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### Reforming the Stage and Screen: How Expectations, Audiences, and Economics Shaped the Film and Theatre Censorship Movements in Early-1930s New York

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## Reforming the Stage and Screen: How Expectations, Audiences, and Economics Shaped the Film and Theatre Censorship Movements in Early-1930s New York

### Abstract

This article discusses the efforts made in the early 20th century to censor certain things in both the movies and in theatre. It also discusses the differences between the two forms of entertainment and how they were viewed differently in public perceptions.

**Reforming the Stage and Screen:  
How Expectations, Audiences, and Economics Shaped the Film and Theatre Censorship  
Movements in Early-1930s New York**  
*Jenna Simpson*

"Would you turn the theater into a church or a reform synagogue?" the photographer continued. "People go to see a play because they want to enjoy themselves, not because they feel that their morals need darning."

Abraham Cahan, *The Rise of David Levinsky*

If I buy a book or go to the theatre, I want to forget the shop and forget myself from the moment I go in to the moment I come out. That's what I pay my money for. And if I find that the author's simply getting at me the whole time, I consider that he's obtained my money under false pretences.

George Bernard Shaw, *Misalliance*

Nineteen thirty-four: it was a year that changed Hollywood history. In the spring and summer of 1934, after decades of studio production codes, agitation for censorship, and broken promises prominent reform groups organized and banded together to threaten a boycott strong enough to cripple the massive Hollywood complex itself. Major studios, already in dire financial straits because of Depression losses and debts remaining from theater building and the recent conversion to sound, were cowed at the possibility of a massive consumer boycott. They agreed, not for the first time, to abide by a strict code of "movie morals," and this time they more or less stuck to it, inaugurating what would later be known as the Golden Age of Hollywood.

At the same time, the "legitimate stage" of New York had its own conflict with advocates of censorship though its fight had commenced long before the motion picture was ever dreamt of. Theatre<sup>364</sup> censorship had been an issue since the dawn of the art; from its very beginnings, American theatre faced considerable trials.<sup>365</sup> By the 1930s, however, theatre in the United States had achieved general acceptance, and indeed, prestige. While there was certainly some debate about the censorship and regulation of the stage, 1934 was a relatively quiet year on Broadway.

The question, then, is why things were so different for the stage and screen in the early 1930s. The stage and screen each had a history of censorship issues, and both were often on the cutting edge of debate in matters of sexuality, poverty, crime, and other social problems. Actors and writers often worked in both mediums, and in some cases the same stories were produced by both. This study will explore the censorship movements of stage and screen through the eyes of New Yorkers, both through their actions and through their opinions as expressed in editorials and letters to the editor in the *New York Times*. New York City was a focal point, along with Chicago and Philadelphia, in the film censorship movement, and it was the nation's theatre capital. Thus, an examination of the situation in New York, while limited to the persuasions and

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<sup>364</sup> Throughout this work, I will use the spelling "theatre" when referring to stage shows in my own words. When quoting from sources, I will retain the author's original spelling of the word. In this paper, "theatre" will refer to mainstream performances on the "legitimate stage" in New York City, generally excluding vaudeville, burlesque, and ethnic shows. "Theater" will be used to refer to buildings in which motion pictures were shown.

<sup>365</sup> "Aeschylus." *Perseus Digital Library Project*. Ed. Gregory R. Crane. Tufts University. 10 March 2005 <<http://www.perseus.tufts.edu>>.

prejudices of one region, can effectively encapsulate the censorship battles of the early thirties. The key to the contradictions inherent in these battles lies in expectations. The public had different assumptions about just who went to the theatre and what sort of person attended movies, and these expectations played into issues of class consciousness, paternalism, and nativism. Even more fundamentally, an essential difference had already developed in attitudes about the basic purposes of the stage and screen. When placed in the historical setting of the economic depression of the 1930s, which weakened both industries, and in the context of the recent censorship activities in both fields, these expectations about purpose and audience led to vast differences in the power and scope of reform movements for the stage and the cinema.

By 1934, the motion picture industry had endured several decades of censorship movements. Thomas Edison began making his first, primitive films in the early 1890s and by 1907 the nation's first movie censorship board was founded in Chicago. The Chicago board was created largely because of the activism of Jane Addams and her Hull House associates, who feared that movies would have a depressive and corrupting influence on children. The censorship movement was hardly confined to Chicago, however. That same year, the National Board of Censorship of Motion Pictures, later known as the National Board of Review of Motion Pictures, was established in New York City with the support of the industry-sponsored Motion Picture Patents Company in order to suggest changes in films to make them more acceptable to reformers.<sup>366</sup> These boards, however, were largely unsuccessful in meeting the demands of censorship advocates, and after a series of scandals in 1922, the producers hired Will Hays, prominent Presbyterian, Republican, and Warren G. Harding's former postmaster-general, to be the official industry censor and public-relations man. This temporarily appeased reformers, but by the end of the decade agitation was renewed, and in 1927 a list of "Don'ts and Be Carefuls" was established by Hays to guide the studios in their choice of material.<sup>367</sup> This was followed by an elaborate production code in 1930 (replacing an earlier one of 1924), which the producers swore to stand by in order to please and protect the masses. But in all these instances, studios paid no more than lip service to the codes, as they were doing quite well selling "sin." By the early 1930s, in spite of the "objectionable" elements in its products, the film industry was "said to be the fourth largest industry in the country," and it is estimated that a good third of the American population was attending the movies weekly.<sup>368</sup> Garth Jowett suggests that in 1930, during the industry's peak of popularity in 1930, "there was an average of three attendances per week for each American household."<sup>369</sup>

Censorship advocates were understandably frustrated by their failure to reform the movies as well as their audiences, and by the early 30s, organizations finally began to effectively focus their arguments to fight against movie "indecentcy." A breaking point had been reached: reformers felt that they had been repeatedly betrayed by the movie industry and were no longer willing to trust it to better itself. In 1934, Guy Emery Shieler effectively captured this disillusionment in a letter to *The Nation*: "church people for many years were asinine enough to

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<sup>366</sup> Gaines M. Foster, Moral Reconstruction: Christian Lobbyists and the Federal Legislation of Morality, 1865-1920 (Chapel Hill, NC: University of North Carolina Press, 2002), 153; Garth Jowett, Film: The Democratic Art (Boston: Little, Brown, and Company, 1976), 127.

<sup>367</sup> Jowett, Film, 238.

<sup>368</sup> Lamar T. Beman, ed., Selected Articles on Censorship of the Theater and Moving Pictures, The Handbook Series (New York: H.W. Wilson, 1931), 17; Ralph A. Brauer, "When the Lights Went Out - Hollywood, the Depression, and the Thirties," in Movies as Artifacts: Cultural Criticism of Popular Film, ed. Michael T. Marsden, John G. Nachbar, and Sam L. Grogg, Jr. (Chicago: Nelson-Hall, 1982), 27.

<sup>369</sup> Jowett, Film, 197.

fall for Mr. Hays's pious remarks. . . . At last they have Will's number written inside their hats."<sup>370</sup> In response, a number of organizations were founded, most notably the Motion Picture Research Counsel and the National Legion of Decency. These groups, which included religious organizations, educational associations, and women's clubs, banded together to threaten a boycott of the movie industry until more "moral" pictures were produced and the "immoral" films were banned.

In this drive, as in many film censorship movements of the past, child welfare became the reformers' central focus. As early as 1907 it had been noted that the movies were "prodigiously popular with the rising generation in frock and knickerbockers. For this reason they have been condemned by the morality crusaders."<sup>371</sup> This attitude had certainly not changed over the decades, as censorship advocates argued that movies would corrupt children's morals, incite them to crime, disturb their health and sleep, affect their intelligence, and encourage sexual promiscuity. This assertion was based in part upon a belief that children were especially vulnerable to the corrupting influences of immoral films. In 1896, censorship advocate Anthony Comstock had asserted that "'There is a Chamber of Imagery in the heart of every child,'" and when that Chamber was filled with immorality, "'the fires of remorseless hell are awakened in the soul. Fountains of corruption . . . soon . . . break down with volcanic force rending asunder all the safeguards to society.'"<sup>372</sup> This general belief was still held nearly forty years later, as one man wrote to the *New York Times* complaining that the "harmful effect" of the movies was "amply evidenced by the hundreds of young criminals admittedly influenced by such fiction."<sup>373</sup>

In the early 1930s, there was no definitive evidence that movies did, indeed, harm children, but there was certainly evidence that children attended films. While industry representative Will Hays asserted in 1927 that only 8 percent of film audiences were composed of children, the Motion Picture Commission of New York State stated in its annual report only three years earlier that "'The motion picture has a peculiar fascination for children'" and "'It is estimated that over 50 per cent of those who see pictures are children.'"<sup>374</sup> While no definitive figures exist for the attendance of children at the movies during the 1920s and 30s, films clearly did play an important part in the lives of many young people. One thirteen-year-old New York girl even sent a letter to the drama editor of the *New York Times* looking for advice in finding a producer for the screenplay she'd written.<sup>375</sup>

Throughout the nineteen-teens and twenties, psychologists and sociologists began attempting to quantify the effect of movies on the nation's youth, and the subject of motion picture psychology was first established through such works as Hugo Munsterberg's *The Photoplay: A Psychological Study* of 1916 and parts of Robert and Helen Lynd's *Middletown* of 1929.<sup>376</sup> The most effective work for the censorship movement, however, was a series of studies proposed and sponsored by the Motion Picture Research Council, known as the Payne Fund Studies. These were largely inspired by William H. Short, a man who believed that without censoring the movies, "'American civilization is at stake. Our civilization is not to be undermined by the movies alone – there are many evil influences at work – but the movies

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<sup>370</sup> Guy Emery Shippler, "The Church and the Movies," Letter, *Nation* 10 October 1934, 410.

<sup>371</sup> Barton W. Currie, "Nickel Madness," *Harper's Weekly* 24 August 24 1907, 1246.

<sup>372</sup> Foster, 76.

<sup>373</sup> James J. Finnerty, "For More Wholesome Movies," Letter, *New York Times* 26 June 1934, 18.

<sup>374</sup> Beman, 205-6, 132, 136.

