

The "Facts" of the "Censored" Film: Theoretical and History Approaches

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I. Film History and the Issue of Censorship: A Personal Odyssey

As I read the various essays in this section, I found it hard to maintain my so-called scholarly objectivity because of the intrusion of some strong personal memories. For that reason, I decided that the best way to place the issue of the differences in approach between film historians and film theoreticians in more dramatic perspective was to indulge myself in a short review of my own personal odyssey through these troubled waters.¹ In 1968, when, as a graduate student in history at the University of Pennsylvania, I first began thinking about doing a "social history" of moviegoing as a dissertation topic, I was told by many "it's already been done." It took a considerable amount of bibliographic work to convince my professors that Terry Ramsaye's *A Million and One Nights* (1929), Benjamin Hampton's *A History of Movies* (1931) and Lewis Jacobs's *Rise of the American Film* (1939) while very useful, did not constitute a serious examination of the role of the movies in American society.² (I soon discovered that it was a rather instinctual reaction on the part of most scholars that a subject as important as the "movies in American society" would have received much more attention than it had by 1968). By the time my dissertation was completed in 1972, several others were at work on expanding our historical knowledge of film, and Robert Sklar's important work, *Movie-Made America* appeared in 1975; my own *Film: The Democratic Art* appeared six months later in 1976 under the imprint of The American Film Institute, at a time when the AFI was still interested in publishing serious scholarship.³

After I graduated I used my combined interest in communication studies and history to obtain appointments in schools of communication, rather than in history departments. (History departments usually asked, "exactly what is it you do?" and wanted to know if I could also teach European Civilization;

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Schools of Communication usually offered me jobs.) This background in what was then essentially positivistic social science gave me a rather unique perspective among my peers in the field of film studies. While the move away from the hegemony of positivism was already beginning in the mid-seventies, there was still a vast amount of important communications "research" that was relevant to the field of film studies. Convincing my colleagues of this fact was, however not an easy task. In conference after conference, I discovered that film scholars, both historians and theoreticians, were not only unaware of useful positivistic communications research, but in many cases they were aggressively protective of their ignorance. They simply did not wish to be confronted with any form of positivistic "research." The end result, from my perspective, was a constant stream of papers and books which either ignored the existence of a real live, breathing audience eating popcorn in the movie house, or essentially postulated that the entire audience for a particular film responded in exactly the way in which the theoretical/historical analyst was suggesting.⁴ My lonely plea (there were a few others with similar feelings--we usually adjourned to meet at one lonely table in the back of the hotel bar) that the content of American films, between 1934 and 1968 was the product of a process of industrial negotiation between the Production Code Administration and the producers of the film went largely ignored, or in some cases met with outright hostility. Even more calculated to create a cold hostility in a conference room full of film scholars was a plea for "real" historical research, which required delving into musty files in out-of-the-way libraries. This was the heyday of film theory; pure film historians were told, as I was, that all we had done was to study "facts," and "that everyone knew that 'facts' meant nothing."⁵

It was hard to make any headway for serious film history during the seventies and early eighties, when film scholars in the United States were hard pressed to keep up with the latest French film theory as interpreted by British Marxist film theorists. Eventually the paucity and ephemerality of much of this theoretical work became obvious. The quality of the writing to explain these complex theories was tortured and often became a parody of itself. At this time I edited a series of film dissertation reprints, and I was shocked by the number of dissertations that I read in which important narrative material was twisted almost beyond comprehensibility in order to "fit" into the latest work of Metz, Foucault, Lacan, or Althusser. Much of this significant historical research ("facts") has still not been published because the resulting manuscripts were unreadable.⁶ In the long run, many of these theoretical notions did not have much stamina and were quickly superseded by newer theories proposed by younger scholars seeking their places in the tenorial sun. By the mid-eighties, as a few of us had optimistically predicted, film history began to make a comeback. Several factors account for this. First, the movie industry began to make its files available for research purposes.⁷ This revitalized an interest in doing archival research in many different aspects of the film industry.

Second, many academic history departments were no longer adverse to their doctoral students undertaking projects in the field of popular culture, and film topics were naturally of importance.⁸ Third, was the example of the small, but increasing number of serious film histories which had appeared in the previous decade, and which were now beginning to become an accepted part of mainstream social and cultural history.⁹ A fourth factor was that by this time, the study of film history had absorbed many of the new "critical" approaches then being introduced into history and cultural studies, and a new, more mature form of film history had emerged. The most recent manifestation of this has been the publication of the first three volumes in the important "History of the American Cinema" series, under the editorial direction of Charles Harpole.¹⁰ These volumes, consummate in their style and documentation, symbolize the regained importance of serious film history.

