary merits or demerits. Hence again – “[i]f it’s not art, it’s at least history”: *Pay Day* may now be remembered, if at all, precisely as Joseph Brewer’s wished in his letter to Theodore Dreiser, in historicist terms, as “a social document” rather than primarily as a work of literature.

Works Cited

- Aldington, Richard. *Literary Studies and Reviews*. 1924. Freeport, NY: Books for Libraries Press, 1968. Print.
- Asch, Nathan. *The Office*. New York: Harcourt, Brace and Company, 1925. Print.
- . and Library of Theodore Dreiser. *Pay Day*. New York: Brewer and Warren, Inc., Payson and Clarke, Ltd., 1930. Print.
- . *Pay Day*. 1930. Ed. Warner Berthoff. Detroit: Omnigraphics, 1990. Print.
- Auden, W.H. “Musée des Beaux Arts.” *Collected Poems*. Ed. Edward Mendelson. New York: Random House, 1976. 179. Print.
- Berthoff, Warner. Introduction. *Pay Day*. 1930. By Nathan Asch. Detroit: Omnigraphics, 1990. Iii–xxxviii. Print.
- . Reception. *Pay Day*. 1930. By Nathan Asch. Detroit: Omnigraphics, 1990. 267–70. Print.
- Bloom, Harold. *The Anxiety of Influence: A Theory of Poetry*. New York: OUP, 1997. Print.
- Brewer, Joseph. Unpublished letter to Theodore Dreiser. Theodore Dreiser Archive, U of Pennsylvania. (This letter is folded inside Dreiser’s copy of *Pay Day*). Print.
- Conn, Peter. *The American 1930s: A Literary History*. New York: CUP, 2009. Print.
- “Display Ad 197 – No Title.” *New York Times* 2 Mar 1930. *ProQuest Historical Newspapers (The New York Times 1851–2006)*: 74. Web. 25 July 2014.
- Eliot, T.S., *The Sacred Wood: Essays on Poetry and Criticism*. London: Methuen & Co. Ltd, 1920. Print.
- Gilbert, Stuart. *James Joyce’s Ulysses: A Study*. New York: Knopf, 1952. Print.
- Joyce, James. *A Portrait of the Artist as a Young Man*. Oxford: OUP, 2000. Print.
- . *Ulysses*. Ed. Hans Walter Gabler. New York: Vintage Books, 1986. Print.
- Kenner, Hugh. *Dublin’s Joyce*. London: Chatto & Windus, 1955. Print.
- Loving, Jerome. *The Last Titan: A Life of Theodore Dreiser*. Berkeley: U of California P, 2005. Print.
- Michaels, Walter Benn. *Our America: Nativism, Modernism, and Pluralism*. Durham: Duke UP, 1995. Print.
- M., J. “Pay Day (Book).” *New Republic* 63.815 (1930): 242. *The New Republic Archive*. Web. 25 July 2014.
- Morris, Lloyd. “Skimming the Cream From Six Months’ Fiction.” *New York Times* 6 Dec. 1925. *ProQuest Historical Newspapers (The New York Times 1851–2006)*: BR2. Web. 25 July 2014.

- Moscato, Michael, and Leslie LeBlanc. *The United States of America v. One Book Entitled Ulysses by James Joyce: Documents and Commentary: A 50-Year Retrospective*. Frederick, MD: U Publications of America, 1984. Print.
- Orwell, George. *Politics and the English Language: An Essay*. Evansville, IN: Herbert W. Simpson Inc., 1947. Print.
- Pagnattaro, Marisa Anne. “Carving a Literary Exception: The Obscenity Standard and *Ulysses*.” *Twentieth Century Literature* 47.2 (2001): 217–40. Print.
- “Pay Day Under Fire Again.” *New York Times* 10 June 1930. *ProQuest Historical Newspapers (The New York Times 1851–2006)*: 33. Web. 25 July 2014.
- “Pay Day Publishers and Agent Indicted: Grand Jury Holds Book by Asch Is Obscene, After It Had Been Upheld by Magistrate.” *New York Times* 20 June 1930. *ProQuest Historical Newspapers (The New York Times 1851–2006)*: 15. Web. 25 July 2014.
- Rancière, Jacques. *The Politics of Aesthetics: The Distribution of the Sensible*. Trans. Gabriel Rockhill. London: Continuum, 2004. Print.
- Segall, Jeffrey. *Joyce in America: Cultural Politics and the Trials of Ulysses*. Berkeley: U of California P, 1993. Print.
- Temkin, Moshik. *The Sacco-Vanzetti Affair: America on Trial*. New Haven: Yale UP, 2009. Print.
- ““Trumpet in the Dust” and Other Works of Fiction.” *New York Times* 11 May 1930. *ProQuest Historical Newspapers (The New York Times 1851–2006)*: 67. Web. 25 July 2014.
- “United States v. One Book Called *Ulysses*,” 5 F. Supp. 182 – Dist. Court, SD New York 1933. Web. 25 July 2014.
- Wilson, Edmund. *Axel’s Castle: A Study in the Imaginative Literature of 1870–1930*. New York: C. Scribner’s Sons, 1931. Print.