<sup>375</sup> "Wanted: A Producer," Letter, *New York Times* 23 June 1935, sec. 9, p. 2.

<sup>376</sup> Garth S. Jowett, Ian C. Jarvie, and Kathryn H. Fuller, *Children and the Movies: Media Influence and the Payne Fund Controversy* (Cambridge: Cambridge UP, 1996), 62.

constitute one cause and an important one."<sup>377</sup> As Robert Sklar writes, Short's goal was to "get the goods on the movies, to nail them to the wall."<sup>378</sup> Not surprisingly there was a degree of bias in the design of the studies. This flaw was intensified when the findings were released for popular consumption in 1933 as a one-volume digest, an inflammatory, anti-movie book by Henry James Forman entitled *Our Movie-Made Children*. Forman also published his alarming information in three articles printed in *McCall's*, bringing his grim news about the movies to the parents of America. Some of the studies were carefully researched and scientifically valid, and the reports written by the researchers tended to be cautious, limited, and carefully supported.<sup>379</sup> Indeed, some researchers involved in the project objected to the spin put on their work by Short and Forman. One scientist, W.W. Charters, complained that "'Being so extremely anti-movie, I do not feel that the manuscript interprets the position of the investigators.'"<sup>380</sup> Yet, it was the Short-Forman version of the research which received the most popular attention and was utilized by censorship advocates in the 1930s.

The Payne Fund Studies suggested that movies could have a deleterious effect on children's health and morals, "proving" many young people in reformatories or prisons had learned their techniques from crime films, sex-themed movies had caused teenagers to reach sexual maturity unnaturally quickly, and films could produce emotional trauma and ill-health.<sup>381</sup> Forman reported that watching a movie created effects similar to that of "keeping Johnny awake for two or three hours beyond his normal bed time, or by awakening him that much earlier. He will be irritable and cross the next day."<sup>382</sup> He cited the work of Dr. Frederick Peterson, "the noted neurologist", a man "wholly independent of the Payne Fund inquiries."<sup>383</sup> Dr. Peterson, Forman reported, found movies to have "an effect very similar to shell-shock, such as soldiers got in war. A healthy child seeing a picture once in a while will suffer no harm. But repeating the stimulation often amounts to emotional debauch. . . . Scenes causing terror and fright are sowing the seeds in the system for future neuroses and psychoses—nervous disorders."<sup>384</sup> Forman even suggested that movie-attendance could cause unnaturally and dangerously raised heart rates in children.<sup>385</sup>

Whether or not the results reported were accurate, the Payne Fund Studies and the issues they covered were quickly assimilated into the rhetoric and logic of those favoring film censorship. As Thomas Doherty points out, these issues had been a part of the censorship debate for years, but were previously only "hearsay evidence" – with the Payne Fund Studies and other such research, "the authority of social science clinched the case."<sup>386</sup> This is evident in the published opinions and actions of many New Yorkers. For instance, Frances A. Lesser, chairman of "Neighbourhood Movie Clubs" in the Bronx, wrote to the *New York Times*, "It goes without saying that any study of this kind conducted by Dr. W.W. Charters of Ohio State

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<sup>377</sup> Ibid., 105.

<sup>378</sup> Robert Sklar, *Movie-Made America: A Cultural History of the Movies* (New York: Vintage, 1975), 134.

<sup>379</sup> Jowett, Jarvie, and Fuller, 58.

<sup>380</sup> Ibid., 103.

<sup>381</sup> Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film, 1928-1942* (Madison: U Wisconsin P, 1991), 5.

<sup>382</sup> Henry James Forman, "To the Movies – But Not To Sleep!" *McCall's* Sept. 1932, 13.

<sup>383</sup> Henry James Forman, "Movie Madness," *McCall's* Oct. 1932, 14.

<sup>384</sup> Ibid.

<sup>385</sup> Ibid., 28.

<sup>386</sup> Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934* (New York: Columbia UP, 1999), 323.

University and approved by the late Dr. John Grier Hibben, as chairman of the council, must be one of great value and entitled to sober consideration."<sup>387</sup>

The notion of a link between juvenile crime and movies which the studies seemed to support was echoed by John E. O'Donnell, writing to the *Times* that "One of my boys attended a 'G-Man' picture a day or two ago and came home and asked me to buy him a gun so that he could go out and kill a criminal."<sup>388</sup> The popular belief in this connection is also asserted by Doherty, who writes that "protest against gangster films emanated not just from a culturally isolated cadre of moral guardians and state censors but from a wide range of public opinion and editorial commentary. Widespread outrage and 'newspaper tirades against gangster features'" were so fierce that they "compelled Will Hays in the summer of 1932 to inveigh against the genre publicly and to communicate the same to studio chieftains privately."<sup>389</sup> Similarly, Walter Scott Howard clearly expressed this belief in the dangerous effects of movies on children in his letter to the *Times*, asking: "Would the little children of 1914, as of 1934, call to each other on the street: 'Come up an' see me sometime,' and 'He may be had.' Innocent words from innocent lips, but when the little mind demands an answer—what then?"<sup>390</sup> Thus, through the efforts of reformers and researchers during the 1920s, concern for the minds and morals of children served as a rallying point in the fight for film censorship.

A focus on children was not apparent in the debates over theatre censorship, and this points to one of the major differences between the stage and screen censorship movements. Children were not featured in the battle for theatre because they were much less likely to attend live theater productions than they were to attend movies, and not likely to attend without chaperones. This was partly because live theatre was not designed to appeal to children; more importantly, the theater was simply too expensive for most children to afford.

The *Literary Digest* summarized matters very effectively in writing that the "Theater, evidently, is too small, too expensive, and too much the property of advanced thinkers to merit the attack which just now is the especial pain in the costly and beautiful neck of Hollywood."<sup>391</sup> Certainly, some young people could afford to go: Howard Taubman fondly recollects in his history of American Theatre that "In the 1920's, thanks to the Leblang cut-rate ticket agency under Gray's Drug Store on Times Square, I could see two plays for the price of one, and many Saturdays I would sit through a matinee, then an evening performance, at a total cost of \$1" though it might be only "to perch in the rear rows of the second balcony."<sup>392</sup> However, for many people—and doubtless for most children—even such a discounted ticket was beyond the family budget, especially during the Depression. In 1933, \$1.50 was considered a "cut-rate" for a popular show (when *Tobacco Road* was having trouble drawing an audience, it dropped its rates to this level), and the best seats for a success in the early 1930s ranged from about \$3.30 to \$4.40.<sup>393</sup> As Broadway manager Max Gordon admitted early in 1935, "You have to be a rich man to go to the theatre, with two tickets costing \$8.80, with dinner before it."<sup>394</sup>

<sup>387</sup> Frances A. Lesser, "Children and Movies," Letter, *New York Times* 8 June 1933, 18.

<sup>388</sup> John E. O'Donnell, "'G-Men' Pictures," Letter, *New York Times* 18 August 1935, sec. 4, p. 9.

<sup>389</sup> Doherty, 156.

<sup>390</sup> Walter Scott Howard, "Brief for the Prosecution," Letter, *New York Times* 23 July 1934, 14.

<sup>391</sup> "The Naughty Stepchild of the Arts," Editorial, *The Literary Digest* 23 June 1934, 21.

<sup>392</sup> Howard Taubman, *The Making of the American Theatre* (New York: Coward-McCann, 1967), 11-12.

<sup>393</sup> Abe LaFolfe, *The Wicked Stage: A history of theater censorship and harassment in the United States* (New York: Frederick Ungar Publishing Co, 1978), 67; Bosley Crowther, "Tickets in the Price Scales," *New York Times* 27 January 1935, sec. 8, p. 2.

<sup>394</sup> "3 Broadway Shows Slash 'Top' Prices," *New York Times* 6 January 1935, sec. 2, p. 1.

The effect ticket prices had on audiences was especially marked in the early 1930s, as the economic troubles forced even theater regulars to limit their attendance: theater aficionado Helen Gregory wrote to the *Times* in 1933 noting that "you must be aware of the much-advertised depression. . . . Some of us can't see any plays this year and others have to pick one or two very carefully."<sup>395</sup> A year earlier, Mervin L. Lane wrote in to the paper, complaining of prices in even the cheapest sections. "It has been noticed by this theatre-goer," he asserted, "and by many of his friends, that theatres housing worth-while productions which are not in the 'smash-hit' class are doing a good orchestra business, and the balcony trade simply 'isn't.' This seems to apply generally, with the exception of a few outstanding smash hits." The "balcony price scale is too high," he concluded. "We attended one play Monday evening (the second week of the production), and whereas the orchestra had a really dressy crowd, with a few scattered seats, the balcony was almost bare. . . . The price scale in this house, for balcony seats, is \$3 to \$1.50 for rear seats."<sup>396</sup> At most matinees, the lowest price was fifty cents, but these seats were limited, sold out quickly, and were for performances at a time of day when the average working man would have been unavailable to attend.<sup>397</sup>

Largely because of this high cost of attendance, but also due to class expectations, it was commonly assumed that regular theatre-goers would be a very different sort of people from those who attended the movies. Movie audiences were largely working- and middle-class; theatre audiences were perceived to be middle- and upper-class. As Lary May notes, the "legitimate stage" had been "geared to the tastes of the wealthy" since at least the late nineteenth century, when it first became fashionable for upper-class women to attend matinees.<sup>398</sup> Generally speaking, this still applied in the 1930s, when Henry James Forman remarked that the "stage was [only] accessible to small minorities."<sup>399</sup> Theatre audiences, according to common belief, would "exhibit a collective taste rather markedly different [better than] from that of either the movie-goer or even the reader of novels. The analogues of Kathleen Norris and Ethel M. Dell do not often stand at the head of the best-seller list in the ticket broker's office."<sup>400</sup> Similarly, entertainment writer Brooks Atkinson noted in 1935 that the "stage cultivates a smaller and more coherent audience" than that of the movies.<sup>401</sup>

Of course, the reality of a situation is often different from perceptions, and the theater did in fact draw audiences from the "common man"—not every theatre-goer was a highly-cultivated lover of art. Evidence for this lies in the fact that cheap seats in theatres were known to sell out: Otto Hirsch complained to the *Times* that "whenever a musical production has registered the approval of the critics I generally send my check for tickets to the lower-price seats on a date far in advance. Generally my check is returned," he lamented, "with a short reply stating that these seats are not available for the date I request. . . . I had this experience again last week. I sent my check to a theatre on West Forty-fifth Street for seats four weeks in advance, but it was returned with a reply that no seats were to be had for nine weeks."<sup>402</sup> Other theatre attendees also evidenced the presence of the "less sophisticated" classes in their complaints: "the galleries have

<sup>395</sup> Helen Gregory, "Picking a Play," Letter, *New York Times* 2 April 1933, sec. 9, p. 2.