What is still missing is the final incorporation of the useful elements of positivistic social science. As an example, studies of the audience are still largely based upon the theoretical notions of "reader-response" and not on pragmatic "audience analysis."¹¹ But progress has been made, and film theoreticians are beginning to deal with the existence of a real audience for movies, and not merely as an abstract subject for the projected symbolic or semiological "meanings" of the film's creators. I no longer feel unwelcome, or more significantly, unappreciated, in the company of film theorists. As I am about to embark on a totally revised social history of moviegoing in America, incorporating all of the significant research in the last fifteen years which has done much to make many of my original observations obsolete, I too feel rejuvenated about my field. I still deal with "facts," but I am no longer defensive about doing so.

II. The "Fact" of Film Censorship

I have a nagging fear that the film theorists who have only now turned to studying censorship, having exhausted all other avenues of investigation in order to interpret the "true meaning" of what paying audiences went to see portrayed on the screen in the last ninety years, will obfuscate the issue beyond all redemption. In order to make some sense of the imposition of censorship and self-regulation (the two are *not* the same thing), we need to understand the social and cultural history of this period, as well as the history of social science, education, and the legal system before we can attempt any insightful deconstruction. It would also be useful to begin to see the audience not as a homogeneous group, but as a heterogeneous collectivity of individuals, with different social and cultural predispositions to what they are about to see on the screen.¹² Janet Staiger, in her response to the two key papers, offers a good place to start with her examination of the relationship between popular film reviews and the public's response to the issue of censorship. I know of no research which attempts to discover what the average moviegoer thought about

film censorship or self-regulation during this period.¹³ In my own work I have cited many responses to these forms of social control, but all of my sources were in some way directly involved in the debate on the issue. Janet Staiger is right in saying that "spectators are quite a bit more sophisticated readers than the censor (or critic) might guess." It has always been my position that average moviegoers basically ignored the furor surrounding the censorship issue, because almost eighty million of them went to the movies every week during the thirties and forties.

An example of a "fact" which needs much closer examination is the question of the Roman Catholic Church's involvement in the creation and shaping of the infamous Production Code. Thanks largely to the work of scholars like Gregory Black, the long-observed historical factors leading to the emergence of the infamous Production Code are only now coming to the fore. We now know that much more Catholic influence was involved than previously suspected, and the hierarchy of the Catholic Church was instrumental in encouraging both Father Daniel Lord and Martin Quigley to develop this so-called Code of self-regulation for the industry. What can we make of this fact? Why did the Roman Catholic Church suddenly decide to exert the full might of its organized authority at this point in time? What about the Legion of Decency, and how much actual influence did all of this have on the MPPDA and eventually on the films seen on screens throughout the world? I'm not sure that deconstruction, semiology or structuralist analysis can provide these answers, but all of the practitioners of these theoretical methodologies would do well to bring their talents to bear on these new revelations.

The two central papers in this collection use quite different methodologies in their respective examinations of the issue of censorship. Gregory Black uses a traditional historical approach, gathering, organizing and presenting his findings in an orderly manner in order to construct a narrative, which the author hopes will explicate and expand our knowledge of a particular problem. Thomas Poe uses a textual analysis to force the reader to reconceptualize the concept of "censorship." He is particularly provocative in confronting the reader with having to deal with the audience's reaction to the "missing" part of the film. As Poe says: "This, I would argue is the dialectic tension within which one must read a censored film and further, much further, it is, perhaps, the very dialectic tension which always already exists between history and textuality." Here lies the central dilemma, for Black's work lays out his "facts" for all to see and from which we can judge his facility in assembling a plausible argument. Poe's theories, on the other hand, present us with a greater challenge, which is as much faith as it is belief. Poe uses his facts in a different way, as a source for interpretation which puts an emphasis on the skill of the interpreter (author) to clarify his or her perceived meanings. This can often run the risk of reader scepticism, resulting in the reaction, "I didn't see that!" But in the hands of a careful theorist (such as Thomas Poe), the quality of explication, which also requires an equally careful reader, has the

ability to open up the text to a multiplicity of meanings. It might even encourage the reader/viewer to construct another set of interpretations, or to expand on those already offered by the author/interpreter. In the end the polysemic nature of the text can become as obvious to the reader/viewer as the historical facts provided by the traditional historian. Unfortunately, not all historical or theoretical work in current film studies succeeds in achieving this admirable goal.

