Introduction

This is a book about censorship. Specifically, it is a history of the censorship of theatre in the United States in the twentieth century. It will explore how major attacks on theatre reflect correlative crises in the larger culture. In other words, it is my argument that attempts to censor performance erupt when the dominant culture construes its laws, rituals, and traditions to be in the process of significant change. Rarely does the collective mind of a community encountering such transformations embrace them as a natural, evolutionary process. Rather, it attempts to halt or reverse these shifts by reverting to the rituals or philosophy of a purer, Golden Age.

Such behavior is indicative of a conservative society, one whose energy is used to maintain its political, moral, and social infrastructure. This type of society resists economic innovation and the rapid reordering that accompany such transformations. Its teachers in its schools do not encourage originality or radically new ideas. Instead, they emphasize rote learning of established principles and theorems. Its ministers preach that the relationship between gods and humans is fixed, does not evolve, and is not open to interpretation. Salvation is obtained by strict adherence to established principles. Speculation and experimentation are apostasy and inevitably lead to the spiritual demise of individuals and the communities that support them.

The conservative community cannot tolerate untrammeled innovation and does not believe that the future holds the answer to its problems. As Karen Armstrong has surmised, the conservative spirit depends upon mythology for its direction. Instead of looking for something fresh or innovative, it seeks direction from the past. It directs its attention to sacred beginnings, to a primordial event. The past tells the community what is constant, what has always been. It asserts that current and future stages of society are pale shadows of a putative Golden Age and its leaders look for their inspiration in the deeds of historical presidents, kings, generals,

and saints. By studying the Golden Age, professors will become philosophers, priests will become prophets, and citizens will become patriots. More importantly, by embracing ancient ritual practices and mythical narratives, individuals will acquire a sense of meaning that resonates deeply within their unconscious mind and their leaders will retrieve a clear, precise template that maps out how social, political, sexual, and economic relationships should be conducted. In short, embracing the past will clarify the future.[1]

Understandably, the conservative community fears artists, particularly theatrical artists. Throughout history these individuals have generated intense public adulation, but the political, religious, and social leaders of the conservative community typically characterize them as immoral, pernicious, or subversive. They fear that these artists will teach the faithful to imagine new systems, rewrite laws, and overturn the old order.

Theatrical artists, especially actors, embody the archetypes of play and display, and possess a primal energy that only can be described as vivid, alive, and passionate. They speculate, hypothesize, and pretend. Their raw personae seem to embrace the world as it is and they are sensually aware of the nature that surrounds them. Many choose to ignore socially or politically created boundaries and their lives are often unconventional or "messy." The characters that they portray on stage debunk ancient rituals and ignore accepted traditions. Their offstage lives appear to be anarchic and are studded with illicit activities and stormy confrontations with authorities. And, while religious and political leaders demand morality, accountability, and restraint, actors frequently symbolize sensuality, license, and abandon. They may respect the past, but they are ultimately concerned with the present and the future.

In short, censors have traditionally viewed theatre as a volatile, unstable entity that might, as Richard Schechner has said, "come tumbling back into reality." They worry that actors and audiences are porous and that the fiction of the stage might be acted out as a reality in non-theatrical space and time. Or, as Edward Albee recently said, "Unfortunately, people tend generally to want passive experiences. That's the thing about a movie – you go to it and it is totally safe because it's not happening. A play is dangerous, and that's one problem that people have with plays: They are active; they are in the present tense; they are happening – they have not happened – and stuff can go wrong."[2] These concerns were particularly true in the United States in the twentieth century, a turbulent one hundred years in which theatrical artists aggressively challenged virtually every social convention that had been established during the Victorian and Edwardian eras. During the first

decade of the century, dramatists disputed the notion that biology was destiny and created female characters, who abjured passive, maternal roles. By the end of the century, bold and open discussions of lesbianism had become part of the established dramatic canon. In the 1930s playwrights, directors, and producers collectively questioned the capitalist economic paradigm and became part of a revolution that significantly altered the relationship of the federal government to its citizens. Radical theatre artists reemerged in the 1960s and introduced guerrilla tactics, nudity, and rock music into theatre. Not only did they challenge the political and military power structures that ruled the nation, but also they deconstructed the conventions of theatre itself. By the 1990s, much theatre in the United States bore little resemblance to that which was being produced one hundred earlier.