<sup>396</sup> Mervin L. Lane, "Balcony Prices," Letter, *New York Times* 20 March 1932, sec. 10, p. 3.

<sup>397</sup> J.M. Anthony, "Fifty-Cent Seats," Letter, *New York Times*, 31 March 1935, sec. 11, p. 2.

<sup>398</sup> Lary May, *Screening Out the Past: The Birth of Mass Culture and the Motion Picture Industry*, (Chicago: U of Chicago P, 1983), 175.

<sup>399</sup> Henry James Forman, "Molded by the Movies," *McCall's* Nov. 1932 54.

<sup>400</sup> "What the People Want," *Nation* 27 December 1933, 745.

<sup>401</sup> Brooks Atkinson, "Hollywood Dough," *New York Times* 10 November 10, 1935, sec. 9, p. 1.

<sup>402</sup> Otto Hirsch, "Tickets," Letter, *New York Times*, 27 October 1935, sec. 9, p. 2.



surrendered to the butcher, the baker, the candle-stick maker," complained V.V. Schuler in 1931, "and those fools like myself who care for the drama enough to part with a precious dollar and a half for a seat have to take the back seat and listen to the Women's Social Club of Bloomville or the Modern Mother's Bridge Club jabber back and forth on what beautiful eyes Nellie's baby has, on Uncle Gus's rheumatism and what have you on everything, in fact, except the drama and matters pertaining to it."<sup>403</sup> Another disgruntled fan of dramatics responded to Schuler's letter, writing:

I should like to inform Mr. Schuler in the first balcony that he had nothing on me in the second balcony at a matinee the other day of Katherine Cornell's charming performance, 'The Barretts of Wimpole Street.' I say 'charming' and I mean it, despite the combined efforts to make it otherwise, of sweltering heat, horrible seats and the noisiest bunch of hens ever assembled in one theatre. . . . old ladies who discuss the heat in loud tones while they waggle programs under your nose, and young things who are either of moron intelligence or highly nervous constitution and, therefore, manage to laugh at the wrong time in every instance, insist that the way the maid walks is 'too cunning,' and that the spectacle of a demoniac father upbraiding his daughter is extremely funny. I should be willing to join Mr. Schuler in a campaign against such audiences.<sup>404</sup>

As these letters suggest, even when the audiences were middle-class women's-club members, they were not necessarily the cultivated, intellectual audiences many assumed attended the theatre. And as one contemporary writer pointed out,

There is, too, and there is a snicker in it, the fact that the Theater is presumed to reach only adults, whereas the motion-pictures reel themselves out before the thirsty eyes of millions of children. The snicker comes in the theory that if one is twenty-one, and can afford to spend three dollars for a seat in a play theater, he is suggestion-proof, but if he is sixteen, and only can afford fifteen cents for a seat in a film theater, he is prey to every erotic situation, and line of dialog, which reach the eyes and ears from the screen.<sup>405</sup>

Nevertheless, the perception persisted, and the notion that theatre audiences were upper-class sophisticates protected the theatre from many attacks launched by censorship advocates against its sister-art, the cinema.

Thus, while the rhetoric of "protecting the children" played an important part in strengthening movie censorship-and its lack of relevance was surely a factor in the weakness of the theatre censorship movement of the early thirties-a different kind of paternalism was evident in the reform ideology of the time. It must be remembered that commercial cinema began as the popular entertainment by and of the working class. Thomas Edison may have been America's first filmmaker, but he was soon followed by many cinematic entrepreneurs. The burgeoning film industry quickly became dominated by immigrants, especially Eastern-European Jewish immigrants, and by 1930s six out of the eight "major [movie] companies" were "substantially or entirely of Jewish foundation and Jews played an important role at most stages in the

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<sup>403</sup> V.V. Schuler, "A Threat From the Balcony," Letter, *New York Times*, 19 July 1931, sec. 8, p. 2.

<sup>404</sup> J. Harry Shale, Jr., "In the Dramatic Mailbag," Letter, *New York Times* 26 July 1931, sec. 8, p. 2.

<sup>405</sup> "The Naughty Stepchild of the Arts," 21.

development of the other two.”<sup>406</sup> Newcomers to America were also largely involved in the exhibition of early films, as these works were most commonly shown in small stores and arcades which were often owned by immigrants.<sup>407</sup>

Similarly, immigrants and the working class were among the cinema's earliest and most ardent patrons. As Garth Jowett points out, the movies' first audiences were varied, and did include members of the middle and upper class, but the group that most heartily embraced the medium was the working class, especially immigrants, who could not afford live theatre.<sup>408</sup> For instance, in 1913, the average cost to see a film was seven cents; the average theatre ticket cost from forty cents up to \$1.40.<sup>409</sup> In a time when most workingmen made little more than \$2 a day, the cinema was clearly the more practical choice, and the less expensive theatres, catering to the working-class, rapidly faded.<sup>410</sup> The movies were also successful among this group because they were easily understood. As early as 1907, Barton Currie commented upon this phenomenon: “The popularity of these cheap amusement-places with the new population of New York is not to be wondered at. The newly arrived immigrant from Transylvania can get as much enjoyment out of them as the native. The imagination is appealed to directly and without any circumlocution.”<sup>411</sup> Language was no barrier in silent films, a fact readily recognized by movie producers. In 1914, David Wark Griffith declared: “What we film tomorrow will strike the hearts of the world. And they will know what we are saying. We've gone beyond Babel, beyond words. We've found a universal language.”<sup>412</sup>

By the late 1910s, audience composition had changed considerably. The building of cleaner and more elegant movie theaters, coupled with the general expansion in the industry made possible by its phenomenal success, encouraged middle-class and upper-class patrons to attend, and they soon rivaled the working-class in their movie-going. Perhaps the clearest evidence of this shift in patronage can be found in the fact that theaters were able to charge much higher admission rates as time went on. There were, certainly, cheap “fifth-run theaters in side streets” and immigrant neighborhoods catering to the poorer audiences, but by the late 1920s, as Benjamin Hampton reported in 1931, “Very few [movie] houses, in city or country, offered good seats at night for less than forty or fifty cents.”<sup>413</sup> In luxury theaters, and for particularly popular or prestigious films, admittance could cost up to \$2.50 – not quite as much as a decent seat at a successful Broadway stage show in the same period, but certainly out of reach of the average worker.<sup>414</sup> When the Depression hit, prices went down, but a movie ticket was still considerably more expensive than it had been in the cinema's early years, such as in 1933, the average ticket price was twenty-three cents.<sup>415</sup>

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<sup>406</sup> Jowett, *Film*, 256.

<sup>407</sup> Benjamin B. Hampton, *A History of the Movies* (New York: Covici Friede, 1931), 58.

<sup>408</sup> Garth Jowett, “The First Motion Picture Audiences,” in *Movies as Artifacts: Cultural Criticism of Popular Film*, ed. Michael T. Marsden, John G. Nachbar, and Sam L. Grogg, Jr. (Chicago: Nelson-Hall, 1982), 17-21.

<sup>409</sup> May, 142.

<sup>410</sup> Jowett, *Film*, 37-8.

<sup>411</sup> Currie, 1246.

<sup>412</sup> May, 60.

<sup>413</sup> Hampton, 204, 406.

<sup>414</sup> Jowett, *Film*, 51.

<sup>415</sup> Gregory D. Black, *Hollywood Censored: Morality Codes, Catholics, and the Movies* (Cambridge: Cambridge UP, 1994), 54.

This newfound broad appeal was also evident in the clear interest middle-class patrons took in movies and in their favorite stars. Fan magazines flourished, and amateur screenwriters deluged Hollywood with their suggestions. In the early 1920s "Hundreds of manuscripts poured into the studios each week. They came from famous authors and playwrights, judges and lawyers, college presidents, newspaper men, policemen, milliners, society women, farmers' wives, and occasionally from inmates of penitentiaries and insane asylums."<sup>416</sup> Studios, aware of the change in audience, began to alter the content of their films, creating more plots based around the lives of "a somewhat imaginary leisure class, a genre which seemed to have a broad appeal and acceptance that cut across all class-lines."<sup>417</sup>

However, attitudes concerning movie audiences did not change as rapidly as the audiences themselves. While the new, luxury theaters and higher prices did raise the movies' reputation, the cinema retained a certain social stigma from its connection with the lower classes. From its early years, as Hampton reports, the cinema had been disparaged as the "cheap show for the people" and the "flimsy amusement for the mob," and this concept was clearly still present in the 1930s.<sup>418</sup> During the film boycott of 1934, for instance, Hollywood reporter Chapin Hall noted in the *Times* that movie studios were hesitant to make "artistic" pictures because they believed "it is so easy to overshoot the heads of the hoi polloi" who attended their shows.<sup>419</sup>

This deep-rooted prejudice toward film audiences played an important vote in the censorship movement, as paternalistic middle-class censors continued to treat film audiences as vulnerable and incapable of making proper choices for themselves. As May points out, since at least the Victorian era, society's "'best people' had a profound sense of their own moral leadership".<sup>420</sup> Some members of the upper strata of "society" believed the lower classes, and especially new immigrants, "had only 'meager or false' 'moral and religious training'" and were in sore need of reformers' help and protection.<sup>421</sup>

Thus, the perceived popularity of movies among working classes—a medium largely pioneered by immigrants and catering to the lower-class audience—was a cause for serious alarm among traditional cultural elites. Movies were viewed, and rightly so, as a tremendously influential force in shaping social values. Their power was made evident in many ways: for instance, when Clark Gable undressed in the 1934 film *It Happened One Night*, revealing the fact that he was not wearing an undershirt, it sent "the men's underwear business into a decline which, [Leo] Rosten noted, 'glassy-eyed manufacturers estimated, cut their business from forty to fifty percent within a year.'"<sup>422</sup> While this was an unusually direct example, it was certainly a common belief that movies held great power in influencing the public mind. In the industry's film code itself, the belief was acknowledged that audiences were more "receptive of the emotions and ideals portrayed and presented by their favorite stars" than by "anything of the sort in history".<sup>423</sup> As Sklar notes, this was a threat to the self-appointed preservers of American culture, and the fact that immigrants possessed such control over the film industry only made things worse: "Let a cheap, popular form of entertainment, controlled by foreigners, hold sway

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<sup>416</sup> Hampton, 208.

