

December 7, 1933

# Court Lifts Ban on 'Ulysses' Here

By THE NEW YORK TIMES

James Joyce's "Ulysses," a novel which has been banned from the United States by customs censors on the ground that it might cause American readers to harbor "impure and lustful thoughts," found a champion yesterday in the United States District Court.

Federal Judge John M. Woolsey, after devoting almost a month of his time to reading the book, ruled in an opinion which he filed in court that "Ulysses" not only was not obscene in a legal sense, but that it was a work of literary merit.

Under the ruling the book will be published here in unexpurgated form in Jan. 20 by Random House. It will contain an introduction especially written for it by Joyce and also the full decision of Judge Woolsey, which was considered here to establish a precedent in interpretation of "obscenity."

Judge Woolsey held in brief that single passages could not be isolated from a literary work in determining whether or not the work as a whole was pornographic.

He defended Joyce's purpose in writing "Ulysses" and suggested that attacks against the book had been occasioned because "Joyce has been loyal to his technique and has not funk'd its necessary implications."

The court, expressing its own reaction to a reading of the book, found it to be "brilliant" and at the same time "dull." It had not been "easy to read," he noted, nor had it been clear in all places, though in other places it was thoroughly intelligible.

No "Dirt for Dirt Sake."

"In many places," Judge Woolsey wrote, "it seems to me to be disgusting," but nothing, he added, had been included in it as "dirt for dirt sake."

Before announcing his decision Judge Woolsey noted that he had read the whole book and had given special attention to passages singled out by the government as objectionable.

"I am quite aware," he concluded, "that owing to some of its scenes 'Ulysses' is a rather strong draught to ask some sensitive though normal person to take. But my considered opinion, after long reflection, is that whilst in many places the effect of Ulysses of the reader undoubtedly is somewhat emetic, nowhere does it tend to be an aphrodisiac.

"'Ulysses' may, therefore, be admitted into the United States."

Judge Woolsey directed that a copy of the book which the custom censors had seized as it entered this port from Europe be surrendered to Random House, Inc., the assignee. Samuel C. Coleman, Assistant United States Attorney, who brought the matter to the court's attention, said that the decision, in his opinion, was a masterpiece and "thoroughly wholesome."

Judge Woolsey began his opinion by saying that he believed "Ulysses" to be "a sincere and serious attempt to devise a new literary method for the observation and description of mankind."

He explained that in arriving at his conclusions he had also weighed the merits of other books of the same school. He described these books as "satellites of 'Ulysses.'"

Holds Purpose Not Obscene.

The principal question he had to solve, the court suggested, was whether or not Joyce's purpose in writing the book had been pornographic.

"In spite of its unusual frankness," he wrote, "I do not detect anywhere the leer of the sensualist. I hold, therefore, that it is not pornographic.

"In writing 'Ulysses' Joyce sought to make a serious experiment in a new if not wholly novel literary genre.

"Joyce has attempted- it seems to me with astonishing success- to show how the screen of the consciousness with its ever-shifting kaleidoscopic impressions carries as it were on a plastic palimpsest not only what is in the focus of each man's observation of the actual things about him, but also in a penumbral zone residua of past impressions, some recent and some drawn up by association from the domain of the subconscious.

"The words which are criticized as dirty are old Saxon words known to almost all men, and, I venture, to many women, and are such words as would be naturally and habitually used, I believe, by the types of folk whose life, physical and mental, Joyce is seeking to describe.

"If one does not wish to associate with such folks as Joyce describes, that is one's own choice."