Theatre, however, only reflected the often violent transitions that were taking place in the larger culture. By the last decade of the nineteenth century, urban centers began to grow exponentially, their populations swelled by immigrants from Eastern Europe, and the culture of the city virtually replaced the agrarian ethos in the imagination of the nation. Rampant capitalism, with its emphasis on productivity at any cost, replaced a simple subsistence economy. Traditional Protestant teachings, which posited a doctrine of absolute right and wrong, gave way to moral relativism. As the twentieth century progressed, the telephone, radio, television, and the Internet brought previously isolated communities into intimate contact with one another. What we saw and learned often generated fear, anger, and disgust. The internal combustion engine, interstate highways, airplanes, and space shuttles allowed us to travel through the solar system as easily as we could drive across town. But the imperative of speed robbed us our quietude. Military forces and nuclear weapons have made the United States the most powerful nation on earth, but sadly have not been able to protect it from forces that hate and fear it.

It has been an explosive century with each decade providing some with hope and others with the threat of annihilation. In order to achieve the former and avoid the latter, the conservative community in the United States (which is actually a multifaceted manifestation) sought solace and protection by embracing the past. Religious conservatives demanded that the faithful should return to the teachings of the Bible, to the fundamentals of Christianity that had been preached for hundreds of years. They demanded theological orthodoxy and rejected any speculation or experimentation. Social conservatives decried feminism and called upon women to resume their traditional roles of mothers and wives. Cultural conservatives deplored

the polyglot culture that emerged during the late twentieth century and longed for the day when English-speaking Caucasians would again dominate the nation. Legal conservatives demanded that the judiciary interpret the Constitution in accordance with the intentions of the "Founding Fathers." Only by understanding the intentions of these eighteenth-century leaders, they claimed, could the citizens of the twentieth and twenty-first centuries lead lawful, meaningful lives.

In the final analysis, censors in the twentieth century feared that theatre had the capacity to eradicate the boundaries between classes and genders, instigating political and sexual anarchy. They believed that actors, directors, and playwrights had the capacity to replace old mythologies with systems that would undermine traditional edifices of power. These opponents of theatre knew, sometimes better than its allies, that theatre was alive, often erotic, and always sensual, and that it had the power to transform audiences and bring about change. It was these characteristics that ultimately disturbed censors, and it was these characteristics that they sought to suppress.

Structure and focus

This study focuses on theatrical censorship in the United States from 1900 through 2000. An introductory chapter summarizes anti-theatrical biases of the eighteenth and nineteenth centuries in an effort to create a historical context for the ensuing investigation. Chapters two and three cover the period from 1900 to 1930. They reveal that censorship during the first thirty years of the century was aimed largely at productions that discussed sexual topics that threatened the dominant moral paradigms of the nineteenth century. Chapter four focuses primarily on attempts by the federal, state, and local governments to silence theatre deemed politically subversive. Chapters five and six investigate how sexually transgressive theatre became a metaphor for political radicalism and moral anarchy.

Although I have sought to present what is a comprehensive study of American theatrical censorship, I do not attempt to address the suppression of other areas of communication. Columnists, authors, publishers, screen writers, photographers, television producers, and rock singers have often been the targets of various local, state, and federal investigators who were displeased with what these individuals had to say. Each medium, however, utilizes a more or less unique communicative ontology that, while it may overlap into other media, employs an idiosyncratic system of signs and

symbols. Therefore, an attempt to study the entire range of censorial activities in the United States would necessitate a multitude of volumes authored by dozens of experts. In the same vein, high-school principals and various municipal groups exercise much theatre censorship informally. With few exceptions I have elected not to include these events. While they make for interesting reading, they tend to mirror other major trends that are already being assessed.

While many of the efforts of censors will seem absurd to students of theatre, I have endeavored to remain even-handed, limiting my personal comments to situations that warrant interpretative observations. I also discuss at some length a number of court decisions, delve into religious history, and examine political events. By so doing, I am not attempting to pass myself off as a legal or religious scholar. I have simply attempted to describe several historical developments that have annexed theatre into their orbit.

While this work may raise more questions than it answers, I trust that it will reveal some of the shifting tides of censorship during the twentieth century in the United States as it attempts to connect these events to the cultural, religious, and political currents that shaped them.

I

Overture: theatrical censorship from the Puritans to Anthony Comstock

The Massachusetts Bay colony

Any discussion of theatrical censorship in the United States must begin with the religious sects that settled the colonies of British North America. They transported the anti-theatrical feelings of radical English Protestants to the New World and inscribed their attitudes into colonial law. More importantly, they forged a bond between secular and religious authorities that permitted (and encouraged) judicial and executive units to suppress any individual or group that challenged the moral topography as described by mainstream Christian teaching. While the Constitution may have prevented the establishment of a national religion, very few citizens questioned the right of governmental units to defend the moral status quo.