<sup>417</sup> Jowett, *Film*, 186.

<sup>418</sup> Hampton, 61.

<sup>419</sup> Chapin Hall, "Attack on Movies Stuns Hollywood," *New York Times* 8 July 1934, sec. 4, p. 6.

<sup>420</sup> May, 4.

<sup>421</sup> Foster, 78.

<sup>422</sup> Jowett, *Film*, 273.

<sup>423</sup> Olga J. Martin, *Hollywood's Movie Commandments: A Handbook for Motion Picture Writers and Reviewers* (New York: H. W. Wilson, 1937), 274.

over the national soul? Not without all the controls alert defenders of traditional culture could get the state to muster."<sup>424</sup>

The foreign and working-class element in this argument was particularly important, as the first three decades of the twentieth century were a time of considerable xenophobia and nativism. Letting representatives of the lower class, and especially the immigrant class, have control of such a powerful cultural tool was deeply disturbing, and this fear is evident in comments from the period concerning studio producers. For instance, when *Outlook* magazine covered the monopoly case against Adolph Zukor in 1925, the author felt the need to point out that Zukor was "a Hungarian immigrant who came to this country when he was sixteen."<sup>425</sup> Benjamin Hampton pointed out in 1931 that Zukor, the head of Paramount Pictures, was commonly "portrayed as a modern combination of Napoleon and Machiavelli with dashes of oriental subtlety; or as an inspired genius, who, while selling furs in New York and Chicago shops, shrewdly planned to make himself dictator of the entertainment world and ruthlessly forced his way to the top."<sup>426</sup> Even the term used to describe such men—"movie moguls"—as Sklar notes, implied that they were "part splendid emperors, part barbarian invaders."<sup>427</sup> These moguls were in a position to dictate the morals of millions of Americans, and censorship was the only way to counteract their influence.

An examination of the leading censorship organizations of the thirties clearly supports this case for relatively "elite" guidance in the censorship drive. All of the strong cinema reform groups were controlled by social, religious, and intellectual leaders, usually from the middle or upper-middle classes. The Catholic Legion of Decency, which was the strongest player in movie reform during the thirties, was guided in its actions by the approval of its priests and bishops, and could even claim leadership in the Pope, who blessed the crusade.<sup>428</sup> Speaking for the Catholic Church and making clear the paternalistic views that its leaders held, Cardinal Hayes of New York stated that the Church enjoyed "seeing her children happy, smiling in the enjoyment of normal, reasonable and wholesome entertainment."<sup>429</sup> Other religious leaders also managed drives: the leaders of the United Lutheran Church of America considered requesting a federal film censorship law in 1932; Presbyterian ministers worked with the Women's Christian Temperance Union for reform; the New York Board of Jewish Ministers announced they were "in sympathy with the aim of the Catholic Legion of Decency and of the Protestant denominations," eventually deciding to support the boycott during the High Holy Days; in all it was estimated that fifty-four religious organizations offered the Legion support.<sup>430</sup>

Middle-class secular organizations, including "parents' associations, educators and civic societies" were also leading factors in the battle, the *Times* noted in 1934.<sup>431</sup> The most influential of these groups, the Motion Picture Research Council, sponsor of the Payne Studies, could claim such prestigious women as Mrs. James Roosevelt, mother of the then-current President, and Mrs. Calvin Coolidge as its "honorary vice presidents."<sup>432</sup> The General Federation of Women's Clubs

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<sup>424</sup> Sklar, 126.

<sup>425</sup> Beman, 101.

<sup>426</sup> Hampton, 183.

<sup>427</sup> Sklar, 46.

<sup>428</sup> Doherty, 7; "Pope Approves Campaign," *New York Times* 4 July 1934, 18.

<sup>429</sup> "Evil Motion Pictures," Editorial, *New York Times* 13 July 1934, 16.

<sup>430</sup> "Asks Federal Film Curb," *New York Times* 1 October 1932, 18; Doherty, 321; "City Clergy to Widen Film Drive To Clean Up Stage, Dance Halls," *New York Times* 9 July 1934, 16; Jowett, *Film*, 251.

<sup>431</sup> "Hollywood on Probation," Editorial, *New York Times* 25 June 1934, 14.

<sup>432</sup> "Wilbur Heads Research Group," *New York Times* 23 May 1935, 27.

began its own film campaign, arguing that no "program should be lowered in tone to satisfy a moronic element", and Eleanor Roosevelt herself expressed concern about the content of films.<sup>433</sup> Leading educators also took up the cry, as Dr. A. Lawrence Lowell, the president emeritus of Harvard, assumed the chairmanship of the MPRC and as the National Education Association formally declared themselves "as joining in the fight against indecent movies and those glorifying the gangster influence."<sup>434</sup> As Jowett notes, in all of these cases the leaders were "largely middle-class, professional and politically astute"—or as James Rorty put it, a bit more roughly, in 1934, the drive was controlled by "the middle-class mob."<sup>435</sup>

This is not to say there was no popular support of the film censorship movement. On the contrary, there is a vast amount of evidence illustrating that the concerns of film censorship advocates were shared by many ordinary people. As Jowett writes, by the 1930s "more and more people were becoming aware of the controversy, and there was some indication of a ground swell of genuine public resentment against many films released after 1930."<sup>436</sup> This growing popular opinion was evident in the number of pledges the Legion of Decency gathered—estimates range from three to eleven million—and in the 9,000 letters sent to the White House in 1933 objecting to obscene films.<sup>437</sup> It is also clear in the letters that many reform-minded New Yorkers wrote to the *Times* in the early 1930s. Some felt movies should be controlled through strict censorship laws. James J. Finnerty wrote that if the movie industry did not "clean its own house" it "may be necessary to create a Federal movie commission," while Jules Goldberg asserted that, like Belgium, America ought to restrict the "exaggerated displays of affection and sensual demonstrations" on the screen.<sup>438</sup> E. Ryan Gregory agreed, writing that there "should be a demand put forth by the American people that the motion picture industry be compelled to produce only pictures which would have an uplifting and educational influence upon the minds of the youth of our nation."<sup>439</sup>

More commonly, people expressed the desire for the movie industry to censor itself. An editorial in the *Times* spoke for many when it declared: "Self-control is more desirable than compulsory good behavior enforced by the law."<sup>440</sup> Another writer asserted: "Hollywood's standing defense is that the American people can have any kind of picture they want if they will only show what they like by supporting it. Here enters the queer implication that if the American people fail to support decent pictures Hollywood is justified in peddling indecency. This does not follow at all," the writer continued, arguing that studios had a responsibility to censor their own productions.<sup>441</sup> Thus, such people asserted, a film boycott, or "buyers' strike," as one man termed it, was only reasonable in order to convince the studios that morality was profitable.<sup>442</sup>

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<sup>433</sup> "Women's Federation Starts Move on Balanced Bills and Cleaner Shorts," *Variety* 9 February 1932, 23; "Movies Discussed by Mrs. Roosevelt," *New York Times* 10 July 1934, 19.

<sup>434</sup> "Movies Stir Row at Crime Hearing," *New York Times* 25 November 1933, 32; "Class Teachers Seek a New Deal," *New York Times* 4 July 1934, 16.

<sup>435</sup> Jowett, Jarvie and Fuller, 24; James Rorty, "It Ain't No Sin," Editorial, *Nation* 1 August 1934, 127.

<sup>436</sup> Jowett, *Film*, 206.

<sup>437</sup> Jowett, Jarvie and Fuller, 93; Doherty 321; Jowett, *Film* 207.

<sup>438</sup> Finnerty, 18; Jules Goldberg, "Reforming the Movies," Letter, *New York Times* 20 May 1934, sec. 4, p.

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<sup>439</sup> E. Ryan Gregory, "Influence of the Movies," Letter, *New York Times*, 4 June 1933, sec. 4, p. 5.

<sup>440</sup> "The Talkies Code," Editorial, *New York Times* 1 Apr 1930, 25.

<sup>441</sup> "Movies Under Fire," Editorial, *New York Times* 12 June 1934, 22.

<sup>442</sup> James M. Connolly, "Boycott, Not Legislation," Letter?, *New York Times*, 13 July 1934, 16.