The reader of these two papers is blessed by being able to watch two fine scholars at the height of their interpretative powers. Each contributes, in a very specific way, to our understanding of the function of censorship and self-regulation in the shaping of a commercial art form. Gregory Black's work is more easily incorporated into the traditional narrative of film history, and is likely to be more easily understood by the average reader. Although Thomas Poe's work is more abstract and challenging, it is, nonetheless, solidly grounded in historical research, and the rewards to be gained from a close reading of his theoretical positions can only enrich our interpretation of what censorship means for the audience and within the socio-cultural context of the period. This paper also demonstrates that theory can also greatly enhance and expand the nature of the discourse on the role of film in society. What these papers suggest is that history and theory are really not that far apart, especially when undertaken by skillful researchers, willing to dig for facts. Perhaps toiling in the field of "facts" may actually not be a bad way to spend one's time after all.

III. Film Censorship: What Every Film Scholar Should Know

There is little doubt that the role of censorship in the historical development of the motion picture is at long last beginning to receive the attention that it has so richly deserved. The significance of censorship, not only as a symbol of the various strategies of social control, but also as a direct contributor to the content and the aesthetic arrangement seen on the movie screen is now widely acknowledged by most film scholars. No longer is the subject of censorship in the movies, or the examination of the participating institutions of the the Hays Office (The MPPDA), the Breen Office (The Production Code Administration--the PCA), and the various state and local offices considered to be non-essential ephemera in the history of the cinema.

Now, in the study of many national cinemas, especially those of the United States, Great Britain, Canada and Australia, the role of the film censor in shaping the view of the world as presented through the movies is being studied to reveal the peculiar patterns of political and cultural bias. Not all censors felt the same way about all subjects. The particular needs of a culture at a specific socio-historical locus has left us with many strange decisions; but careful analysis of these can reveal as much about the cultural and social

tensions of a society, as it can about the perceived power of the movies to mold and shape human attitudes and behavior.

The key issue is the belated recognition that censorship and other forms of self-regulatory practices in the film industry were the product of such socio-cultural forces. In the United States, films were censored almost from their first showings. We have records and films from the late nineteenth century showing the belly-dancer Fatima's "hootchi-kootchi" dance with censorial bars across her breasts and hips. Peep shows were subjected to police confiscation; the City of Chicago instituted legal censorship in 1907; and the City of New York tried to close all movie houses at Christmas in 1908.¹⁴ As Michael Ryan notes in his perceptive commentary on these two papers, "the social censor is a symptom of the internal censor at work in a more general way throughout American culture, especially in the world of conservative politics and morality."

The relationship between politics and morality was made obvious early in the history of the motion picture industry in the famous U.S. Supreme Court case *Mutual Film Corporation v. Industrial Commission of Ohio* (1915). Despite the fact (and more precisely because of it), that films had demonstrated their ability to "communicate ideas," the Court unanimously denied the motion picture the constitutional guarantees of freedom of speech and press. It is difficult to gauge exactly what was on the minds of the justices as they considered what to do with this new medium of information and entertainment, but there is little doubt that they saw the movies as a potential threat to the orderly development of "progressive" society. Writing the opinion for the Court, Justice McKenna clearly articulated the problem that the motion picture symbolized. The telling phrase was his declaration that:

It cannot be put out of view that the exhibition of moving pictures is a business pure and simple, originated and conducted for profit, like other spectacles, not to be regarded, nor intended to be regarded by the Ohio constitution, we think, as part of the press of the country or as organs of public opinion. They are mere representations of events, of ideas and sentiments published and known, vivid, useful and entertaining no doubt, but, as we have said, capable of evil, having power for it, the greater because of the attractiveness and manner of exhibition."¹⁵

Although not widely recognized as such at the time, this was a momentous decision which would affect the course of the motion picture industry in the United States for more than thirty-five years, and have a profound effect on the nature of the content that this new medium would be allowed to explore.

In many cases, especially in the United States, censorship was as much a byproduct of faulty social science as it was a factor of imposed morality. The inability of social scientists in this early period to provide reliable measures

and assessments of "movie impact" provided the opportunity for a wide range of decisions by reformers. In a few cases these decisions were based upon a perception of the power of the movies which emerged from supposedly reliable empirical studies; but more often the policies and regulatory practices which were instituted were the result of political or religious agendas in the name of "public morality." Even the group of twelve empirically-based studies published in 1933 under the title *Motion Pictures and Youth*, and known as the *Payne Fund Studies*, were largely misperceived, not only by those who wished to institute greater measures of social control, especially at the federal level, but also by social scientists themselves.¹⁶ Little wonder that movies were subjected to a level of institutionalized censorship never experienced by any other medium in the history of this country. Is it against this background that film censorship must be examined. If the "fact" of film censorship is now to become part of the "theorizing" about film, then these two papers provide us with an admirable place to start.