The stage, for English Puritans, represented a chaotic and anarchic site, exempt from the laws of the state and of God where sexual, social, and religious transgressions could be practiced with impunity. It was the church of Satan and undermined the authority of true Christianity. The Puritans who sailed for North America brought these prejudices with them, and the English government that approved of and protected theatre was an ocean away. Although there were specific instances of anti-theatrical activity in most of the English colonies in North America, the vast majority of theatrical censorship emanated from the Puritan plantations of New England and the Quaker commonwealth of Pennsylvania. The flood of immigrants into North America began in 1630 and, by 1640, over 18,000 English citizens had settled along the Atlantic seaboard. While many of the early settlers were entrepreneurs seeking their fortune in the New World, there were several thousand who sought to establish a "New Jerusalem." These religious

dissidents believed that England would soon encounter God's wrath. In their opinion, neither the Anglican Church nor the monarchy was willing to purge the English Church of its popish traditions and purify the land of its immorality. And, when the first shareholders of the Massachusetts Bay Company landed in New England in 1630, they promptly limited franchise to church members. In so doing, the Puritan leaders of this enterprise insured that governance of the colony would not fall into the hands of the irreligious.[1]

Within the first fifty years of the colony's existence, this alliance between magistrates and ministers made itself conspicuously evident. Virtually every practice or celebration, secular or religious, which was not specifically accounted for in the Bible, was rigorously proscribed. In 1634, the General Court passed sumptuary laws forbidding the purchase of woolen, silk, or linen garments with silver, gold silk, or thread lace on them.[2] The celebration of Christmas, nicknamed "Fools tide," was outlawed. Scripture had not specified when Christ was born, and the colony's leadership asserted that the Roman Church's designation of December 25 was merely an excuse to celebrate the "Old Saturnalia of the Heathen."[3] Dancing posed a slightly different problem. Although Increase Mather characterized it as the "Devil Procession," it could not be completely outlawed because it had been practiced in the Old Testament.[4] However, the General Court did preclude dancing on the Sabbath as well as "gynecandrical" or mixed-sex dancing.

In 1684, Charles II rescinded the original charter of the Massachusetts Bay Company and converted Massachusetts from a private to a royal colony. Official Puritan control ended and a cultural thaw ensued. The colony's population continued to swell, but these new English immigrants were mostly Anglicans, and they brought with them a liberal spirit. Dancing schools flourished. Boston boasted of four in 1720 and eight by 1730.[5] Churches purchased organs as services became more resplendent.[6] Secular music also flourished. Outdoor concerts began in 1729 and increased dramatically during the 1730s. Faneuil Hall was built in 1742 and in 1754 Concert Hall opened. By mid-century, concerts had become an established part of Boston's cultural life.

Theatre, however, in no way benefited from this cultural awakening. In 1714, word spread that some students might petition the city council to use Boston Town Hall to present a play. When Samuel Sewall heard this rumor he wrote to Isaac Addington on March 2 to express his indignation:

> There is a rumor, as if some design'd to have a Play acted in the council-Chamber, next Monday; which much surprises me: And as much as in me lies, I do forbid it. The Romans were very fond of their Plays: but I never heard they were so far set upon them, as to turn their Senate-House into a Play-House. Our Town-House was built at great cost and charge, for the sake of very serious and important Business . . . Let it not be abused with Dances, or other scenical divertissements . . . Let not Christian Boston go beyond Heathen Rome in the practice of shameful vanities.[7]

Clearly, tax revenue could only be used to support "very serious and important business," and, unlike Athens (or "Heathen Rome" for that matter), Boston was unwilling to elevate theatre to that status. It was a bias that would prove difficult to eradicate.

In the meantime, the southern colonies demonstrated that they were capable and desirous of integrating pleasure and leisure into their world. Because of the agricultural economics of the region, farms spanned thousands of acres. Owners lived in their great houses with their families. Although they entertained guests, they were, for the most part, isolated. Thus the annual convening of the colonial assemblies was eagerly anticipated for the socializing it provided for planters and their families, and was routinely celebrated with races, parties, concerts, and eventually with plays.

Perhaps the only case of attempted theatrical censorship in the southern colonies occurred in Accomac County, Virginia, in December 1665. Three young men enacted what turned out to be the first English-language play in North America, *Ye Bare & Ye Cubb*. One, Edward Martin, demanded that they be punished. The presiding Justice of the Peace thought otherwise and ordered Martin to pay the court costs.[8] Eventually Charlestown, Williamsburg, Annapolis, and Fredericksburg would all boast a public eager for plays, but the most important developments in colonial theatre occurred further north – in Philadelphia.