Other letter-writers, while not convinced that Hollywood's "immoral" output needed to be completely abolished, accepted the theory that children could be harmed by exposure to such films. They argued for the production of special movies just for children and the creation of children's theaters. "The very least that should be demanded," D. Fitzherbert wrote, "is legislation to prevent children under a certain age from attending a certain type of motion picture".<sup>443</sup> Frances Lesser wrote to the *Times* to share the solution utilized by the Parents' Association of Public School 26 in the Bronx, where, "In cooperation with the local theatre manager we have worked out a program that segregates the children from the adults, and in special money-making (it is hoped) performances supplies them with movie fare that is not alone educational but also entertaining in the thrill language that means so much to children."<sup>444</sup> Similarly, Ruth Welty wrote that "if the agitation were to continue long enough it might succeed in actually bringing about that greatly to be desired advance in the cinema art—the separation of the picture product into movies for adults and movies for children." After all, adults "do not read the same stories that children do, so why should they see them?"<sup>445</sup>

Despite this apparent support for regulation or reform, it can hardly be said that the censorship movement won over the entire population. For one thing, films reformers labeled as "immoral" had always done, and were still doing, very good business. The boycott was far less effective in keeping patrons away from the movies than the churches and censorship groups would have liked people to believe, and the evidence of the box office "suggests that the Legion was, at least in 1934, a major bluff."<sup>446</sup> Many people had a definite distaste for the idea of censorship, which seemed un-American in its violation of the right to free speech, and it also had "disagreeable connotations in that it suggested political suppression akin to the very unpopular Volstead Act" which had initiated Prohibition.<sup>447</sup>

This reluctance to support film censorship played out in a number of ways in New Yorkers' letters to the *Times*. Some simply did not feel that censorship was necessary because they disagreed with the basic premise that movies were immoral. "I have seen quite a number of movie shows," wrote Thomas M. Dobbins, "and I have yet to see one presented in a public theatre so vulgar, degrading and iniquitous as some of our esteemed ecclesiastic espousers of the cause of religion would have one believe. True, some are a bit inane, but would they not be more so with their censoring by some fanatical bigot?"<sup>448</sup> Edward Kricker agreed when he wrote that "Among those films banned were several that I have seen and found completely devoid of anything actually indecent or immoral. What has been true is that many of these pictures have not been entirely in accord with the philosophical attitude of the church."<sup>449</sup> Leon Lieberthal voiced a similar opinion, writing that there "have been many films which we will admit were not the type for sister, little brother and grandma, but they were in the minority. And they will continue to be, for the larger picture concerns do not make and have not made it a practice of producing off-color pictures."<sup>450</sup> Viola Irene Cooper went so far as to assert that as "far as I personally can judge, at no time have we had a franker, freer, more finely attuned youth than at

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<sup>443</sup> D. Fitzherbert, "Censorship," Letter, *New York Times* 6 August 1933, sec. 4, p. 5.

<sup>444</sup> Frances A. Lesser, "Movies For Children," Letter, *New York Times* 30 January 1932, 16.

<sup>445</sup> Ruth Welty, "The Screen Forum," Letter, *New York Times* 23 September 1934, sec. 10, p. 6.

<sup>446</sup> Doherty, 106; Black, 190.

<sup>447</sup> Jowett, *Film*, 170.

<sup>448</sup> Thomas M. Dobbins, "Films Have Their Virtues Although Some Are Inane," Letter, *New York Times* 11 July 1934, 16.

<sup>449</sup> Edward Kricker, "The Movies," Letter, *New York Times* 11 December 1934, 22.

<sup>450</sup> Leon Lieberthal, "Off-Color Films in Minority," Letter, *New York Times* 11 July 1934, 16.

this very moment. Certainly, I would gladly exchange my early protected years for those of any boy or girl today who has been reared on 'talkies,' and be the better for it."<sup>451</sup>

Others opposed censorship on the grounds that one small group should not have the power to dictate the entertainment of the nation. "It is bad in a democracy to have any one group set up a moral censorship over the rest. Who gave the Roman Catholic Church, or any church, or all the churches and synagogues together, the right to dictate the morals of this nation?" asked Dr. Charles Francis Potter of the First Humanist Society. "The moving picture people should retaliate by filming a realistic dramatization of the confessions of St. Augustine," Potter continued. "Better still, let them put the Old Testament Bible stories in the films. Those stories are infinitely more unfit for children than anything that has yet appeared on the screen."<sup>452</sup> The Association for the Preservation of the Freedom of Screen and Stage encapsulated this thinking in a statement which "insisted that the movies were not perfect . . . but defended the right of the individual to judge his own movies."<sup>453</sup>

The third major theme in the anti-censorship pieces in the *Times* rebutted the notion that movies must be edited to protect children. Dobbins remarked that "if the proper method is used in our teaching in the schools and the home, moving pictures will no more make criminals of our children than they did you and me," while Cooper snidely commented that those who wanted to censor movies simply "fear[ed] that their children might learn too much from the latter kind of film about what their elders are doing."<sup>454</sup> As one writer editorialized, "one isn't forced to go see a picture. I also believe that as far as children are concerned, it goes back to the parents, and neither the church nor the State can keep children away from adult pictures if the parents have not sufficient interest in their own offspring to do so."<sup>455</sup> All in all, however, the organized efforts of middle-class censorship advocates—combined with the intimidating number of Legion of Decency pledges that the press regularly reported being collected—grabbed far more public attention than the dissident opinions of these *Times* editorialists. Thus these anti-censorship ideas generally had little effect in stemming the paternalistic censorship tide of the early thirties.

There was certainly similar controversy over the place of censorship in the theatre in New York, but it was not centered around the same issues, because, as states above, expectations of theatre audiences generally did not include the presence of children or the lower classes. Instead, theatre arguments focused on issues of taste and aesthetics—subjects sure to strike a chord with the "sophisticated elites" that were supposed to attend the theatre. "No one doubts the existence of criminal and sexual psychological abnormalities," Eleanor Wolf complained to the *Times*, "but to have these sewers of life pictured as the main street is as false and insincere as any Pollyanna hothouse." "What is objectionable" about the plays on Broadway, she explained, "is not sex as such, but the debasement of sex to the plane of the bestial."<sup>456</sup> Similarly, Helen Gregory wanted to see more plays which were morally proper, but noted "No one wants to see a dull play, no matter how decent it might be."<sup>457</sup> There was some controversy over theatre censorship laws in the early 1930s, but far fewer readers chose to comment upon this in the *Times* than did those who felt strongly about the movies.

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<sup>451</sup> Viola Irene Cooper, "Witness For The Defense," Letter, *New York Times* 15 July 1934, sect. 10, p. 2.

<sup>452</sup> "Film Drive Urged in Pulpits of City," *New York Times* 16 July 1934, 11.

<sup>453</sup> "2,000,000 Pledges Aim of Film Drive," *New York Times* 24 July 1934, 17.

<sup>454</sup> Dobbins, 16; Cooper, 2.

<sup>455</sup> N.L., "The Indifferent Public," Letter, *New York Times* 29 July 1934, sec. 4, p. 5.

<sup>456</sup> Eleanor E. Wolf, "More Art Is Needed," Letter, *New York Times* 20 July 1934, 14.

<sup>457</sup> Gregory, "Picking a Play," 2.

This is not to say that theatre-goers were not concerned about the morals of their children: Charles Reed, for example, wrote to the *Times* in 1931 to protest the fact that "During the past three weeks we have attended fourteen plays or musical comedies" in an attempt to choose one for his nineteen-year-old's party. "In every case," he stated, "we left the theatre during or at the end of the first act for the plain and simple reason that the dancing or the dialogue or the so-called humor was so objectionable, so coarse and vulgar that we were disgusted. Are there no other parents in New York or the suburbs," he asked, "who have had a similar experience in trying to find a play which was attractive, clean and suitable to entertain a group of young people for an evening?"<sup>458</sup> However, in the early thirties the *Times* printed far more letters protesting theatre censorship than supporting it.

Indeed, many New Yorkers opposed official theatre censorship. If they felt reform was needed, they trusted producers to self-censor. Euphemia Van Rensselaer Wyatt wrote in the *Catholic World* that by her measure, very few of the successes on Broadway in the early 1930s could really be considered indecent. She acknowledged the presence of foul language in *Dead End* and shocking plots in *Tobacco Road*, but argued both productions had "something besides filth to attract the crowds. . . . I should like to believe that it is not the dirt that has filtered through to their souls but the heart-rending starkness of the struggle which has anchored the Jeeters [of *Tobacco Road*] to our boards."<sup>459</sup> Similarly, the *Literary Digest* editorialized that there were already laws in existence to deal with obscenity, and "if the assailants of the theater continue to ignore this existing legal machinery, reasonable men and women can only assume that the real object of their attacks is not so much the suppression of obscenity as the restriction of free expression of thought and opinion."<sup>460</sup> This idea of "free expression" in the theatre was extremely important to many: one editorialist in the *Times* argued that the theatre was "a business which more than most requires great freedom and range for its fullest development", while Brooks Atkinson wrote that "to maintain that the theatre should be devoted to the fine aspects of the human race is to imply that the human race is innocent of corruption. The function of art is not to promote a code of standards or to establish social ideals but to tell the truth about all the people who inhabit the world."<sup>461</sup>

Others, like movie censorship opponents, feared the effects of one small group controlling the public's access to adult drama. "Experiences of censorship have proved again and again," wrote Karl Chworowsky, "that most frequently such censorship takes its impulses from types of religious purism and moralistic narrowness which I for one should most emphatically refuse to acknowledge. . . . I most heartily disagree with those who would make the church, no matter what its creed, the arbiter in matters of esthetic taste."<sup>462</sup>

Finally, there were a considerable number of people who felt that theatre shows were not likely to have a corrupting influence upon their audiences. Every "man and every woman who has not led an abnormally sheltered life is perfectly familiar with the sound of several words which have not yet been used upon the stage, as well as with every single one that has," editorialized a writer in the *Nation*, in which an editorial appeared commenting of the scandalous

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<sup>458</sup> Charles Reed, "Plays for Young People," Letter, *New York Times* 1 February 1931, sec. 8, p. 2.

<sup>459</sup> Euphemia Van Rensselaer Wyatt, "What About Stage Censorship?" *Catholic World* 143 (1936): 321-5.

<sup>460</sup> "The Looming Play Censorship," *The Literary Digest* 20 December 1930, 20.

<sup>461</sup> "Strengthen the Play Jury," Editorial, *New York Times* 4 Feb 1927, 18; Brooks Atkinson, "To Talk of Decency," *New York Times* 8 September 1935, sec. 9, p. 1.

<sup>462</sup> Karl M. Chworowsky, "Censors Considered Somewhat Confused," Letter, *New York Times* 15 July 1934, sec. 4, p. 5.



show *Tobacco Road*: "it certainly cannot be charged that vice is rendered attractive. Surely no one who observes the goings-on between the turnip-eating youth and the harelipped imbecile is likely to be impelled to go and do likewise."<sup>463</sup> Furthermore, such censorship opponents argued, "there is as yet no law compelling . . . [those offended by plays] to witness a play which is not to their taste", and as Chworowsky pointed out: "Every person of average intelligence knows that the dramas of major importance appearing on our legitimate stage are not suitable for children—no, not even for juvenile adults. . . . who asks them to let their children sit through scenes whose themes and treatment are obviously designed for adult eyes and minds?"<sup>464</sup>

To be fair, however, the differences in the force of public opinion in the theatre and stage censorship movements of New York cannot be attributed entirely to the strength of public opinion in New York itself. New York movie censorship advocates had the support and added publicity of a nationwide movement. The Catholic Church, a driving force behind the Legion of Decency boycott of 1934, mustered its faithful throughout the country to support the movement, and with the publicity garnered by this action it "succeeded in focusing public attention on this social problem to an extent never before accomplished by any pressure group."<sup>465</sup> While Cardinal Hayes of New York was certainly a figurehead in the censorship fight, other cardinals and bishops across the nation were equally vehement: Cardinal Doherty of Philadelphia declared it a sin for Catholics to attend unacceptable films in his diocese, while Chicago became known for the severity—and occasional absurdity—of its Catholic blacklists.<sup>466</sup> Other religious and social groups also stretched across the country, making the film censorship movement a national issue.