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Notes

1. Perhaps it is a combination of my own intellectual insecurity about the plethora of film "theories" and encroaching middle-age, but in recent years I have taken to writing these "personal odysseys" as a means of tracing changes in my own thinking and also in the various fields of communication, film studies and now television studies. To my great and pleasant surprise, audience reactions to these personal digressions have been on the whole very positive. The "laying bare," so to speak, of one's own intellectual journey seems to strike a very sympathetic chord. Perhaps this will start a trend of "voyeuristic scholarship."

2. Terry Ramsaye, *A Million and One Nights*, (New York: Simon and Schuster, 1926); Benjamin Hampton, *A History of the Movies*, (New York: Covici-Friede, 1931); Lewis Jacobs, *The Rise of the American Film*, (New York: Teacher's College Press, 1939). There are, of course, many other books which deal with the history of the movies, but these were the canonical texts in 1968.

3. Robert Sklar, *Movie-Made America*, (New York: Random House, 1975); Jowett, *Film: The Democratic Art*, (Boston: Little, Brown, 1976).

4. The belief in a "mass" undifferentiated audience is known in communications research as the "direct influence," "hypodermic syringe" or "magic bullet" theory, and has no credibility whatsoever. It would be many years before the notion of *polysemy* was gradually accepted, but only then because cultural theorists thought that they had invented it!

5. When confronted with this astonishing statement at a conference at Asilomar, California in 1981, the only thing that I could offer in response was that "the one 'fact' that I was absolutely certain of, was that Karl Marx had never seen a movie!" I was loudly hissed and booed for this unseemly outburst, and even singled out in the official report of the conference as representing an outmoded positivistic perspective.

6. I think of one manuscript in particular, dealing with the fascinating subject of the "discourse of early movie advertising," in which there was an amazing amount of interesting original research from primary sources. Unfortunately the student, no doubt encouraged by her advisor, forced this information into a tortuous Foucauldian model, thereby virtually destroying its narrative and historical significance.

7. Between 1974 and 1982 I tried to get Jack Valenti, president of the Motion Picture Association of America to open up the PCA files to me. This request was consistently refused on the basis that these had been "privileged correspondence." The PCA files have now been made available on a somewhat selective basis as these papers indicate.

8. In 1981, I was unsuccessful in helping a student persuade the history department at Stanford to accept his film topic as being suitable for a doctoral dissertation.

9. Besides the previously mentioned work by Sklar and Jowett, there were many fine, scholarly works of film history after 1976. Of special significance were Lary May, *Screening out the Past*, (New York: Oxford UP, 1980); and the important and prolific work of Douglas Gomery in film economics and the coming of sound, which is summarized in Robert C. Allen and Douglas Gomery, *Film History*, (New York: Knopf, 1985). In the last five years many important works of film history which utilize the newly available files of the MPAA and PCA have begun to emerge. For an excellent example see Gregory D. Black, "Movies, Politics, and Censorship: The Production Code Administration and Political Censorship of Film Content," *Journal of Policy History*, vol.3, no.2, 1991, 95-129.

10. These essential volumes are: Charles Musser, *Vol. 1: The Emergence of Cinema: The American Screen to 1907*; Eileen Bowser, *Vol. 2: The Transformation of Cinema: 1907-1915*; and Richard Kozarski, *An Evening's Entertainment: The Age of the Silent Feature Picture 1915-1928*, all New York: Scribners, 1990. For an interesting combination of theory and primary research in the PCA files, see the interesting reinterpretation of film censorship in Lea Jacobs, *The Wages of Sin: Censorship and the Fallen Woman Film, 1928-1942* (Madison: U of Wisconsin P, 1991).

11. The question of the difficulty of movie audience research is examined in Bruce A. Austin, *Immediate Seating: A Look at Movie Audiences*, (Belmont, CA: Wadsworth, 1989).

12. It is interesting to note that the relatively newly emerging academic discipline of "television studies" is actually much more advanced in incorporating social scientific perspectives than film studies, which is still somewhat resistant. Perhaps this is because theoretical film studies are still largely associated with the types of textual analysis done in English Departments, whereas television studies came largely out of communication departments.

13. We do have the evidence of the overwhelming defeat of the Massachusetts Film Censorship Bill in a public referendum in 1922. The details are found in Jowett, *Film: The Democratic Art* 167-169.

14. A useful history of film censorship is Richard Randall, *Censorship of the Movies*, (Madison: U of Wisconsin P, 1968).

15. *Mutual Film Corporation v. Ohio Industrial Commission*, 236 US, 230 US Supreme Court, 1915, 244. For a detailed examination of this important case, see Garth S. Jowett, "'A Capacity for Evil': The 1915 Supreme Court *Mutual* Decision," *Historical Journal of Film, Radio and Television*, vol. 9, no. 1, 1989, 59-78.

16. For a detailed examination of the Payne Fund Studies see Garth S. Jowett, *Film: The Democratic Art* 220-229.