The Company of Comedians from London

Until about 1720, Philadelphia bore the stamp of its founding colonists. Visitors found neither great wealth nor abject poverty, but reported that the Quaker citizenry was dull and austere. As Carl Bridenbaugh has noted: "There was little gaiety and less elegance; a dreary commercialism, clothed in the austere garb of Quaker principles, permeated the very air."[9] Quaker opposition to theatre, clearly the result of that denomination's Puritan heritage, was a significant feature of the legal history of the colony. William

Penn railed: "How many plays did Jesus Christ and his apostles recreate themselves at? What poets, romances, comedies, and the like did the apostles and saints make or use to pass away their time withal?"[10] Consequently, he explicitly prohibited theatre in Pennsylvania when he drafted the first *Frame of Government of Pennsylvania* in 1682, long before any colonists or actors had even arrived:

> Thirty-seventh. That as careless and corrupt administration of justice draws the wrath of God upon magistrates, so the wildness and looseness of the people provoke the indignation of God against a country: therefore . . . all prizes, stage plays, cards, dice, may-games, masques, revels, bull baitings, cock-fightings, bear-baitings and the like, which excite the people to rudeness, cruelty, looseness and irreligion, shall be respectively discouraged, and severely punished.[11]

When Charles II granted Penn a charter, however, he cleverly reserved for the Crown the privilege of revoking any legislation enacted in that colony. William and Mary, exercising this royal prerogative, rescinded Penn's anti-recreation provision in 1693. The colonial Assembly, dominated as it was by Quakers, continued its efforts to ban theatre, and passed "An Act against Riots, Rioters, and Riotous Sports, Plays and Games" in 1700. Once again the Crown, this time Queen Anne, revoked the law in 1705. Still undaunted, the Quaker Assembly passed two more acts against "Riotous Sports, Plays and Games," one in 1706 and the other in 1711, both of which were vetoed.[12]

During the next fifty years, however, a conflation of economic and political events transformed dreary Philadelphia into what Henry Steele Commager described as "an American Weimar."[13] The Quaker policy of religious tolerance, Philadelphia's advantageous location at the mouth of the Delaware River, and abundant farmland, which stretched for hundreds of miles beyond, attracted thousands of immigrants. Although Pennsylvania's prosperity benefited most sectors of society, it transformed many merchants and their families into a mercantile aristocracy. Men such as Samuel Carpenter, Samuel Richardson, Isaac Norris, Edward Shippen, William Frampton, and Richard Hill moved to Philadelphia from other colonies to increase their wealth and ended up as heads of mercantile dynasties.

Philadelphia also developed a cultural environment unrivaled by any English city except London. Among its more prominent institutions were its Library Company (1742); the American Philosophical Society (1744); and the College of Philadelphia, which began life as the College, Academy, and Charitable School of Philadelphia (1755), to which was added a medical

school in 1765. By 1776, Philadelphia could also boast of seven newspapers, which accounted for about one-seventh of all the journalistic output of the continent.[14]

Philadelphia's preeminence extended into the arts. During the decade of the 1750s more than a dozen artists of prominence lived and worked in that city. Benjamin West began his illustrious career there and went on to become president of the Royal Academy in London. Among his contemporaries were James Claypoole, John Meng, Henry Bembridge, Pierre du Simitière, and Charles Willson Peale. Penn's city even surpassed Boston in musical activity. By the outbreak of the Revolution, all denominations, save the Quakers, had added sumptuous musical offerings to their services. Private concerts had begun as early as 1739 and, by 1769, the Italian virtuoso, Giovanni Gualdo, had initiated a public subscription series. By 1776, the city boasted over thirty music teachers and several serious composers of whom Francis Hopkinson was probably the best known.[15]

This liberal, intellectual, and cultural climate combined with economic prosperity prompted Walter Murray and Thomas Kean to organize the first company of professional actors in British North America. The company produced plays at a warehouse owned by future mayor, William Plumstead. The warehouse, like the Elizabethan public theatres, lay outside the city limits, and was thus immune to official municipal sanctions. Although Addison's *Cato*, presented in August 1749, was the only play that was certainly produced, there were probably others because the company remained in Philadelphia at least until January 1750. Although the city council could not close the theatre, it condemned the company's performances and charged the local constabulary to watch them carefully. Sensing that the religious climate was still inhospitable to theatre, Murray, Kean, and their company left Philadelphia for New York in February.[16]

While Philadelphia was spawning, albeit grudgingly, the first professional theatre company in British North America, Massachusetts took steps to insure that the same blight would not infect its precincts. In March 1750, the General Court of Massachusetts passed an "Act to Prevent Stage-Plays and other Theatricals." It provided punishment for anyone who for any reason allowed performers to use "any house, room or place," for "acting or carrying on any stage-plays, interludes or other theatrical entertainments whosoever." It also forbade any person to act in or witness said activities.[17]

The impetus for the passage of such a law is not precisely known, but interest in theatre was certainly on the rise. Lillo's *The London Merchant* was printed in the *Boston Weekly Journal* in 1732. A poem in the April 23, 1750