The "legitimate theatre" censorship movement, on the other hand, although present in a few cities outside New York, was largely confined to those areas with large professional theatres. In the early 1930s, there were few such places, and so the censorship movements were quite limited. The centrality of New York in the fight was emphasized in 1934 by Cardinal Hayes, who stated, through a certain Father Graham, that it "would not be necessary to make the new [theatre censorship] campaign nation-wide. Most of the stage productions appear in New York, he said, and such of them as go on the road will be accompanied by the ruling of the church authorities here."<sup>467</sup> At that time Hayes did intend to extend the Church's motion picture campaign to the theatre. The diocese even put out a white list of acceptable plays, though they were hardly popular. In 1932, for instance, only fifteen of the current Broadway shows made it onto the list: two of those were puppet shows, and only one of them was "rated in theatrical circles as being a hit."<sup>468</sup> However, Hayes chose not to focus on the theatre, as he recognized that he had a greater chance of raising public awareness of the movies "because they are so much more widely patronized" and "the Cardinal believes in attempting only one thing at a time."<sup>469</sup>

Other New York religious groups agreed with the general principle of theatre censorship as well. An interfaith conference of the city's clergy met in 1934 to discuss "the stage, public dance halls and other matters affecting public decency," and the Protestant Rev. Dr. Worth M. Tippy "said he believed that the theatre should ultimately be forced to observe the same rules of

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<sup>463</sup> "The Blush of Shame," *Nation* 16 March 1932, 302; "A Long Road," *Nation* 20 November 1935, 582.

<sup>464</sup> "Play Jury or Censorship?" Editorial, *New York Times* 17 January 1927, 16; Chworowsky, 5.

<sup>465</sup> Jowett, *Film*, 250.

<sup>466</sup> "Cardinal Dougherty Orders Film Boycott Throughout the Diocese of Philadelphia," *New York Times* 9 June 1934, 3; Arthur Tuckerman, "Rushing to Extremes," Letter, *New York Times* 11 July 1934, 16.

<sup>467</sup> "Catholic Crusade to Take In Stage," *New York Times* 11 December 1934, 28.

<sup>468</sup> "New White List of Plays," *New York Times* 31 December 1932, 10.

<sup>469</sup> *Ibid.*

decency as the screen."<sup>470</sup> Like Hayes, though, he saw the greater potential of the national film movement and stated that for "the present, however, the council will concentrate its efforts on the film campaign."<sup>471</sup> This strictly regional basis, as Gregory Black points out, also hampered the theatre censorship movement because many New Yorkers, including Catholics, worked in the entertainment business.<sup>472</sup>

Interestingly, this very regionalism of the theatre caused misconceptions which played an important part in the rhetoric of censorship. The movie industry had been born in New York City, drew many of its greatest talents from the theatre of that metropolis, and was in fact still corporately controlled from the Big Apple. This led to the idea among some that the movies' corruption was part of a larger corruption of New York and its theatre. As one Detroit Circuit Judge wrote to the *Nation*: "New York City is the front doorstep of America. Only, sometimes, I am tempted to think that it would be more accurate to say that it is the front doormat."<sup>473</sup> Again and again, the notion of New York as a source of filth and a decadent "sophistication" comes across in the anti-film arguments. In 1937, Olga Martin asserted that unlike theatre audiences, most movie-goers were from the country and were "people [who] regularly or occasionally go to church, and who observe the normal standards of decency."<sup>474</sup> In contrast, according to many movie censorship advocates, New Yorkers were all morally-bankrupt theatre-goers. Benjamin Hampton wrote in 1931 that since

Armistice Day, New York stage audiences, creating the mode for American theaters in general, have grown so sophisticated and blasé that no themes or treatments can be too open and frank to please them. Nude and almost nude girls have become commonplace. Adultery is the principal theme of serious plays, and the infidelity of middle-aged husbands and wives affords material for merry farces. White slavery has become a tame subject, and houses of prostitution have been exploited often enough to reduce their novelty-value. Even homosexuality and degeneracy are losing their spice unless bolstered with a liberal assortment of bootleggers or gangsters. Profanity and the use of words and phrases classified as 'obscene' a decade ago are employed as a common constituent of dialogue.<sup>475</sup>

According to reform advocates like Hampton, these audiences were perfectly tolerant of obscenity, and their "artiness" and "culture" were simply a mask. "Every time I hear the word 'sophisticated' applied to a play, I know what it means to imply," wrote Rev. James M. Gillis. "It means that the play is smutty."<sup>476</sup> These reformers even lamented the influence of Broadway on Hollywood. Terry Ramsaye complained that when "sound came to the movies they went to the drama to get words to say on the screen and a lot of the words have turned out to be naughty, too naughty for the masses. The cracks of Broadway are not for Main Street."<sup>477</sup> The *Christian Century* editorialized that

the Hollywood mind was nothing but a projection of the Broadway mind, and the Broadway mind insisted that dirt, lawlessness and surface glitter was 'what the

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<sup>470</sup> "City Clergy," 16.

<sup>471</sup> Ibid., 16.

<sup>472</sup> Black, 203.

<sup>473</sup> Guy A. Miller, "Judicial Calm," Letter, *Nation* 25 December 1935, 741.

<sup>474</sup> Martin, 52.

<sup>475</sup> Hampton, 303.

<sup>476</sup> "Urges Stage Clean-Up to Avoid Censorship," *New York Times* 20 December 1930, 20.

<sup>477</sup> "Naughty Words," *Motion Picture Herald* 4 August 1934, 8.

public wants.' . . . The men who owned the film companies were products of Broadway; they hired Broadway brains; they sought a Broadway product. And they are in trouble now because the rest of the nation has reached such a state of satiation that it has reached for its hat and started for the theater exit crying, 'Farewell, Broadway!'<sup>478</sup>

Even Cecil B. DeMille used such rhetoric, arguing, "Producers are building their own funeral pyre by making films for the theater man and New York"<sup>479</sup>

However, in all of these arguments there exists a basic inaccuracy. It is true that topics appeared on New York stages which would not have been appreciated in movie theaters nationwide. However, this is evidence neither that the rest of the country was necessarily more innately "moral" than New York, nor that New Yorkers preferred their entertainment "raw." For one thing, there is considerable evidence that "immoral" pictures were quite popular across the country. Mae West, for instance, was very successful in her transition from stage to screen in the early 1930s. Her 1928 play *Diamond Lil* "was so inflammatory that the Hays Office [the film censorship office run by Will Hays and supported by the movie studios] demanded that the studio change the title and the plot" before the movie could be released. In the final movie, *She Done Him Wrong*, "Diamond Lil was rechristened Lady Lou, but her personality and wisecracks remained intact. . . . 'Nothing much changed except the title, but don't tell that to Mr. Hays,' *Variety* joked", and the film went on to become "a surprise, spontaneous sensation" across the country.<sup>480</sup> Similarly, when Will Hays sent an employee, Lupton A. Wilkinson, across the country to determine the effects of the Legion of Decency boycott, Wilkinson discovered that the condemned features were packing theaters throughout the nation.<sup>481</sup>

The idea that New Yorkers were all "sophisticates" was also patently untrue. New York had been at the forefront of film censorship, and was one of the first cities to institute its own film censorship board in 1907. Many of the "most important and potentially the most damaging" of the early censorship bills came out of New York, and Hollywood "writers, directors and actors," as *New York Times* entertainment writer Chapin Hall reported, were "inclined to snort at the 'goody goodness' of the rest of the country, especially New York."<sup>482</sup> The New York censors were actually reasonably strict: they "flatly rejected" the violent gangster film *Scarface* when it was first released, and they cut "other gangster movies, removing all scenes of gangsters with guns, [to the point of] . . . making these films senseless."<sup>483</sup> Even the New York theatres could be as strict—or even more severe—than the authorities in other towns. Mae West's *The Drag*, for instance, was accepted and successful in New Jersey but was not allowed to play on Broadway.<sup>484</sup> It should also be noted that a number of reform organizations were founded or heavily supported by New York City. The New York Society for the Suppression of Vice had been created earlier in the century by New York "business and social leaders," and the Catholic

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<sup>478</sup> "Farewell Broadway!" *The Christian Century* 25 July 1934, 967.

<sup>479</sup> Doherty, 325.

<sup>480</sup> Doherty, 183, 184.

<sup>481</sup> Black, 187-8.

<sup>482</sup> *Ibid.*, 30; Chapin Hall, "Hollywood Upset By League's Action," *New York Times* 16 Dec 1934, sec. 4,

p. 6.

<sup>483</sup> Black, 130, 121.

<sup>484</sup> *Ibid.*, 72.

Church, a driving force behind the Legion of Decency, was concentrated in urban areas including New York City itself.<sup>485</sup>

Another important factor in the differences between the censorship movements of the stage and screen was the arrival of the Depression and the changing political and social circumstances of the early 1930s. This affected the theatre in a number of ways. It has been argued by John Houchin that the economic depression itself caused many people to rethink the free-wheeling ways of the 1920s. "Free spending and hedonism had caused this collapse," according to a certain mindset, "and only a return to traditional values would correct the situation. Theatre, like other components of the culture, would have to be reformed and purified."<sup>486</sup> Drastic moral changes occurred during the previous decade, especially in the realm of sexuality and religion, and this alarmed many social conservatives who now saw this corruption as a possible cause of the nation's troubles.<sup>487</sup> Corruption had also been found in the political world, and when reformer Fiorella La Guardia took over the post of mayor in New York after the regime of corrupt politician Jimmy Walker, "Cleansing New York's performance scene was one of the new mayor's primary objectives. He appointed Paul Moss Commissioner of Licenses and, in spite of the 1922 State Supreme Court decision that limited the powers of this office, La Guardia endowed him with the authority to revoke the licenses of theatres that housed offensive productions."<sup>488</sup>

In addition to this ideological challenge, which forced the theatre to rethink its material and question the productions it chose to stage, the theatre faced its own economic burdens. As Taubman summarizes, in the early thirties "people frequented the theatre less and less. There were fewer hits, profits were reduced, salaries were cut, rentals were trimmed, more and more houses remained dark."<sup>489</sup> In 1933, the *Nation* reported "approximately half of the legitimate theaters [are] dark and with only five of the thirty-five current productions enjoying conspicuous prosperity" ticket prices were dropping in some cases to a "top price of \$2—said to be the lowest price charged at any opening since the war."<sup>490</sup> In the 1930/31 season, "there were 190 productions, a drop of fifty compared to the previous year. In 1938/9, only 80 new shows were produced. The Schuberts with all of their holdings in and out of New York went into receivership."<sup>491</sup> By early 1935, top ticket prices had dropped from a high of between \$6.60 to \$7.70 for musicals in the 1920s, down to a top price of about \$4.40 for musical productions and around \$3.30 for plays, with matinees topping out at no more than \$1.10 in a few select cases.<sup>492</sup> Thus the theatre was in a weakened position during the censorship battles of the early 1930s.

This situation was, arguably, even worse for the movies. Films faced the same economic troubles as the theatre, with attendance notably dropping off. While the advent of sound in movies had dramatically boosted attendance—the *Times* reported that from 1928 to 1930 audience levels were raised by "more than five millions"—it had also raised production costs: the average silent film cost from \$40,000 to \$80,000 in 1920; in 1929, a talkie feature cost from

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<sup>485</sup> Foster, 54; Black, 151.

<sup>486</sup> John H. Houchin, *Censorship of the American Theatre in the Twentieth Century* (Cambridge: Cambridge UP, 2003), 127.

<sup>487</sup> Jowett, *Film*, 141.

<sup>488</sup> *Ibid.*, 121.

<sup>489</sup> Taubman, 204.

<sup>490</sup> "Broadway Cuts Its Price," *Nation* 1 February 1933, 110.

<sup>491</sup> Houchin, 118.

<sup>492</sup> Crowther, 1,2.

\$200,000 to \$400,000 to produce.<sup>493</sup> In addition, as the effects of the Depression made themselves known in the early 1930s, box office receipts began to fall off, from "10 percent to 35 percent in most localities."<sup>494</sup> An estimated 6,500 movie theaters had been closed by mid-1932.<sup>495</sup> As Black notes, movie studios were dependent "upon a large and steady flow of box-office dollars to sustain the massive production studios, to buy and build theaters, to convert the industry to sound, and to sell their products to a worldwide audience," which made Hollywood "clearly vulnerable to economic boycotts."<sup>496</sup> In this aspect, they were even worse off than the theatres, as movies required a larger audience than theatres required to make a profit.<sup>497</sup> The films were also in a unique and unfortunate position because of debts established in the late 20s: the conversion to sound and a monopoly war of opulent theater building had left the studios with substantial financial obligations. The situation was so bad that by 1933 "both Paramount Publix Corporation and Radio-Keith-Orpheum had gone into financial receivership to avoid the onus of bankruptcy."<sup>498</sup> The movies were also made particularly vulnerable by President Roosevelt's New Deal—the NRA code established for the movies required that productions feature "right moral standards," and studios were threatened by the prospect of close federal regulation of their industry.<sup>499</sup> The very process of editing a film which had been condemned by the censors, always expensive, was yet another cost for the already overburdened studios. It was estimated that during the boycott of 1934, "Hollywood lost \$10,000,000 in altering or discarding films" that had been rejected by censors and the public.<sup>500</sup> Thus, censorship advocates had considerably more leverage against movie producers than they had against the theatre, economically burdened though it was.

The weakness of the theatre censorship movement in the early 1930s can also be directly traced to developments in theatre censorship in the late 1920s. The movie industry faced steady calls for censorship in that period, but had been in a fairly strong economic position. While they had been forced to make some concessions, they had not had to live up to any of the morality codes which they had "instituted." Things were very different for the theatre in New York during the 1920s, as Broadway encountered numerous—and occasionally successful—attempts to legislate stage morality and to legally prosecute moral offenders. Broadway had attempted to stifle the reform advocates by instituting self-censorship. In the mid-twenties, this took the form of a small committee of representatives of "the League of New York Theatres, the Dramatists' Guild, actors and the public" led by Broadway insider Winthrop Ames, which would look at plays before they opened "and if they anticipate general objection on grounds of lewdness, they will warn the producer that police aid will be invoked."<sup>501</sup>

This was predated, supplemented, and eventually replaced by an ever-evolving "play jury," which sought to bring in the opinions of everyday New Yorkers in helping Broadway to control its output without legislative interference. By 1930, this took the form of a jury pool of 200 "representative actors and representatives from churches and protest committees," who were

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<sup>493</sup> "For and Against the Films," New York Times 9 May 1930, 24; Jowett, Film, 260.

<sup>494</sup> Doherty, 28.

<sup>495</sup> Ibid.

<sup>496</sup> Black, 36-7.

<sup>497</sup> Jowett, Film, 14.

<sup>498</sup> Doherty, 29.

<sup>499</sup> Jowett, Film, 245.

<sup>500</sup> "Papal Crusade," Editorial, New York Times 5 July 1936, sec. 4, p. 2.

<sup>501</sup> "Toward Self-Censorship," Editorial, New York Times 20 Feb 1931, 17; "Theatrical Producers Act Wisely," Editorial, New York Times 31 Jan 1927, 16.

on a list "supplied by the American Arbitration Association. A committee of three actors, three dramatists and three producing managers" chose "five from this body to represent the public, and two engaged in theatrical work of some kind to represent the theatre. Plays complained of" were to "be visited by this jury, and it will exonerate the play, order changes made, or order it closed."<sup>502</sup> Jurors had the power to use their own discretion in judging plays, and were not bound by strict codes of what was and was not permissible. The jury was reasonably strict. In 1926, for instance, it condemned or ordered changes in "*The Virgin*, *The Night Duel*, *Vanities*, *Sex*, *The Shanghai Gesture*, *The Great Temptation*, *The Bunk of 1926*, *The Virgin Man*, Dreiser's *An American Tragedy* and *The Captive*."<sup>503</sup>

However, the jury, along with other self-censorship attempts, was inconsistent in its rulings. Without any written set of rules, jury decisions could be contradictory or confusing. As Mae West complained in 1934, "Why, in pictures, you don't have to worry about censorship—much—once you learn the rules. . . . In New York they let you go ahead and do it and then they break in and arrest you."<sup>504</sup> The jury was also weakened by its difficulties with finding enough volunteers to serve as members, while advocates of legislative censorship "grew impatient with censorship practices which relied solely on flaccid public opinion."<sup>505</sup> This perceived ineffectiveness helped open the way for judicial and legislative interference, and in the late 20s a number of theatre indecency cases found their way into the courts.

Anti-obscenity laws already existed in New York: Section 1140-a of the state's penal code "read, in part, that any person who participated in any capacity in a 'play, exhibition, show or entertainment which would tend to the corruption of the morals of youth or others . . . shall be guilty of a misdemeanor'."<sup>506</sup> The New York State legislature, while often flirting with the idea of instituting a theatre censorship law, had been cautious about accepting any further development of the legal system to deal with plays until the late twenties, when in 1927 the Wales Padlock Law was passed. This ruled that theatres hosting shows convicted of immorality should be closed for one year. The arrival of the Wales Padlock Law was paralleled by an increase in the aggressiveness of New York City's own censorship forces. The New York District Attorney and Police Commissioner worked together, effectively a two-man censorship force, and the legal prosecution of questionable shows increased. With the support of Mayor Walker, in early 1927 police raided *The Captive*, which dealt with lesbianism, *The Virgin Man*, in which a Yale student is seduced, and Mae West's *Sex*, which dealt with prostitution, crime, and revenge. (In all of these cases, the productions were able to get injunctions against their closings and, with the free publicity provided by the trials, began playing to fuller houses than ever. *The Captive*, as Houchin notes, "which had been playing to capacity houses, began selling all of its standing room tickets. *Sex* experienced a 20 percent increase in business and *The Virgin Man*, which had announced that it would be closing, was able to continue its run."<sup>507</sup>)

The extremely public prosecution of *Sex*, which resulted in a short jail sentence for West, and the threat of the new Wales Padlock Law were relatively effective in frightening producers away from edgy productions. There were, certainly, test cases: West, for instance, again

<sup>502</sup> Laufe, 52; "A New Play Jury," Editorial, *New York Times* 25 Aug 1930, 16.

<sup>503</sup> Susan Duffy and Bernard K. Duffy, "Watchdogs of the American Theatre 1910-1940," *Journal of American Culture* 6 (1983), 56.

<sup>504</sup> Doherty, 186.

<sup>505</sup> Duffy 55, 56.

<sup>506</sup> Houchin, 76.

<sup>507</sup> Ibid., 101.

challenged the courts with her show *The Pleasure Man*, which went to trial in 1930 and ended in a hung jury. It is also true that the District Attorney did not act in all cases. In 1928, for example, he refused to act on complaints about Eugene O'Neill's *Strange Interlude* and Ben Johnson's *Volpone*, announcing that he "had made this decision because he felt the Wales Padlock Law had not been passed to help overzealous reformers condemn dramas with artistic merit and distinction."<sup>508</sup> However, in general it can be said that the legislation and the increased activity of New York authorities in the late twenties had a significant effect on the output of Broadway. Together with the effects of the Depression, which limited the number of shows that could be produced, the recent activities of theatre censors and the government of New York State resulted in "a comparatively 'clean' season on Broadway" in 1930 and the years immediately following.<sup>509</sup>

A fundamental factor contributing to the diversity of the censorship movements, however, was a basic difference in people's beliefs about the respective purposes of film and theatre. The theatre regarded itself, and was regarded by many outside the profession, as primarily a vehicle of art. Entertainment value was important, but it was the drama's duty to reflect upon life in all of its aspects. The stage, as Walter Prichard Eaton wrote in 1913, was considered the "true dramatic art," and it was built, as Beman pointed out, on the works of the "world's best minds from Aristophanes to Shakespeare and the great dramatists of today."<sup>510</sup> Acting in the theatre was considerably more prestigious than (if not as lucrative as) working on film, and the stage was considered the bastion of aesthetic standards. "The theatre for centuries," Edwina Dean asserted, "has had the highest standards, great actors, musicians, artists. Yes, we must encourage the theatres. We are swamped with cheapness."<sup>511</sup>

As such a great art form, it was believed by many that the theatre must be free to deal with edgy and troubling subjects and its "tendency to deal honestly with human problems and with human character" needed to be nourished.<sup>512</sup> As Brooks Atkinson wrote in 1935, the theatre possessed—and indeed had to have—"in general a greater freedom of speech and range of ideas, which are the first essentials of health in the arts."<sup>513</sup> This is not to say that everyone agreed on how far the theatre could go and still remain within the bounds of propriety. As the *Times* asserted, "One faction finds the drama true, beautiful and natural. The other sees in the same play a desire to flaunt human frailty, to treat vice too gently, to provoke wickedness in the young."<sup>514</sup> In general, however, the idea prevailed in the early 1930s that the theatre was primarily a form of art, deserving of its considerable prestige and having a responsibility to provide not simply moral, but truly thought-provoking works.

The cinema, on the other hand, was regarded as an industry, not worthy of the term "art." From its earliest days, the motion picture had been branded "commercial," and the producers had, by and large, accepted this ruling. In 1915, a group of producers took the case for freedom of expression in the cinema all the way to the United States Supreme Court, in *Mutual Film Corporation v. Industrial Commission of Ohio*, and the court ruled that movies were "a business

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<sup>508</sup> Laufe, 64.

<sup>509</sup> Beman, 5; "Theatre Censorship," Editorial, *New York Times* 18 Apr 1930, 24; "Self-Censors," Editorial, *New York Times* 3 Dec 1930, 22.

<sup>510</sup> Walter Prichard Eaton, "The Theater: The Menace of the Movies," *The American Magazine* 76.3 (1913): 55; Beman, 248.

<sup>511</sup> Edwina Dean, "Encouraging Theatres," Letter, *New York Times* 21 January 1934, sec. 4, p. 5.

<sup>512</sup> Elmer Rice, "Towards An Adult Theatre," *The Drama Magazine* 21.5 (1931): 5.

<sup>513</sup> Atkinson, "Hollywood Dough," 1.

<sup>514</sup> "Moral Plays and Immoral Skits," Editorial, *New York Times* 25 March 1931, 24.

pure and simple, originated and conducted for profit, like other spectacles, not to be regarded . . . as part of the press of the country or as organs of public opinion."<sup>515</sup> Thenceforth, the industry as a whole generally chose to be "considered primarily a supplier of a consumer commodity, and not as part of the artistic community," and the studios made films which responded to that idea.<sup>516</sup> Benjamin Hampton, an insider in the film industry, wrote in this vein in 1931, commenting that for "the great majority [of moviegoers]. . . entertainment is basic and art incidental" and noting that in most cases, "without a happy ending, pictures cannot hope to win wide approval, and no ending can be happy unless the final fade-out shows hero and heroine in a tight 'clinch.' The laws of the Medes and Persians are as wax in comparison with this adamant statue of the American motion-picture audience."<sup>517</sup>

Certainly there were some attempts to give films a better reputation. As early as the nineteen-teens, for example, studios were importing successful stage personalities for their productions and presenting certain "prestige" films, such as *Quo Vadis* and *Birth of a Nation*, in legitimate theatre buildings at live-theatre prices.<sup>518</sup> And indeed, some moviegoers firmly believed in the superior aesthetics of screen over stage. For instance, Bruce Cornish asserted in 1935 that it "must be evident to any intelligent person that the cinema is a superior form of dramatic art and that it makes the legitimate stage seem awkward, unsubtle and outmoded in its methods." "I never see a play without realizing how much more satisfactory it would be as a picture," Cornish wrote.<sup>519</sup>

For many, however, the motion picture did not even deserve to be compared to the stage. The power of movies was considered even more threatening because of this perceived inferiority. Drama, when influential, had the power to do good, bringing to light serious social problems. The movies, as they were not properly "art," surely could not be serving any good purpose when they were influential. The producers' code itself asserted that "exhibitor's theatres are built for the masses, for the cultivated and the rude, the mature and the immature, the self-respecting and the criminal," and the larger the audience, "the lower the moral mass resistance to suggestion."<sup>520</sup> As a dangerous medium, then, the movies had to be controlled; control was acceptable because the cinema was not considered an art form and freedom of expression was not an integral part of its existence.

How did the censorship movements of the early thirties translate into changes later in the decade? In the movie industry, the strong and organized reform drive of the thirties, and especially of 1934, combined with the industry's economic problems and resulted in the creation of the first truly effective film censorship mechanism. While it is quite possible that, as Black suggests, the film boycott was "a major bluff" and it did not garner all that much popular support, it frightened producers into instituting Joseph Breen, an Irish-Catholic who felt strongly about controlling movie output, as the new movie czar overseeing the output of the studios.<sup>521</sup> Breen had the ability to reject films at the writing stage, to view every production before release, and to impose fines of up to \$25,000 when studios released films his office had rejected. For once, the studios stood by their pledge, in part because rising box office receipts convinced them

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<sup>515</sup> Doherty, 323.

<sup>516</sup> Jowett, *Film*, 108.

<sup>517</sup> Hampton, 310, 233.

<sup>518</sup> *Ibid.*, 107; May 175-6.

<sup>519</sup> Bruce Cornish, "More on Stage vs. Screen," Letter, *New York Times* 3 March 1935, sec. 8, p. 4.

<sup>520</sup> Martin, 273, 274.

<sup>521</sup> Black, 190.



that "moral films" really were wanted.<sup>522</sup> There were, certainly, incidents of "social realism and sexuality" in the years following 1934, but they were generally much less overt than in the past.<sup>523</sup> The censors of the thirties ushered in the age of Frank Capra and Shirley Temple, and it would be quite some time before movies regained the frankness practiced in the years before the boycott. In the theatre, censorship attempts remained fairly subdued throughout the early thirties, but later in the decade a new controversy broke out as the Works Progress Administration created the Federal Theatre Project. This institution tended to produce politically controversial plays, and as it was funded with public money, it opened a whole new chapter in the question of the role of the theatre in public life.

There are, of course, many intriguing aspects of the theatre and film censorship movements of the early thirties which, in order to keep this study to a reasonable length, have been left out. One important topic which has been largely ignored is the importance of anti-Semitism in the movie censorship lobby. Joseph Breen himself was strongly anti-Jew, and Jewish ministers at the time realized that the connection of filth with the largely-Jewish-run movie industry could lead to troubles for their people. "Jewish ministers throughout the country are in sympathy with the aim of the Catholic Legion of Decency and of the Protestant denominations to bring wholesome pictures before the public" the Rev. Dr. Sidney E. Goldstein of New York Board of Jewish Ministers declared in 1934. "As Jews, we are more interested than others in the endeavor to make sure that only wholesome pictures are shown in American theatres, since, as is generally known, so large a part of the persons in the motion picture industry are Jewish. If motion pictures are not kept unobjectionable," Goldstein continued, "it is a species of national disgrace for us, in so far as Jews are responsible. We of the Jewish ministry are, therefore, particularly anxious to remedy present conditions."<sup>524</sup> While there were certainly Jews involved in the theatre as well, this anti-Semitic aspect was not prominent in the stage censorship drive.

Also neglected has been the importance of paternalism towards women in censorship efforts. Women constituted a large proportion of both stage and screen audiences in the early 1930s, and the argument was put forth for censorship because supposedly these women, craving dirt, had to be kept away from immoral stories for their own good and for the protection of the family.<sup>525</sup> Another factor that has been passed over is the importance of the methods of censorship in both cases. Movies tended to be censored post-production, while theatre shows would have been censored before they were publicly produced, and there was some controversy over the legality of censoring speech before it was made public. Finally, the influence of Hollywood scandals on the censorship of movies has not been included, largely because the worst of these, such as Mary Pickford's divorce of Owen Moore and her subsequent marriage to Douglas Fairbanks, the Fatty Arbuckle murder trial, the unsolved murder of director William Deane Taylor, and the suicide of actress Olive Thomas, all occurred in the late teens and early twenties. These events certainly gave impetus to the censorship movement, but were no longer directly relevant by the thirties. However, all of these factors are important to consider in a study of the censorship movements as a whole.

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<sup>522</sup> Douglas W. Churchill, "Hollywood Discovers that Virtue Pays," *New York Times* 20 January 1935, sec. 6, p. 4.

<sup>523</sup> Brauer, 35; Jacobs, 118.

<sup>524</sup> "City Clergy," 16.

<sup>525</sup> Doherty, 126; Duffy, 54.

## *Constructing the Past*

What, then, can be concluded about the differences between the stage and screen censorship movements in 1934 and the years directly preceding it? At the heart of this disparity was a differing attitude about the purposes of film and theatre: the theatre was considered an art that had to be allowed free reign, while the cinema was thought to be a commercial enterprise. There was also a drastic gap between general expectations about the composition of film audiences as opposed to ideas regarding those who attended the theatre. Paternalistic attitudes concerning immigrants played into these expectations, along with a directly paternal and maternal attitude about the protection of children. Popular opinion certainly played a part in shaping the extent of the censorship movements, as did the regional nature of theatre and the national coverage of the movies. The historical moment was also vital in creating differences; the poor economy hit both the theatre and the movies hard, but the movies were in an unusually vulnerable economic position. In addition, the theatre had already gone through a recent purgation of its "filth," with the Wales Padlock Law and the legal cases of the late twenties, while the movies, up until this point, had been generally successful in staving off any attempts at real censorship. Together, these factors created a movie censorship drive that was concerted, powerful, and effective; they produced a stage censorship drive that was relatively weak and disorganized, taking a back seat to the efforts to reform the silver screen.

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